



NORFOLK ISLAND LEGISLATIVE ASSEMBLY
14TH NILA HANSARD – 15 OCTOBER 2014

SPEAKER Honourable Members we commence with the prayer of the Legislative Assembly.

PRAYER

MEMBERS Almighty God we humbly beseech Thee to vouchsafe Thy blessing on 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 Thank you Honourable Members. Honourable Members we are all present this morning, so there are no requests for leave. Condolences, Mr Evans please.

MR EVANS Thank you Mr Speaker. Mr Speaker, it is with regret that this House records the passing of **Marlene Patricia Champion**. Marlene was born in Hobart in September 1932 to William and Winnifred Kelly and was the youngest of seven children - Lindsay, Geoffrey, Winnifred, Jim, Glennis and Terry. The loss of their parents at a young age meant that Marlene and her sisters were raised in St Joseph's orphanage, where they were cared for by the Sisters' of Charity. Throughout these early years Marlene and her siblings maintained contact and she carried that strong family bond throughout her life. Marlene went to school at St Joseph's College in Hobart and then at the age of 14, she moved to Sydney to live with her sister Glennis and her husband Ken. At 18, Marlene returned home and entered the 1951 Regatta and was crowned 'Miss New Norfolk'. A few months later Marlene returned to Sydney and there developed her love for the mighty Manly Sea Eagles. In her early 20's Marlene worked at Mark Foys and frequented a local dance hall where she was swept off her feet by Ron, a biker and member of the Corso Cowboy Club. They were wed and lived life to the fullest, socialising with friends and family. In 1972 Ron and Marlene with their daughters, Michelle and Marita, moved to Norfolk and purchased the Browse About. After selling their business Marls became the Queen of the Vegemite Village day care. She had a magic gift with children and was so excited to welcome her grandchildren, Jared, Jay, Jade, Zack and Genna. She was a giver and generous to all. Marlene will be sadly missed in our community. To Ron, Michelle and Mark, Marita and Al, and their families, to her many friends, this House extends its deepest sympathy. May she rest in peace.

It is also with regret Mr Speaker that this House records the passing of **Russell Harrold Beadman**, who passed away in the Norfolk Island Hospital on the 20th September 2014. He was a passionate and very proud Australian who, in 1988, found his paradise on Norfolk Island. He is sadly missed by his wife Marie Kathleen Beadman (nee Christian) and family. To his family, this House extends its deepest sympathy. May he rest in peace. Thank you Mr Speaker.

SPEAKER Honourable Members I add to the condolences by recording the death in London of Dr William F. Shija, the Secretary-General of the Commonwealth Parliamentary Association. Dr Shija was a former parliamentarian and a Minister in the Government in Tanzania. He was also a family man and the Commonwealth joins in extending our heartfelt condolences to his wife and his five children and all those who held him dear. Equally offering condolences to the London staff of the Headquarters Secretariat of which he was Secretary-General.

Honourable Members in terms of offering condolences I invite you all to stand in your places for a period of silence.

Thank you Honourable members.

MATTER OF PUBLIC IMPORTANCE

SPEAKER

Honourable Members, a matter of public importance, a Member has proposed to the Speaker, a Matter of Public Importance, the matter has been examined and determined that it is in order and according to the Standing Orders I will read the note that covers it. Matter of Public Importance, in accordance with Standing Order 81, I seek approval to propose a Matter of Public Importance at the next sitting of the Norfolk Island Legislative Assembly on Wednesday, 15 October 2014 in relation to the future model of governance for Norfolk Island. This request is a result of the outcomes from a meeting held in Adelaide on Wednesday, 8 October 2014 with the Hon. Jamie Briggs, MP, Assistant Minister for Infrastructure and Regional Development, who is the responsible Commonwealth Minister under the *Norfolk Island Act 1979*. And the request is signed yours sincerely Lisle Snell, Chief Minister and Minister for Tourism. Again in accordance with the standing orders Honourable Members I seek to know whether this matter is supported. Thank you Honourable Members, all Members are standing in their place to signify assent, therefore I call the matter on.

MR SNELL

Thank you Mr Speaker. Mr Speaker I wish to record the thanks to Minister Briggs for allowing a delegation of Parliament and Staff to attend to him in Adelaide on the 8th of October. Mr Speaker the visit to Australia to meet with Minister Briggs I was accompanied by Minister Sheridan, Mr Jon Gibbons, Chief Executive Officer of the Norfolk Island Administration and Mr David Price, Chief of Staff. In Adelaide Minister Briggs was accompanied by His Honour the Administrator, Mr Gary Hardgrave, Mrs Robyn Fleming from the Department of Infrastructure and Regional Development and his Chief of Staff. The agenda for the meeting Mr Speaker was for the introduction of the Norfolk Island Government's preferred model of Territory Self-Governance first submitted to the Commonwealth in July 2011, the Australian Taxation, the Australian Social Welfare System, Immigration Reform to facilitate the introduction of those systems and an agreed joint process to develop and implement those reforms. Discussions revolved around those subjects. However, Minister Briggs indicated emphatically that our preferred model of self-government was dead in the water, he claimed that there was no possibility of Norfolk Island funding state type functions here on Norfolk Island. The Road Map was no longer a consideration. The options that they had presented and were working upon for the last three months were not available to us. He also emphatically stated that there would be no support from any state and that Norfolk Island would not be a state in its own right with no state powers. Mr Speaker the attitude of the Federal Government in developing a Cabinet submission on a governance model for Norfolk Island without full and meaningful consultation with the people of Norfolk Island is unacceptable. It borders on being disrespectful and goes against the commitment Assistant Minister Briggs gave previously. Minister Briggs commented on the 97 returned letters, 70 of which support, according to Minister Briggs, of which we have not seen these letters, a change to the current governance model and no mention was made of the 80 odd letters that I believe were sent by registered mail supporting consultation before any proposed changes, no mention was made of those 80 letters. It is believed that just by the wave of a hand the dismissal of state government functions to be carried out in a governance model for Norfolk Island condemns the future governance on Norfolk Island to that of a local Government status. The attitude of the Federal Government in this regard to the Legislative Assembly of Norfolk Island and its people in ruling out any consultation on the governance model is to rewind Colonial rule and has no place in 2014. The Federal Government needs to put the same amount of effort in jointly working with the Norfolk Island Legislative Government on our preferred model of governance as they have been adopting possibly in secret Mr Speaker in putting together the options now in a Cabinet paper, I believe in the Prime Minister's office, as indicated by

Minister Briggs. The Federal Government needs to rethink their unacceptable strategy and engage the Norfolk Island community in consultation on a governance model which all can collectively embrace and endorse. Mr Speaker, Minister Briggs gave us one hour and 15 minutes for this meeting, this meeting was hugely important for the people of Norfolk Island to counteract some of the innuendos and rumours that have been circulating within this community for the last six to eight months indicating that there was a change to be had, and the change in the governance of Norfolk Island would not be brought forward for consultation with this community. We were disappointed in the result in that. We were disappointed in being told that. We were of course greatly disappointed that we were not previously advised and given any opportunity to comment. Minister Briggs did say that he had been in the job for 12 months and what is happening on Norfolk Island is unsustainable. The Road Map had failed and he had consulted with the community with those 97 returned letters. He was annoyed and showed his annoyance that our parliament saw fit to introduce a medicinal cannabis bill and also indicated that he was annoyed at the gay marriage proposal and that these matters were not brought before the Administrator before being brought to this House. And he did say that he would not approve of the gay marriage legislation. He did say that the Government was looking at the introduction of a change by the 1st of July 2015 with aged pensions first and second orders in relation to timings such as taxation would need to be phased in as the economy grew. The Commonwealth Government was looking at a governance model and did not rule out a Christmas Island model. Norfolk Island is about how infrastructure and the economy is developed. We spoke briefly on those issues. He also mentioned that he had spoken to the previous Government's Minister Simon Crean who expressed a view that Norfolk Island can not be trusted to implement agreed reforms. Minister Sheridan mentioned Norfolk Island people will accept the introduction of our model but not total removal of state and local responsibilities. Minister Briggs commented with the numbers on Norfolk Island we can not sustain state type government responsibilities, he did not make reference to a joint shared arrangements as suggested in our preferred model of government. The GST equalisation would not be applied and the Hospital would not be accredited and therefore Medicare would not apply. The accreditation of the Hospital is a subject that we are working through of course, and we had hoped that we had been able to meet the very stringent requirements and that it is disappointing Mr Speaker, that the Hospital has been apparently targeted as being insufficient to provide the services that it has done so wonderfully over the last 100 or so years on Norfolk Island, but the particular Hospital since 1950. The Departmental work that has gone on he indicated to us over the last three months and the letter in the paper to the Prime Minister. A decision on the governance model he indicated will be made by the end of this year and with the timing of change they will engage on the implementation of a new model. The Joint Standing Committee Report will be available soon that the Government taking note of their recommendation and the submissions that were made to that committee, and we took into account that that was an economic development committee for that purpose. He did mention some of the other reports that had been introduced, such as the CIE Report and the Deloitte's Report. The Prime Minister has a Cabinet paper. In summary Mr Speaker, Minister Briggs ruled out the Norfolk Island model of governance with a statement that Norfolk Island could not sustain state government functions. There was no further consultation on the governance model, but we will talk about the implementation of the change with Australian welfare being implemented from 1st of July 2015 with the Administrator picking up more responsibilities to oversee the implementation of those changes. We understand planning was well advanced with cross-departmental planning as mentioned going on for three months. A decision on the governance change is likely this year as the Prime Minister already has that paper. Thank you Mr Speaker.

MR WARD

Thank you Mr Speaker. Mr Speaker, last Friday's announcement on governance reform was no surprise and it is most disappointing that the Commonwealth has seen fit to handle the manner in such an arbitrary manner, the loss of self governance commenced with the assent of the Australian Parliaments Territory Law Reform Act 2010, on the 10th of December. Most Members of this House had anticipated an adverse decision along the lines of Friday's announcement when they unanimously voted for a referendum on the 20th of August 2014 Sittings. The issue of tenure in the KAVHA building known as No. 11 Quality Row, is a prime example of Commonwealth arrogance, to treat a

long standing collaborative partner like an errant tenant is an arrogance that gives rise to concerns for many in this community as to what impacts the proposed governance will bring to arbitrarily issue a fortnight's notice to vacate a building used by the Administration for over 40 years is inexcusable. The Administration is not some casual tenant but a collaborative partner to the Commonwealth in the restoration and management of that building and the rest of the publically owned KAVHA area. To deal this way with a long term partner in this manner is a massive breach of faith. The previous Legislative Assembly entered into the Road Map for reform process in good faith that they would undertake agreed actions such as opening up immigration and improving transparency and accountability, the Commonwealth would in turn deliver on its promises to deliver on commitments, in particular that they would in exchange for our participation into the tax system, relieve us of cost burdens in the areas that they cover in the wider Australian system. To push the island into full on integration is another massive breach of faith. It has to be recognised that their tardiness in delivering has been a major contributor to the uncertainty in this island. This uncertainty has translated into real dollar impacts for every business and every person living on this island and for the Administration's finances. These financial impacts have had severe impacts on the lives of real people. The impacts have also affected our revenue raising capacity and our capacity to deliver services. Add to this the constraints and demands of the Funding Agreement's for so called essential services funding, funding that is often withheld on the whim of some anonymous bureaucrat. Mr Speaker it is now widely acknowledged that the Road Map did not work. But the question is could it have worked if the Commonwealth had honoured their side of the agreement, would it have been better for both the Commonwealth and Norfolk Island community if reforms had been limited to the Commonwealth taking responsibility for its core service areas and leaving the rest for this community to determine for itself. What is the point of the Commonwealth taking on much more than this community wants and in turn demanding of us that we yield much more than we wish to. The feedback I have received in the community is that people are alarmed and dismayed at the high-handed arrogance that we have received. That they also seek answers on what the impacts of the proposed governance would be. Questions such as 'would our existing laws persist?', 'are we to lose control over planning and land use?', 'would our public assets be safe from arbitrary sell-offs?', 'would KAVHA, other reserves and Crown Lands be safe from privatisation?', 'would we be having some distant state authority doing development deals that we get little or no say in?', 'does our significant contribution to KAVHA get cast aside only to be taken over by a multitude of externally appointed public servants who would serve out their assigned terms here and leave behind their mistakes for us to live with?'. I believe that existing Australian taxpayers would also like to know why their Government is choosing to play God using their money, pushing massive reforms, when a more prudent approach would be preferred here and cost them way less. Integration was never the agreed aim of the Road Map and has not been offered openly as an option. We, as the elected representatives, and the Norfolk Island community are entitled to the facts and a full genuine and adequate consultation. The question of what type of government we have may be seen by some as irrelevant, but when you think about the huge range of issues and decisions that non-elected bureaucrats could be making on our behalf we start to see the real risks. Mr Speaker some may perceive that my concerns are anti-Commonwealth or unappreciative of the financial support that they have provided. Nothing could be further from the truth. The Commonwealth has contributed significantly to the establishment of the Airport as we know it today, the setting up the National Park, the partnering in the restoration of the KAVHA buildings and the Airline underwriting. There have been times of mutual good will and co-operation, and times where there could have been better communication both ways. This is a crucial time for all parties to get back to basics, discard the prejudices, and work to achieve the best possible outcomes for this island. The Norfolk Island Act 1979 was established after the most intensive review in the island's history. There were many valid reasons for the unique governance arrangements being established. Those reasons are as valid today as they were then. That we have hit lean times does not justify tearing down everything and starting again. This place holds incredible potential both in the traditional area of tourism and in harnessing its natural resources. This Government certainly intends to keep seeking out new ways to harness that potential in ways that are sustainable and in ways that uphold the good name of this island and its people. I will conclude by calling upon the Commonwealth

to engage in open and genuine consultation as a matter of utmost urgency. Thank you Mr Speaker.

MS ADAMS

Thank you Mr Speaker. Mr Speaker I am going to commence my debate, or discussion I should say, by referring to an article written by myself and published in the Parliamentarian earlier this year. Under the title – ‘The Commonwealth of Australia and Norfolk Island – Bridging the Divide’ and the leader from the Editor reads, ‘the issue of bridging the divide between the Commonwealth of Australia and the Territory of Norfolk Island is one that has yet to be resolved, leaving unanswered questions regarding the territory’s future status’. And I commenced the article with reference to Emeritus Professor Maev O’Collins paper which was presented at the Australian National University Emeritus Faculty Lecture Series titled Norfolk Island and the Commonwealth of Australia, continuing the Uneasy Relationship? In presenting her paper she stated – ‘the background to this talk is my research into the socio-political context of the final transfer in 1914 of the authority for Norfolk Island from Britain to the Commonwealth of Australia. Since then Norfolk Island’s special status and unique form of governance have often been seen as ‘unfinished business’. This has been reflected in a number of reports and commissions of inquiry and in the intermittent attempts made by successive Australian Governments to enact legislation to bring Norfolk Island in line with other Australian Territories. Currently the debate is continuing, as Norfolk Islanders try to maintain their cultural and historical identity. The ambiguous relationship between Norfolk Island and Australia may also be seen as a microcosm of Australia’s with current relations with other small independent nations in the South Pacific.’ Emeritus Professor Maev O’Collins goes on to say ‘as a mainland Australian who has visited Norfolk Island on several occasions and conducted archival research into the history of the political and administrative relationship between Australia and Norfolk Island it is sobering to note that the lessons of history are so difficult to learn. While many of the recommendations’, and she was in fact referring at that time in 2004 to a report of the Joint Standing Committee, ‘are eminently reasonable, there is a need to establish a less adversarial mechanism for ongoing consultation between the Commonwealth and Norfolk Island Governments. The continuing challenge is to devise and maintain open processes of dialogue and consultation between the Parliament of Australia and the Norfolk Island Legislative Assembly ensuring that the Norfolk Island community is directly engaged in the process may also serve to establish a sense of ownership and responsibility. If the process of implementation included a two way mechanism for ongoing consultation aimed at achieving acceptance and endorsement as well as any mutually acceptable modifications both Norfolk Island and Australia would be the winners’. Those facts and that goal remain as relevant today as they have since 1856 Mr Speaker. Mr Speaker I am not going to go over, yet again, what was said by myself when I introduced the motion for the holding of a referendum back on 20th August 2014, enough to say that flowing out of that motion that this House, without dissenting voice, all Members being present, agreed to this community being consulted at referendum before any changes are made to its governance. And at this point in time this Norfolk Island Government and the Norfolk Island Parliament as a whole are behind the petition that is currently in Norfolk Mall where the Norfolk Island community is being given the opportunity to make a statement to the Commonwealth Federal Parliament, to the House of Representatives and to the Senate, saying that we want a say in our future. Minister Briggs says that he has consulted with the Norfolk Island community. He is saying that he has done this by inviting the community to write to him. He’s told the Chief Minister, in Adelaide, that 97 people wrote to him and 70 of those people wanted a change, I understand, in the governance arrangements. I have a question for Minister Briggs – Minister why have you not taken into account the 87 people who wrote to you, and I from Norfolk Island, whose letters were table in the Norfolk Island Parliament on the 16th of April 2014, whose letters were provided to the Office of the Administrator, by the Clerk to the Norfolk Island Parliament, by letter dated 21 May 2014 and which letters were also sent to you Minister Briggs by registered mail. Why are you not mentioning these people Minister Briggs, and in case there is any doubt as to what those 87 people said to you Minister, I will read the letter into Hansard yet again. So you have 80 people you say want to change the governance arrangements, and without the benefit of seeing those hidden letters Minister, we don’t really know what those 70 people said. However we do know what 87 people did

say on Norfolk Island because the process we used was open and transparent and I will again read the letter addressed to Minister Briggs and to myself as Minister for Cultural Heritage and Community Services. Dear Minister Briggs and Minister Adams, - and granted that this a template letter that was put out there in the community and the community was invited to sign this letter – in the recent letter to Norfolk Island residents from the Hon. Jamie Briggs MP, Minister Briggs states, ‘I would like to hear your ideas for the future of Norfolk Island, how can we better identify and promote economic opportunities, as well as your views on how best to deliver essential services and the best governance model for the future’. Minister Adams during the Norfolk Island Parliament sitting on the 19th of March 2014 spoke of a proposal and a need for a commitment expressing that before any further constitutional change or any major governance change occurs that the people of this community should be first consulted through referendum or plebiscite process. We agree with both these statements. It would seem that there is a meeting of the minds in that both governments are recognising the need to provide clear information to the community before introducing major changes to governance or constitutional models. We the undersigned welcome the opportunity to engage, however it is unclear what we are being asked to respond to. We request that the following three processes occur – 1. Both the Australian and Norfolk Island Governments as a matter of urgency work together on all proposed options for Norfolk Island’s political and economic future, 2. Both the Australian and Norfolk Island Governments undertake the economic, social and environmental impact evaluation and modelling for each of the options for Norfolk Island’s future and give the Norfolk Island people access to all information and 3. Allow the Norfolk Island people to have an opportunity to decide through referendum/plebiscite after appropriate consultation before proceeding with any policy decision.’ 87 people signed that letter Mr Speaker, 87 and Minister Briggs says that he has 70 people saying otherwise. Not good enough, absolutely not good enough, how many people in this community? I’m not on either side of those letters, all I am saying is, that this community is entitled democratic process, and that is yet to be demonstrated anywhere. It is any wonder that many people on Norfolk Island, in particular the Pitcairn descendants are yet again feeling betrayed by the Commonwealth of Australia, I’m an Australian born and educated, I’m also a Norfolk Islander of Pitcairn descent, and I absolutely understand how people may be feeling that they are being betrayed. The betrayal of course occurred soon after their arrival in 1856 and it continued without referendum Norfolk Island was placed under the authority of the Commonwealth in 1914 and now, yet again, it would seem that without consultation at referendum or plebiscite stand to lose the Parliament and self-government that the Norfolk Island Council fought so hard to achieve in the late 70’s. I say to you Minister – the people of Norfolk Island have the right to choose their destiny, they have the right to demand that they be consulted by appropriate democratic process on their future and that process is consultation by referendum or plebiscite and for my part, with independent oversight, a role which can be played by the United Nations. And Minister Briggs I need to remind Australia of the Harare Convention of 1971 to which Australia is a signatory, a convention which was reaffirmed by the Millbrook Commonwealth Action Programme, and that reads, and this is just one of the principles of the Harare Convention of 1971, we believe in the liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, colour, creed or political belief and the individuals inalienable to participate by means of free and democratic political processes in framing the society in which he or she lives. I say shame on all of us, shame on the Minister, shame on the Prime Minister, shame on the Commonwealth of Australia and shame on us if we do not insist that this community be consulted by proper democratic process and that is only at referendum or plebiscite. And finally perhaps we would all do well if we looked at our closed neighbour, New Zealand, an enlightened nation which treats its dependencies, the Cook Island, Niue, Tokelau, with respect. Working with them in a cooperative enlightened partnership for the benefit for all, let that be our goal moving forward Mr Speaker, thank you.

MR SNELL

debate I propose a motion.

Thank you Mr Speaker, Mr Speaker if there is no further

MR NOBBS

Sorry, I was just waiting on all the Minister's to speak Mr Speaker and others who may. Thank you Mr Speaker, Mr Speaker I'm concerned about a number of things from a failing to undertake meaningful consultation, the state of the island through an inability to kick start the economy, poor decisions in relation to supposed reforms which have been introduced, stand over tactics, which I admit like the rest are nothing new, right through to the current threat to remove self-government. Unfortunately what is really tragic is to listen to people who have not seen the island pre self-government and have really no idea of the state of the island under direct Commonwealth rule. Now there has been a statement that we could get local government, I don't accept that as being kosher at this stage, but I do believe that they will go back to Government Commonwealth rule initially. And for how long that may be I don't know. Although I must admit the arrangements in the past four years are a good indication if you're really wish to confront the facts, and that's in relation to Commonwealth rule. What did we have – the usual attitudes, a lot of hot air, inability to understand and provide solutions, so they hide behind selected consultants, come up with half baked solutions, start to create a new empire for themselves, throw some money at it and hope for the best, and I speak of that from experience elsewhere Mr Speaker, not just on Norfolk Island. When even to them it becomes obvious that there so called solutions just can not work, forget any collateral damage caused by their decisions, just try and deflect the blame, and we had that in spades recently on Norfolk Island. Finally Mr Speaker, when the cows gone dry and the chickens won't lay, and the facts finally sink in, and there is no where to go, just bury it and move on. The sad part is that there is no enquiry as to why. There has been a lot of criticism and down right attempted intimidation of the community in the past four years, I suggest Mr Speaker if your footy team is not going too well the coach may give them a blast and then attempt to lift his players, not keep the blast up for four seasons. If the coach does persist the players either leave the club which has happened, or degenerate even further, which has also happened, preferably the coach gets the sack. What is the difference between Norfolk Island pre and post self government people have asked me. Pre, in a word so to speak, a bit like the past three or four years, but a lot worse, as the saying goes, you ain't seen nothing yet, I will give you a couple of very simple examples, the roads, to you they are pretty bad, and I would agree, they are not the best, but they are perfect to what they were pre self-government, there was no golden hand shake with all the roads fixed up by the Commonwealth before self-government as occurred in the NT and the ACT. Another one that I will give you, we did not, and still do not pay income tax you may say, well before self-government the base wage of the Administration, then under the Administrator and the Commonwealth was originally set at a level which took account of not paying income tax and that is a fact. The base wage was set at the Australian wage less a percentage, I think it was about 15 per cent for tax, I'm not too sure, it might have been 20. All the Administration wages and really the island generally, reflected this formula, so whilst we did not pay tax, the Commonwealth actually still benefited through reduced wage bill and reduced contractual costs if they tendered out the work. I wish to change to another subject and this is statistics, the Chief Minister mentions the Federal Minister Briggs' quoted figures that proved that he had consulted and the like. The document in 2011 headed the Norfolk Island Road Map submission feedback summary, reported on the results of seeking public comment on the Road Map, which was developed to inform future directions in relation to the structural reform of the Norfolk Island Government model – top stuff – sounds exciting! General comments on the report interesting, misleading and doctored, 153 submissions were received, of these 85 – that's 55 per cent, were classified as campaign letters sponsored by local community action groups which might be what they classified Minister Adams previous letter, the report stated that the key Norfolk Island Road Map reforms related to governance, economic development, Norfolk Island public service, obligations for Norfolk Island to pay Australian tax, environment and heritage and extended Commonwealth laws. On looking through the document the figure of around 42 per cent was supportive of the Road Map provisions related to key reforms which I just read out. In fact the lowest was 39 per cent in support and the highest was 47 per cent, there was no clear majority for any key reform. Now we have only got 153 submissions they were saying, I guess those were the ones that would be really keen. It is thus assumed that neither the reforms nor the Road Map were acceptable. Some comments were interesting, the Chamber of Commerce was quoted quite widely but not on taxation and extension of Australian laws. I think the survey

showed clearly that there was a need to involve the community more. There was definitely no clear acceptance of the Road Map and the comments quoted were hand picked. The Chief Minister stated the other day to the Commonwealth the Road Map is dead, which is fine by me, I would state that it has been dead since inception and the terms should be it is now buried. Buried is a well known term in the Commonwealth, bury the mistakes, fate of a number of pathetic ill thought out initiatives, just bury it, people soon forget you know. Or do they? To come out with a Road Map, which in my opinion has never been accepted by the community and now to be told after manipulating parts of the old system to implement bits of the Road Map which have been far from successful, in fact in some cases potentially negative. We are now told the game plan has changed, but we ain't gonna tell you what it is. Really? How confused are such politicians? Surely there must be something somewhere some fairly deranged advice being provided. Mr Speaker, I say yet again, without an effective economy we will be nothing. The question of Australia in or out will not fix that. In fact the actions in recent years suggest that a reliance on a handout mentality. In the past the island's economy, economic failings, were not fixed by any other than the local community, it is time, and there are simple solutions, and it would be great if people would accept that, you don't have to be a rocket scientist to run this place. Just energy, you may need a rocket for that, but forget the scientist bit, and some reasonable workable ideas. We have wasted four years, fine it would have possibly been easier four years ago, but that's life. I say to you in my lifetime, and it's awhile, in my lifetime the island has been in a far worse state than it is today. I don't want to go back there, and as I said it's time. Thank you Mr Speaker.

MR PORTER Thank you Mr Speaker, many of the statements made today are true. However it does not change the fact that our current governance model has failed the Norfolk Island people. The reasons for the failure are many and varied however, one of the more easily identified is the lack of financial and physical resources to operate at a state level, this matter can be overcome, however it is obvious that it is complex and challenging and to this end it may take a reasonable period of time. My concern is that with our all or nothing attitude we may miss out on the opportunity to return to a sustainable of shared governance at an appropriate time, hopefully at the earliest time frame available. And in the matter of a referendum, unless we can provide a fully funded alternative to the current proposal, it is not a practical solution and it may just offer false hope in our current dire circumstances. Thank you Mr Speaker.

MRS WARD Thank you Mr Speaker. I will just try and keep to the points as we had discussed them yesterday at a meeting of members and the statement on the matter of public importance as the Chief Minister has read out. Because certainly the hurling of insults and threats at each other across the air is not going to get us anywhere. I understand that there is a range of options being considered. However what I can glean has come out of the meeting from Minister Briggs is that our preferred model is not one of those options. So the question is why is it not one of the options, and the answer has been given that the Minister is not confident in our ability to fund state level functions. That we could not sustain state level functions. So and I will come back to this at question time, I will just give the Chief Minister and the Minister time to think, what the Government has done over the period of the last 15 months to convince Minister Briggs that Norfolk Island is capable of delivering state level services. Now I appreciate that part of the preferred model plan is that we would be part of the transfer payment system, maybe it has all just become too complicated, I don't know. But what I'm willing to do is listen to what the Prime Minister and the Federal Cabinet come up with as a proposal, an alternative governance model, because we all want change to the current model, we know that, we agreed that, the previous Government and this Government have agreed that. So that is not a question, we all want change, so it would appear that there is a lack of confidence that we have the ability to fund the state level functions. And I must admit Mr Speaker since doing the education review and providing that report to the House, I do appreciate the concerns of the responsible Federal Minister, I see that we have not moved to implement or progress with Health reform legislation. So I do appreciate those concerns. It is really about the question what the Norfolk Island Government is still doing because a decision has still not been made to try

and convince the Federal Minister otherwise. Whether that can be achieved, like I said, I have my doubts too. I do appreciate the Federal Minister's concerns and what I want at the end of the day is a sustainable model of Government. How those state level services are then ultimately managed and administered is a debate and discussion that will occur around the implementation. So what's occurred now, and the Federal Minister has said, consultation is over around a decision on what a governance model will be, that in fact will, what I am reading from that, is that finally we will get a decision. So that Cabinet paper is with the Prime Minister and we have been advised yesterday that there was a discussion that there would be decision made by the end of the year by the Federal Cabinet. Now one assumes that would then result in amendments to the Norfolk Island Act, now that's a whole new stage, and for those who are represented by Federal Politicians, will probably have an advantage in being able to have direct discussion with their democratically elected Federal Politicians. As a matter of interest Mr Speaker, 13 per cent of the Norfolk Island community chose to, have taken out their democratic right to vote federally, and it is times like this when it comes in handy, but that's everybody's choice. So I am certainly willing to listen to what the Federal Minister has to say, I will probably come into that more in discussion around a motion which there is an indication that leave will be sought to progress that. I think just to finish off on this discussion Mr Speaker, what needs to stay front and centre in our minds is what is going to be best for the community in the next ten, twenty, thirty years, and as long as there is some form of representative body, and that was the other piece of information that the Chief Minister gave us yesterday, is that that will exist. And the next stage of discussion will be around implementation of whatever the new governance model is as put forward by the Prime Minister. Thank you Mr Speaker.

MR EVANS

Thank you Mr Speaker. I totally agree. I think every Member has come up with some pretty valid points and I suppose we all just hope for a common sense approach, that if it is someone's future, like Norfolk Island's, that we would have some indication of where we are going to go. So hopefully that might come out soon. If I may just Mr Speaker, without touching on anything else that has been said around the table, but also thank those people in the community that have had a vision to combine and show their voice in a public manner, so I would certainly like to thank those people in the community that started that action and our elders in our community, it is something that has a very strong voice, and that could probably be the strongest way that Norfolk can show a message that the people on Norfolk Island do need some answers to some questions that are pretty important in their lives and I think the last four years haven't given anybody some answers and I think that we hopefully get those the sooner the better. And I certainly encourage those in the community to continue those sort of things that will just give the Commonwealth some sort of insight as to what Norfolk Island needs as a community. So hopefully those actions can continue within the community and thank those people that showed their support in those actions. Thank you Mr Speaker.

MR SHERIDAN

Thank you Mr Speaker. I won't keep you long. I just have a few words to add to this debate and in particular, and of course to the motion that the Chief Minister has brought today in response to our meeting in Adelaide with the Federal Minister last Wednesday, and I suppose what has created this atmosphere in the last week, what's created this hiatus is the unknown. I believe that the Norfolk Island Government over the last four years, since the Road Map was signed in 2011 that we have been working down a road with certain assumptions and one of those main assumptions was that the Norfolk Island Government model of government that they had put to the Commonwealth would be considered in full. It was during that meeting with Minister Briggs that he very well indicated that that was not the case, that that was not to be. As the Chief Minister has alluded to before that he indicated that he did not believe that the Norfolk Island Government could handle, or could manage, state level type functions or services. So in saying that, that model that we put up to them, was not to be considered, in other words they were looking at a more local type arrangement. I must say back in 2011, or 2010 when we first went down this road, that the Road Map was a sound way to move forward at that time, four years. It was a sound way to move forward, we realised at the time that the Norfolk Island Government could not provide all the facilities that the community required. So this is where

we asked for the Commonwealth's help, the frustration that has come about over the last four years, has resulted in this, as I said before, the hiatus now, the unknown and of course it has both sides now sparring at each other. And in fairness I think there is a bit of fault at both sides, I really do, what we need to do now, we really need to get the Road Map back on track, Minister Briggs said that it's no longer valid and that may be very well so, the Road Map is long gone, because there was a lot of commitments, some by the Commonwealth, some by the Norfolk Island Government, that haven't been kept up you might say, or come to finality. So we need to work out another way forward, and that way forward we need to have on the table, if our model is going to change we need to see those models, fully costed models, so that the community can make an informed decision as to what they would prefer. The only way that that can happen is to have a full referendum with the question asked, but the information that backs that referendum must be sound and must be researched. I believe the Australian Commonwealth with all the reports, with all the work they have been undertaking have that information, they must have that information. The Norfolk Island Government can not put up a model that is fully costed because we don't know what involves with taxation, we don't know what we would gain from the taxation model, we don't know if we were allowed to enter into the GST system, we can only go on what the Grants Commission Report said, and this is going back to 2011, that we would have received something like \$13m in return. If that was a possibility, I believe that we could undertake state like functions, in conjunction with the Commonwealth providing support in their areas that they do for other states and territories in Australia, no more, no less. But I believe that we could. So if our model hasn't been fully costed, that's a shame, because I believe that could be an option that the Commonwealth could look at. I would just like to go on, just a couple of comments in regards to the last four years and our essential funding. This has been necessary because, this is the reason why we went down this road in the first place, because we could not provide the services, and as the Administrator mentioned this morning on radio, there has been some \$57m provided to Norfolk Island for various reasons, not all of it to balance the budget as was indicated, over the past four years, we have had something like \$20.3m in funding agreements that has been made available to Norfolk Island if we reached the milestones etc, and of course we haven't received all of that, and it is doubtful if we will receive the full \$7.5m this year. But included in that \$57m was over \$10m for the buyout of the Airline contract and the payment of that service for that year, plus the annual shortfall which we were not privy to, we do not know what that is, other than that we have been requested in a Funding Agreement to put something like \$2.5m into our budget to compensate for that shortfall. Something that we can't afford to do, and something which we haven't done. Also what is involved in this \$57m is the cost of all the reports and the surveys that have been undertaken on Norfolk Island, but it also includes the salaries and wages and the contribution to KAVHA and the Commonwealth Officers here on Norfolk Island and as well I believe, the intended receipt of monies under the RDAF3 and RDAF4, monies we are yet to see any of, as those agreements have just been signed. Mr Speaker, I believe that with all this argy bargy going on, to put a stop to it, there is one easy way to put everybody back onto a even level playing field in discussion terms, and that is a simple letter to the Chief Minister from Minister Briggs simply refuting what we have been saying and putting on the table the options that they are considering. That would then start the process of consultation fully, in regards to the models that are being looked at by the Commonwealth, no matter what the Commonwealth thinks of this Government, 18 months ago the community of the island voted in us nine members, the nine members sitting around this table today, and the people that polled the highest in that election, were people who had maybe not the same views, or similar views to the Commonwealth in regards to where Norfolk Island wished to go. The people at that time supported their ideas, their concepts, so and this is where I am leading to, the people had spoken 18 months ago, they now need to have that say, and I believe under a referendum with the question of what type of model Norfolk Island will have going into the future, I don't believe that the removal, without the call from the Norfolk Island people of the Legislative Assembly, no matter with the removal of some of their responsibilities, I know that has to happen, and I think the community, that's what they wish to happen, they wish that the Governance arrangements down here to remain, but with reduced responsibilities, but the people still want to have an elected body

that has a statutory role in the management of their island home. So with that Mr Speaker I think I will leave it to the House.

MS ADAMS Mr Speaker thank you, I just want to applaud Minister Sheridan for his words, thank you.

MR SNELL Thank you Mr Speaker, Mr Speaker, in response to the proposed governance changes to Norfolk Island and the request for consultation I seek leave to move that this House.

SPEAKER Before you do that, if we are going to do that, we are really moving off the matter of public importance, and maybe we better tidy that matter, and if you have read the standing orders, I look to you for a motion.

MR SNELL Thank you Mr Speaker. I move a motion that this House.

SPEAKER No Chief Minister, I am not talking about the motion that you are about to seek leave to move, I am talking about a motion to conclude the matter of public importance.

MR SNELL Thank you Mr Speaker. I move that discussions on the matter of public importance be concluded.

SPEAKER Thank you Chief Minister.

QUESTION PUT
QUESTION AGREED

PRESENTATION OF MOTION BY LEAVE PROPOSED GOVERNANCE CHANGES TO NORFOLK ISLAND – REQUEST FOR CONSULTATION

MR SNELL Thank you Mr Speaker, in response to the proposed governance changes to Norfolk Island, I seek leave to move a motion that this House 1. Values the relationship that Norfolk Island has with the Commonwealth of Australia. 2. Reaffirms its commitment to the Norfolk Island Government's preferred model of territory self-governance. 3. Calls on the Parliament of the Commonwealth of Australia that before voting on any bill to change the governance arrangements for Norfolk Island established by the Norfolk Island Act 1979 (Commonwealth) that the residents of Norfolk Island a. be provided with details and facts as to any proposed changes; and b. be consulted to ensure a democratic and open and transparent say on the future model of governance for Norfolk Island.

SPEAKER Honourable Members is leave granted for this matter to be brought forward. Leave is granted, Chief Minister.

MR SNELL Thank you Mr Speaker. In response to the matters that have already been discussed I think this motion is of huge importance and I seek the support of members around this table.

MRS WARD Thank you Mr Speaker. If I may, just to indicate that I do intent to support the motion today as put forward by the Chief Minister, but just to make note of, I am really just repeating what I said in the last discussion, is my growing concerns around our capacity and to implement on those state level responsibilities. So I will support reaffirming the commitment, because the same as Minister Sheridan, you know there was a time that it appeared that it was achievable. Of course what happened was that some stage along the way our Road Map Advisor contract was not renewed, and so we lost a critical

member of the team in convincing the Commonwealth that we would and we could commit and maintain state level responsibilities - that was a sad day. But I will support it, if until and when the Prime Minister puts up another model and I support the words of Minister Sheridan that it would be so much easier if those other options were shared with this body, it could remove a lot of the suspicion and mistrust. The question about calling on the Parliament of the Commonwealth, I'm referring to point three, which has two parts a and b around that before any voting on the Bill to change of governance of Norfolk established by the Norfolk Island Act that the residents of Norfolk Island be provided with a. details and facts as to any proposed changes. Of course that has my full support. And be consulted to ensure a democratic, open and transparent say on the future model of governance for Norfolk Island. It's a bit of discussion that we had in debate at the last sitting was around the fact that there was not a referendum in 1979 with the introduction, and I often wonder how that would have been, so I'm personally interested in what a result would be. But it is also ensuring that the community has a direct say. That is yet another form of democracy, so I do intend to support the motion. Thank you Mr Speaker.

MR SHERIDAN Thank you Mr Speaker, Mr Speaker, I suppose I could just reiterate my statement from the previous discussion but I would just like to say a few words here, that I think it is essential and very important that the people of Norfolk Island do have the knowledge, are provided with the details and the facts of any proposal before the Australian Government actually votes on any adjustment, or further adjustment to the Norfolk Island Act. I believe any community within Australia would demand the same if they had the opportunity to govern themselves like we do. I know that is a point, maybe within the Commonwealth, that there is no other small community of say 2000 people that have the opportunities that we do. Well unfortunately that is how history has panned out in the past, we are a very isolated island, and our history, and our past dealings with the Commonwealth has lead us down this path, which is maybe something different to communities in Australia. They haven't had the same opportunities, but given that opportunity I think they would grab it. Just because the opportunity doesn't exist within Australia, doesn't mean to say that we have to just give up what our forebears, and there is a lot of our elders in the community, some have passed, some are still with us, who fought very hard for this governance model that we do have now. And they're very proud of what they achieved, and I think we have a responsibility to ensure that it does endure the period of time that's to come into the future, albeit with some amendment. I think the past 35 years has proven that the current model just does not work and I think the Norfolk Island Government at the time grabbed all those opportunities with both arms, and who wouldn't. I think the Commonwealth were a bit naughty by agreeing to provide all those opportunities to the Norfolk Island Government, they should have retained some of those responsibilities and maybe it would have been a little bit different now. But now that we are going down the road of change we need to make sure that the change is correct and right, and that the people of Norfolk Island support it an the only way that they can do that is if the community is provided with the facts before a permanent decision is way by passing of Bills through the Australian Government. Thank you.

SPEAKER No further debate Honourable Members, then I will put the question, the question is that this motion be agreed to.

QUESTION PUT
QUESTION AGREED

The aye's have it. The motion is agreed. Chief Minister.

**PRESENTATION OF MOTION BY LEAVE
SPEAKER TO CONVEY MATTER OF PUBLIC IMPORTANCE TO SPEAKER OF THE
HOUSE OF REPRESENTATIVES**

MR SNELL Thank you Mr Speaker, Mr Speaker, I also seek leave to move a further motion. Mr Speaker I move that this House resolves that the Speaker of

the Legislative Assembly of Norfolk Island should convey the Motion and the Statement of a Matter of Public Importance as noted and printed to the Honourable Speaker of the House of Representatives in Canberra requesting that the Honourable Speaker bring it to the attention of Members of the House of Representatives.

SPEAKER Thank you Chief Minister. Honourable Members is leave granted for this matter to be brought forward? Leave is granted, Chief Minister.

MR SNELL Thank you Mr Speaker. Mr Speaker I again reaffirm the comments have been made, that this is an important process in getting the information to the Parliament in Australia the concerns of the Norfolk Island community.

MRS WARD Mr Speaker I would like to ask whether it is possible, if there is support of the House to make a minor amendment and that would be to include, along with the Motion and the Statement of a Matter of Public Importance the relevant Hansard, so the debate which has been had in the House, so that if this is to go to the Members of the House of Representatives, then the Federal Members need to have all the comments of this body before them. So I will just leave it at that, there may be other comments from members Mr Speaker.

MR NOBBS I don't agree with that, politicising it, this is a request from the community as a whole, and I think it has been politicised enough as it is, they're direct things, I don't think we should be seen to be trying to influence them. Thank you Mr Speaker.

SPEAKER No further debate? I put the question Honourable Members, the question is that the motion is agreed to.

QUESTION PUT
QUESTION AGREED

The ayes have it the motion is agreed Honourable Members.

PETITIONS

SPEAKER Honourable Members continuing with the business of the day, presentation of petitions are there any petitions for presentation?

GIVING OF NOTICES

SPEAKER Notices, any notices?

QUESTIONS WITHOUT NOTICE

SPEAKER Questions without notice, are there any questions without notice? Mr Porter.

MR PORTER Thank you Mr Speaker. My question is to the Chief Minister. Could the Chief Minister advise the people of Norfolk Island if it is a fact that the recent trip to Adelaide by the group cost in the order of \$18,000. And if not, can he advise us the actual amount.

MR SNELL Thank you Mr Speaker I would be very surprised if the cost of the trip was \$18,000, I have not personally the exact amount, but I certainly take it on board and advise Mr Porter accordingly.

MR PORTER A supplementary if I may. You might find from that, the orders of the amount is probably not important, but given the dire economic straits we find

ourselves in, is that a wise use of our meagre resources, given that there would have been alternative methods to have an in depth meeting?

MR SNELL Thank you Mr Speaker. Mr Speaker we have on numerous occasions tried to have a meeting with Minister Briggs, for him to come to Norfolk Island in particular, we have written letters to the effect, the urgency to go down and see him had to be taken given the number of stories, rumours, innuendo, that have been circulating with the community, a need for us to try and get some certainty into the situation that we were being made aware of, and I think it was the most appropriate way considering that Minister Briggs had the time available to us and we were able to meet with him.

MR SHERIDAN If I may Mr Speaker just had a little bit to the Chief Minister's response. And just the question from Mr Porter in regards to the costs, I believe that with the four of us going down there, I believe the airfares were \$1,000 or thereabouts for each person and then they had their allowances, which would have added up to about \$8,000, it wouldn't be far off the mark if that figure was used. That's for four people, not for one, that's for the four of us. It's most probably, the cost of the four, would most probably equate to the cost of one person that the Commonwealth put from Norfolk Island to attend that meeting.

MR SNELL Thank you Mr Speaker. Just to elaborate a little bit more Mr Speaker, we all travelled economy class, the cheapest possible way, and we stayed at accommodation that was reasonably priced and hopefully when we do up our accounts we may be able to return some of the money to the administration, and I believe that Minister Sheridan has already done that.

MRS WARD Thank you Mr Speaker a question to the Minister for Finance, a question relating to the Deloitte's core requirements, what plans do the Government have to implement the Deloitte's core requirements?

MR SHERIDAN Thank you Mr Speaker and thank you Mrs Ward for the question. I think this question came up last month and the response is virtually the same as last month, because in that period we are still awaiting the final report from Deloitte's and the intent is, with the Commonwealth, and this is what's been agreed, that when the final report is received that we would consult with each other as to the way forward in regards to the recommendations that are contained within the report.

MRS WARD A supplementary if may, so for clarification there is still no final report and nothing will be done until there is a final report and is it also tied into the Funding Agreement and has the Funding Agreement been signed yet?

MR SHERIDAN Thank you Mr Speaker. Yes that's the intent, that we will await the final report before we start the process of agreeing as to the way forward with these reforms for our business enterprises, that is the position that has been agreed with the Commonwealth, I think it would be fool hardy to move forward without that final report in hand, and as to the Funding Agreement, the Norfolk Island Government signed the Funding Agreement last Friday and the Commonwealth signed it yesterday and sent a signed copy of that agreement back to us yesterday afternoon, so yes the Funding Agreement for this financial year has been signed and now we can move forward with attempting to achieve the milestones within that contract.

MRS WARD Just one more supplementary if I may, so in discussion as has been envisioned or has there been indication that there have been major changes around the core requirements that have been provided in the draft report?

MR SHERIDAN Thank you Mr Speaker, again, the first step under the Deloitte's Report is really a full assessment of each business activity, I don't know what forward planning the service has taken in regards to this, but under the initial draft report,

that phase you might say, the assessment of these business activities is presumed to take some three to six months, so that is the first step, to find out in each entity, in each business activity the full costs of them doing the business before the next step would then be a major decision as to which governance method you would utilize to manage that business. But the first step is to clearly identify the full costs of running those businesses before a decision can be made in regards the model or the method of controlling that business.

MRS WARD And the question is, has the full assessment stage, that first stage commenced?

MR SHERIDAN Thank you Mr Speaker, as far as I am aware no it hasn't?

MRS WARD Does the Minister know why it hasn't commenced?

MR SHERIDAN Mr Speaker I believe that assessment will be undertaken in conjunction with Deloitte's and the Administration, they would provide a template and then they would assist us with costing the full entity and then we will move forward, so that is what we are waiting for, it is virtually the next stage. But we need to get the final report before we can move onto the first stage of their recommendations.

MR EVANS Thank you Mr Speaker, and unfortunately I haven't given the Chief Minister any some time for this one, and he may want to take this on notice. Chief Minister in these uncertain times can the Government give any assurance to the public service and its employees that their future is secured and local jobs will not be lost overseas or to Commonwealth workers?

MR SNELL Thank you Mr Speaker, thank you Mr Evans for the question, that is a hypothetical one, I can't give any assurances of what will happen in regards to a new governance model of Norfolk Island.

MR NOBBS For the Chief Minister, the first one Mr Speaker, Chief Minister has the Norfolk Island provided input by way of submission to the white paper being developed by the Australian Defence, and if not, given the significance of this island expressed previously by senior planners and other potential opportunities, why not?

MR SNELL Thank you Mr Speaker I am aware of this white paper Mr Speaker, but to answer the question, no, there's been input as far as I am aware, unless of course Mr Sheridan can elaborate on that?

MR SHERIDAN Thank you Mr Speaker and just in response to Mr Nobbs, yes, it is the intent that we will provide a response, the Chief of Staff has discussed that with me, and we will jointly provide a response to that paper.

MR NOBBS Sorry. I directed it to the wrong person. Fencing of Kingston Common, Minister responsible, would the Minister please explain to the community the source of the stock management options for Kingston Common which appeared in the Norfolk Islander two weeks ago under nobody's signature, I have been asked why were they a strategy from the URS water consultants, which they were not, so could you please explain to the community first – are they fair dinkum, and if not another joke, how were they developed?

MR WARD Thank you Mr Speaker, and thank you Mr Nobbs for the question. I have asked around as to what the origins were on the whole initiatives around the cattle, or management of cattle in KAVHA and apparently it wasn't related to the URS report, although that is still very much a factor in the whole equation. I have heard the Administrator's speech on the radio earlier this morning indicating the management of the cattle on the hills, which is of interest, as I had only been aware of excluding the cattle in this

lower flat ground if you like in the commons area, I will be interested to see what transpires as everyone else is, and will certainly be working with all parties to see that we get the best possible outcomes with it.

MR NOBBS A question which relates to a letter in last week's paper which suggests, I will read it – Minister are you aware in a letter in last week's Islander, related to a claim that police were requested by the Senior Commonwealth Representative on Norfolk Island to request removal of a very funny poem from the Norfolk Island Online site?

MR SNELL Thank you Mr Speaker, Mr Speaker I am not aware of it all.

MR NOBBS I'm stunned. Chief Minister is there a censorship law here on the island that you know of?

MR SNELL Thank you Mr Speaker, thank you Minister Nobbs, I am aware of the subject matter of which you are talking about Mr Nobbs, but I am not aware of the request by anyone to remove online a matter of information such as you describe. I am certainly not aware if the police were involved and who requested the police to take such action.

MR NOBBS Thank you, as Police Minister you know nothing about it? That's what you are saying?

MR SNELL It hasn't been reported to me Mr Nobbs.

MR NOBBS Thank you, this is for Minister Adams, it is on the eviction from KAVHA, given the MOU, and the current existing plan of management and other undertakings related to KAVHA, was the latest eviction and removal from No. 11 actually legal?

MS ADAMS Thank you Mr Speaker, that is not a matter I can respond on at the top of my head, all I can say is that I would have liked to have thought that the matter...

SPEAKER May I just remind both the questioner and the Minister, that in terms of questions without notice is not appropriate to seek a legal opinion.

MR NOBBS I just think I was asking, I will rephrase it differently. Was legal advice sought? That's not an opinion.

MS ADAMS Thank you Mr Speaker yes it was by the Chief Minister.

MR NOBBS And it's quite legal on that advice?

MS ADAMS It's a complex matter.

MR NOBBS Okay. Would the Minister provide us with some information at a later date?

MS ADAMS Happy to do that.

MR EVANS Thank you Mr Speaker, this is sort of a question in form, but probably just a notification of a series of events that have been happening over the last couple of years, and probably directed to Minister Ward in far as the Whale Bird population out on Phillip Island, just as early as this morning I received a phonecall from one of the parties that generally go out from the Island to Phillip Island and I received a phone

call this morning, which was rather an alarming one, as far as to the Whale Bird numbers out on Phillip Island that this year, this certain person has been very well experienced in their trips to Phillip Island and probably over the last 20 years, maybe even more, seen the population out at Phillip Island and he was very alarmed this morning at the huge decrease in Whale Bird numbers out on Phillip Island. I am just asking the Minister if there is anything that this Government can actually do to fast track what is perceived locally as being noted of the huge decline by one particular invasive species that has gone out to Phillip Island, we might not be able to call it invasive as it did come here on its own accord, but the swamp hen islanders have recorded over the past few years, with visual sightings that the taala bird as we know it, or swamp hen, attacks eggs, also attacks chicks and is noted in this yaers numbers on Phillip Island, there has been a huge decrease and most of these birds are now located on the Northern side of Norfolk Island and are mainly nesting around the Captain Cook and the Chord area as we know it, and this year those numbers are probably four times what they were last year, and we believe that pretty sure that most of the birds that were out on Phillip Island have now relocated to the Northern side of Norfolk Island, I was just wondering if I could ask the Minister if there is anything the Island can do in conjunction with Parks and Wildlife? Unfortunately Parks and Wildlife has stated that they will not act on any of these until...

SPEAKER I hear the explanation within the context of your question, may I remind you that it is the question that we need to come to.

MR EVANS So I will just restate that a little bit, is there anything that our Government can do that we may help this dilemma that is out on Phillip Island in anyway or have this recorded that there is quite a detrimental effect to what the swamp hen is doing out on Phillip Island.

MR WARD Thank you Mr Speaker, thank you Mr Evans for the question, as we have recorded here in this House previously, this is an issue that has been going on for some years now, it is an issue of great concern to us and I am certainly well aware of the phenomena where the birds have moved along the Northern Coast line of Norfolk, an area where they were only known to record in very small numbers, there is now a huge proliferation of the birds nesting there and certainly does seem to be in response to the pressure that is being put on them by the species you mention at Phillip Island, it certainly corresponds that the population has dropped at Phillip Island as it has increased so much in that northern area on Norfolk. As to what we can do, there are some options open to us under the legislation, Birds Protection Act, and I had intended to raise these at the NIMPAC meeting with the management issues that National Parks has been having there hasn't been a NIMPAC meeting for a while, but I certainly intend to work on this issue with them when that opportunity arises.

MRS WARD Thank you Mr Speaker a question to the Chief Minister if I may, and I am just trying to seek some clarification around the title of the matter of public importance, which was printed in the 11th October Norfolk Islander, around the loss of democracy on Norfolk Island. So that is the title, and with the information that was provided to Members yesterday in that a representative body will exist, that was the message from Minister Briggs, may I seek some clarification from the Chief Minister on that point?

MR SNELL Thank you Mr Speaker for the question, can I have some clarification, are you asking me if we have a representative body?

MRS WARD I'm asking why a matter of public importance has been titled 'Loss of Democracy' on Norfolk Island which is here in the paper, I don't mean to use props Mr Speaker, but just so that the Chief Minister can see what I am referring to first hand, but that yesterday we were informed by the Chief Minister that Minister Briggs had said that a representative body will exist under a new governance model, so I'm just wondering why such an alarmist phrase has been used?

know, emergency funding from the Australian Government is contingent on core services being delivered. Community concerns for decision making in policy areas such as education, health and immigration serve as examples of the capacity of your Government to deliver adequate public policy development and oversight. If you wish me to make representations to consider policy oversight changes to the relevant Minister's I will do so by firstly raising the issue with the Assistant Minister for Infrastructure and Regional Development the Hon. Jamie Briggs, MP. I look forward to your advice. And to keep it in context I will read my response. Which I think was on the same day. Dear Administrator, your letter today to the Chief Minister has been referred to me for response as Minister with portfolio responsibility for education. You have misunderstood the process in the House this morning in the relation to the report titled 'Education Review – Norfolk Island Stage 1, 2 and 3' prepared for me as Minister for Cultural Heritage and Community Services by the Education Review Working Group established by me as Minister on 18 October 2013. In papers I tabled the above report and read into Hansard the summary of the report and I attach a copy of the Chair's foreword and the summary. The copy of the full report will be forwarded to you by the Office of the Clerk as is normal procedure for papers tabled. I made it quite clear in my debate that the report has wide reaching consequences if the recommendations contained in the report are adopted by the House, however that is a discussion for another day. I appreciate your offer to make representations 'to consider policy oversight changes to the relevant Federal Minister's' however, that would be premature at this time and pre-emptive of the will of the House in the future. I do thank you for your interest in this matter.

At meeting of Members in your absence, I brought to Members the recommendations, and we had a general discussion, not great, but general discussion, but certainly out of that flowed, I believe, agreement in principle by Members present on the establishment of the Ministerial Advisory Board and that is the first step that I will be taking. That is helpful I hope.

MRS WARD Thank you Mr Speaker again relating to the same paper of the 11th of October and concerns raised around the Funding Agreement, the point raised signed by the Chief Minister, is that some of the conditions that have been identified by the Norfolk Island Government as difficult, inappropriate or impossible to achieve. And I am picking up on the impossible to achieve Chief Minister and asking whether that means that the budget, the Appropriation Bill has been adjusted to remove some of the \$7.5m which there was a general expectation that that will flow, that will be revenue. So whether any body in particular, I note the ANAO are here at the moment, the Australian National Audit Office, whether they have made any comment on that point. If the Norfolk Island Government is admitting at this stage that some of the conditions are impossible to achieve, have adjustments been made to the Appropriation Act. I will direct that to the Minister for Finance.

MR SHERIDAN Thank you Mr Speaker. I can advise Mr Speaker that at this point in time there have been no adjustments to our Appropriation Act that is current within this House. No doubt at half yearly review there may be a requirement to amend the Appropriation somewhat. I am aware that there is a want to include KAVHA, the full KAVHA spending within the Appropriation of monies. These wants are coming from the Commonwealth you might say, there is a want for them to remove our surplus and to utilise those funds for activities that we deem important this current financial year. That was going to happen last month, but we couldn't get agreement, I couldn't get a letter from the Administrator to forward an amendment to the Appropriation as it currently stands. But in regards to the current funding of \$7.5m for this financial year that has just been signed off on yesterday by the Commonwealth, well the agreement has been signed off on by both parties in the last week and the press release by the Chief Minister to say that some of the milestones will be difficult if not impossible to achieve. I believe the Chief Minister refers to a couple of milestones that require the House to pass legislation, now it is virtually impossible for us to guarantee that, the Government can make best endeavours to ensure that that legislation does get through this House, but to guarantee that it will is impossible to say at this point in time. Mrs Ward is quite correct, the auditors are on island at the moment and

they have asked questions in regards to the ability to obtain the full funding, and of course this will again be subject at the half yearly review to reflect whether or not that full \$7.5m is achievable. Especially taking into consideration last year's Funding Agreement where we had the ability to obtain \$4.5m I believe it was, and we received \$3.5 of that funding available. We had a shortfall of some \$905,000. So just because that funding is provided, and it is provided for essential services, there is still no guarantee that we will get that full amount, we are hopeful that we will because we do require it, and if we don't get it then that means that the meagre reserves that we do have diminished some more. So I hope that answers Mrs Ward's question.

MR SNELL If I may add to Minister Sheridan's comments the Funding Agreement also raised the issue of the additional \$1m through increases to existing fees and charges when results of the Household and Business Income & Expenditure Survey hasn't been taken into consideration and it clearly indicated that the community has not the ability to pay a further million dollars as requested under the Funding Agreement.

MRS WARD If I may, a supplementary to the Chief Minister and it's around the question of legislation, passing through the House, the process of legislation moving through the House, is their Cabinet solidarity around that issue. In other words do all Cabinet Minister's agree that, well they have signed an agreement saying that they will use their best endeavours, but the question is is there a Cabinet solidarity on the pieces of legislation that are listed in the Funding Agreement.

MR SNELL Thank you Mr Speaker, thank you Mrs Ward for the question I believe so.

MS ADAMS If I could add. On the matter of Immigration and the requirement for Australians to immediately become residents on arrival, I have made it quite clear that the Commonwealth needs to meet its obligations that are outstanding around the implementation of the social services strategy for Norfolk Island. Because when I am signing off as Minister for Health on holders of Unrestricted Entry Permits who are now unable to pay for Healthcare and seek exemptions from payment of Healthcare on the grounds of no income, I believe it would be irresponsible of me as Minister to make any further changes until such time that the Social Services System of Australia applies here. Thank you Mr Speaker.

MR NOBBS Supplementary. Thank you Mr Speaker. It is in relation to what the Finance Minister said. You said that the money was for the provision of essential services and I think it might confuse people when they think that this money is going to provision of essential services and all you have to do is provide the service, and now we are talking about bringing in new legislation and the likes. It's not really for provision of essential services is it?

MR SHERIDAN I'm just trying to find trying to find in the Funding Agreement there Mr Speaker exactly what the wording is. They use a certain terminology. Essential services in the Funding Agreement in the areas of health, education, policing, utilities and transport are to be the first calls on the Australian Government funding provided with any shortfalls to be guaranteed by the Norfolk Island Government. So they deem essential services to include health, education, policing, utilities and transport – are to be the first calls on the \$7.5m that is made available on the Funding Agreement if we meet the milestones.

MR NOBBS (unclear on tape) requirements on top of that or something else, they are not, is it not correct that you normally expect that provision of essential services, if the money was to go to that, the milestone would be provision of that service, but it's not is it?

MR SHERIDAN No it's not

anthem Advance Australia Fair. The enclosed attachments from the "It's an Honour" website maintained by the Department of Prime Minister and Cabinet outlines protocols for the use of the Royal Anthem which is to be played or sung on specific occasion such as the presence of Her Majesty the Queen. Whilst it may be appropriate for the Royal Anthem or perhaps the New Zealand National Anthem during special occasions during the ANZAC Centenary period the Australian National Anthem must always be precedent'. Now this has caused quite a significant community interest as we all know. But there are, in the quoted area of, "It's an Honour" there is a point that says that there are no restrictions on singing or using the Royal Anthem at a community irrespective of any member of the Royal family being present. Now Mr Speaker there is quite a lengthy reply to this question by Minister Adams who takes responsibility and I will read it into Hansard if time permits? Thank you Mr Speaker. 'Dear Administrator, Australia's National Anthem. I refer to your letter to the Chief Minister of 6th September 2014 re the above matter which has been referred to me as Minister with responsibility in the Norfolk Island Government for cultural heritage. I understand the main thrust of your letter is to question the view held by Norfolk Islanders that God Save the Queen is their official national anthem and I found the attachments you provided from the website "It's an Honour" most helpful in considering your concerns as the website does support the continued use of the Royal Anthem and I quote "there are no restrictions on singing or using the Royal Anthem at a community event irrespective of any member of the Royal family being present". I believe it is important to record at the outset that Norfolk Islanders have volunteered to fight for King and Country since the Boer War and made the greatest per capita contributions of all of the Commonwealth countries in each of the World Wars. ANZAC Day is therefore an important day of remembrance and celebration for Norfolk Islanders. Clause 4.4.4 Norfolk Island Cultural Strategic Plan 2014-18 it should be noted that because of the Island's location the volunteers served in both Australian and New Zealand forces in addition some of the British Services. In view of the sensitivity of the issue you have raised and the long standing culture and tradition of this island of using the Royal Anthem as this island's national anthem, including at Cenotaph at both ANZAC Day and Anniversary Day (Bounty Day) I am formally providing a copy of your letter and my response to the Council of Elders, the Anniversary Day Committee, the President of the Norfolk Island sub-branch of the Returned Services League, and the President of the Norfolk Island Returned Services League Club for their consideration and seeking their views on the issue that you have raised. I will respond further when those views are received. In the meantime I am providing you with some background information that you might find helpful in coming to understand who Norfolk Islanders believe they are and their ongoing relationship with the monarchy and that notwithstanding that Norfolk Island passed formally from British ownership to that of an external territory under the authority of Commonwealth of Australia on the 1st of July 1914. Norfolk Islanders in general regard their island as the homeland of the descendants of the settlers from Pitcairn Island who in 1856 were moved as a community by the authority of Queen Victoria from Pitcairn Island to Norfolk Island. A community that came as a full self-governing ethnic community with its own laws, language, culture and traditions. A good starting point in gaining that understanding is the Norfolk Island Cultural Strategic Plan 2014-18 ('the plan'), prepared for and endorsed by the Council of Elders which was formally presented by the Council to me as Minister with responsibility for Culture on 18th February 2014. I attach a copy for your perusal. The strategic plan was tabled in the Legislative Assembly of Norfolk Island on the 19th of March 2014 with the following motion being passed. That having noted the cultural vision, the critical success factors and the action plan contained within the Norfolk Island cultural strategy 2014-18 prepared for and endorsed by the Norfolk Island Council of Elders and tabled by the Minister for Cultural Heritage and Community Service, this House supports the Minister engaging with the Commonwealth, the Council of Elders and the community on the progression of this overarching cultural strategy for Norfolk Island". And whilst one needs to read the plan in its entirety the below extract from the objectives of the Council give context. Clause 2.2.1 objectives of the Council. The Council as the traditional leaders and custodians of the traditional knowledge and expressions of culture of Norfolk Island asserts its cultural identity, rights and dignity. This is done mindful of the community's spiritual, historical and environmental origins. The Council shares the following objectives: Protect, preserve and promote Norfolk Island's traditional knowledge and expressions of culture in all spheres,

especially in respect of distinct and collective Norfolk Island identity. Norfolk Island's language, Norfolk Island's unique cultural heritage. Clause 2.2 Role of the Council. The Council is the body authorised to make decisions on behalf of the families and the community of Norfolk Island such decisions are to be reported to the community of Norfolk Island where appropriate. Norfolk Island's relationship with the monarchy at appendix 2 to the plan gives one insight into Norfolk Island's ongoing pride in their British origins as well as their Polynesian ancestry. And that the Norfolk Island people have followed a path that is distinct from that of Australia and its people and many of their social and cultural traditions are unique to the island. Of course you will be aware the Commonwealth of the Australia in enacting the Norfolk Island Act 1979 clearly acknowledges in the preamble to that Act that on the 8th of June 1856 persons who had previously inhabited Pitcairn Island settled on Norfolk Island that residents on Norfolk Island include descendants of the settlers from Pitcairn Island and recognises the special relationship of the descendants of the settlers from Pitcairn Island with Norfolk Island and their desire to preserve their traditions and culture. The Norfolk Island Road Map for change signed by our respective Governments on the 2nd of March 2011 acknowledges the need for reform to strengthen the island's unique heritage and environment, which is reinforced in the aspirational goal for economic development, that Norfolk Island's culture and heritage is valued, preserved, enhanced and recognised for its value to social and economic outcomes. By way of interest, not only do Norfolk Islanders sing the Royal Anthem as the national anthem, we also sing the Pitcairn Anthem on significant occasions and events. The Norfolk Ode, copy attached, which coincidentally is sung to the tune of Advance Australia Fair was composed by the late Gustav Quintal in the 1890's. I hope this informative. There are other letters Mr Speaker, but I won't go into those letters, from the RSL indicating that they too will continue to sing the National Anthem.

MRS WARD Just a clarification supplementary, so what exactly is the national anthem of Norfolk Island?

MR SNELL From that, the national anthem of Norfolk Island is God Save the Queen.

SPEAKER We conclude questions without notice Honourable Members. There are no questions on notice this morning.

PRESENTATION OF PAPERS

SPEAKER Are there any papers for presentation? Firstly I present this Report. It concerns the Legislative Assembly (Register of Members' Interests) Act 2004.

Report by Speaker to the Assembly under subsection 12(11) of the Act

I, Speaker of the 14th Legislative Assembly, under subsection 12(11) of the Legislative Assembly (Register of Members' Interests) Act 2004, report to the Assembly that no complaints under this Act were received by the Speaker of the 14th Assembly in the 12 months to 30 June 2014.

MR SNELL Thank you Mr Speaker. Mr Speaker I present the Norfolk Island **Tourism Quarterly Visitor's Statistics** for the period 2013-14 Financial Quarter 1st June to 30th September. Mr Speaker it shows an increase in numbers particularly for September and the numbers reflect an increase of 10 per cent for September an increase of 5 per cent for August and status quo for July. So there is a marked increase in visitor numbers at this present time and I table the paper accordingly.

MR SHERIDAN Thank you Mr Speaker. First, I table, in accordance with section 41 of the Interpretation Act 1979 I table the **Land Administration Fees (Amendment) Regulations 2014**. I do have a few others here Mr Speaker.

Mr Speaker I would like to table the Emergency Management Norfolk Island Chairman's Annual Report for 2014. It is not actually a requirement, but under the NORDIS Plan they

are required to provide to me a report on their monthly activities and I would just like to take this opportunity at this time to thank this band of people who work within **Emergency Management** on Norfolk Island, that being Milton Bradley, Gary Robertson, the Chairperson Kevin Jensen, the new person that has been brought on board as Deputy Chair, Craig Buffett, and of course our Chief Fire Officer in Gerry. These people undertake a very important task for Norfolk Island and they do it for no reward, the only reward that they gain is seeing, and making Norfolk Island safe when there is an emergency and I would just like to thank these people at this time for the job that they do do and I thank the Chairman for his short report that I just table now Mr Speaker.

Also Mr Speaker I would just like to table the **GST Quarterly Report** for the period July – September 2014. Also Mr Speaker under the Customs Act section 2B(2) of the Customs Act 1913 makes provision for myself to exempt goods from duty where the duty payable is less than \$200. Section 2b(5) of the Act provides that where the Minister has exercised this power he shall lay a copy of the exemption on the Table of the Legislative Assembly. I so table those exemptions. Mr Speaker there is only one this month, and that is the sum of \$32.22 on the importation of an HART Deluxe Electric Compressor ball pump by the Norfolk Island Netball Association. Also Mr Speaker I would like to table the Financial Indicators for the entities of the Norfolk Island Hospital Enterprise and the Government Tourist Bureau for the period of September, last month.

SPEAKER Thank you Minister Sheridan. Anything further in respect of papers this morning? No further papers, we have concluded there.

STATEMENTS OF AN OFFICIAL NATURE

SPEAKER Statements? Any statements this morning? Chief Minister any statements? Minister Adams.

MS ADAMS Thank you Mr Speaker. The first statement gives me great pleasure to take this opportunity Mr Speaker, to extend Norfolk Island's appreciation to Professor the Honourable **Dame Marie Bashir** AD CVO who, as we all know, has concluded her term as the Governor of New South Wales, a post she held for 13 years. By way of interest Dame Marie was the second longest serving Governor of New South Wales. Mr Speaker the Chief Minister in June this year sent a letter of congratulations on behalf of the Government and people of Norfolk Island to Dame Marie when she was appointed as a Dame of the Order of Australia and acknowledged her commitment to the people of New South Wales no matter their circumstances in life. We all warmly remember the visit of Dame Marie and Sir Nicholas when they visited us and in particular, I take this opportunity to acknowledge the assistance she gave to the then Administrator, Mr Owen Walsh, the Minister with responsibility for Health, the Hon. Tim Sheridan, and the Director of the Norfolk Island Hospital Enterprise, David McCowan to formalize the longstanding arrangements Norfolk Island enjoys with New South Wales Health through a Memorandum of Understanding between the Norfolk Island Hospital Enterprise and the South Eastern Sydney Local Health District and the Sydney Children's Hospital Network. Mr Speaker, I can't let this moment go by without quoting Dame Marie's advice: "If you want to know anything, listen to the people. It's very important to listen. Getting out among the people and being part of the community is paramount." I am sure that all Members join me in wishing Dame Marie and Sir Nicholas every good wish for their future.

MEMBERS Hear hear.

MS ADAMS Thank you Honourable Members. Mr Speaker if I could, this is a community statement around a community notice. Every local will now have in their box at the post office an invitation from the Norfolk Island **Hospital Enterprise** and I am just taking the opportunity to reinforce the community engagement process which is due to take place this coming Saturday. As we have heard many times in this House from myself the Norfolk Island Hospital Enterprise has engaged R & S Muller Enterprises Pty Ltd to

undertake a community engagement process to inform health service needs moving into the future and to ensure that your opinion is heard members of the Norfolk Island community the relevant community sessions are: community information session to hear about what a multi-purpose service model looks like and learn the outcome of the Norfolk Island Health Survey, that's taking place this Saturday, the 18th of October between 8.30am and 10.30am and at the moment the location is stated to be the A&H Hall because of prior use of the supper room for cruise ship purposes, the venue may change because I am just not sure on the size of the A&H Hall. Open Community Session to discuss and evaluate the Nexus and Calvert & Connolly Report Recommendations, that's also on Saturday the 18th of October and that is between 11am and 1pm. And the retirement perspective, for those aged 65 and older to determine priority health areas moving into the future. Again, this Saturday 1.30 – 3.30pm. Certainly all the stakeholder groups in the community have been contacted by the Norfolk Island Hospital Enterprise putting in place times for stakeholder meetings and any queries that anybody might have, please don't hesitate to ring the Director of the Norfolk Island Hospital. Thank you Mr Speaker.

SPEAKER

No further statements

MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR

SPEAKER Honourable Members we are now at reporting messages from the Office of the Administrator.

Message No. 18, message reads on 2 October 2014, acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed law passed by the Legislative Assembly: Registration of Births, Deaths and Marriages (Amendment) Act 2014 (Act No 10 of 2014). The message is dated the 2nd October 2014 and signed by The Hon. Gary Hardgrave, Administrator.

Message No. 19, on 2 October 2014, acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed laws passed by the Legislative Assembly: Public Service Act 2014 (Act No 11 of 2014) and this message signed by the Administrator is dated the 2nd October 2014.

Message No. 20, on 2 October 2014, acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed law passed by the Legislative Assembly: the Provident Account (Amendment) Act 2014 (Act No 12 of 2014). And that message signed by the Administrator is dated the 2nd October 2014.

Message No. 21, on 2 October 2014, acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed law passed by the Legislative Assembly: Immigration (Amendment) Act 2014 (Act No 13 of 2014). The message signed by the Administrator is dated 2nd October 2014.

The final **Message No. 22**, reads on 2 October 2014, acting pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following proposed law passed by the Legislative Assembly: Immigration (Amendment No 3) Act 2014 (Act No 14 of 2014). That message signed by the Administrator is dated the 2nd October 2014. That concludes messages Honourable Members.

REPORTS OF STANDING COMMITTEES

SPEAKER

No reports from standing committees? No then we commence notices Honourable Members.

NOTICES

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

Minister for Finance, Minister Sheridan please.

MR SHERIDAN

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. Mr Speaker these being -

SCHEDULE

Column 1

Goods

Uniforms

- amount of duty applicable \$618.30

Six (6) Outrigger Canoes

- amount of duty applicable \$1,296.00

Uniform – Representative Jerseys

- amount of duty applicable \$311.65

Laser Grader Blade

- amount of duty applicable \$1440.00

Column 2

Importer/conditions

Norfolk Island Volunteer Rescue Squad

Conditions: Nil

Norfolk Island Wa'a Outrigger Club Inc

Conditions: Nil

Norfolk Island Junior Rugby League

Conditions: Nil

Norfolk Island Bowling Club

Conditions: Laser Grade Blade to be exported on completion of use.

Mr Speaker I just ask the House to consider those items.

SPEAKER

Anything further Minister?

The question is that this motion be agreed debate.

MR SHERIDAN

No Mr Speaker I think it speaks for itself.

SPEAKER

question is that this motion be agreed to.

Thank you, anything further around the table?

QUESTION PUT

QUESTION AGREED

The ayes have it, the motion is agreed, thank you.

LAND RATES BILL 2014

RIET FE LAEN BIL 2014

MR SHERIDAN

Thank you Mr Speaker I present the Land Rates Bill 2014 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill.

Thank you Mr Speaker I present the Land Rates Bill 2014 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill.

SPEAKER

Minister Sheridan.

The question is that this Bill be agreed to in principle.

MR SHERIDAN

Thank you Mr Speaker. Mr Speaker this is a very important Bill coming forward, maybe even a contentious one, and I would just like to read the Explanatory Memorandum into Hansard before I make a brief statement. The Explanatory Memo reads – General Outline, this Bill provides for the introduction of land rates and charges. The purpose of this Bill is to create a contemporary land rating system for Norfolk Island so as to provide flexibility, simplicity and certainty of responsibility and accountability. The Bill closely follows Chapter 4 Part 1 “Rates and charges” of the Local Government Act 2009 (Queensland). Broadly, the Bill: Enables the Administration to levy rates and charges on rateable land; Specifies the types of rates and charges that may be levied and how they are to be levied; Provides for overdue rates and charges to be a charge over rateable land; and enables matters required, necessary or convenient carrying out or giving effect to the Act to be prescribed by regulation. Mr Speaker the clauses are, Clause 1 is the Short Title, Clause 2 is the commencement date which is to be a date fixed by the Administrator by notice in the Gazette. Clause 3 is Interpretation, it sets out the meaning to be attached to various words and phrases (some words and phrases are defined in the body of the proposed enactment where they may have limited application). Some words and phrases such as “Chief Executive Officer” and “Territory authority” fall within the general definitions set out in subsection 12(2) of the Interpretation Act 1979. Rates and charges

means levies that are imposed under this Act or the Regulations (a) on land; and (b) for a service, facility or activity that is supplied or undertaken by (i) the Administration; or (ii) someone on behalf of the Administration (including a garbage collection contractor, for example); and (c) includes any interest accrued, or premium owing, on the rates or charges. Rateable land means any land that is not exempted from rates. Unleased Crown land means Crown land that is not land in respect of which a lease has been granted under the Crown Lands Act 1996. Subclause (2) that for the purposes of the Act where land is subject to a mortgage, the person having the equity of redemption shall be deemed to be the owner in fee simple of that land. Clause 4 — Types of rates and charges sets out the four types of rates and charges (general rates, special rates and charges, separate rates and charges and utility charges) that may be levied under the Act. Clause 5 — Land on which rates and charges are levied, identifies the three types of land that are exempt from rates and charges. Clause 6 — Power to levy rates and charges, specifies that general rates, special rates and charges and separate rates and charges may be levied by enactment. Only utility charges may be levied by regulation. Subclause (2) enables rateable land to be categorised and differential rates to be levied for rateable land according to whether or not the land is the principal place of residence of the owner. Subclause (3) requires the general rates, special rates and charges and separate rates and charges for a financial year to be included in the annual appropriation for that financial year. Clause 7 — Overdue rates and charges are a charge over rateable land, relates to recovery of rates and charges and secures overdue amounts as a charge over the rateable land. Clause 8 — Regulations, provides that the Administrator may make regulations for the Act and that fines of not more than 20 penalty units may be imposed. Mr Speaker I have just tabled the Land Rates Bill 2014 which is a necessary step in setting up the framework to facilitate the introduction of municipal rates. These discussions have been going on for a long time and the financial position of the Norfolk Island Government at this time is precarious to say the least. This bill will allow for the Government to better consolidate its budget and provide for services which do not necessarily create income. This is an important part of any Government revenue raising and an important part of this Government's reforms. This Bill does not provide the detail on how the rates will be gathered, but provides the instrument for the Government to make regulations of which will clearly provide for this detail. Without this bill the Government could not commence to levy any type of rates and it is important for the revenue collection that it is able to do so. This bill clearly indicates that rates can be charged on land and for a service, facility or activity supplied by the Administration and there are four types of rates or charges that could apply, these being, general rates, special rates and charges, utility charges and separate rates and charges. The explanation of what these types of rates and charges are detailed within the bill with general rates being for services, facilities and activities that are supplied or undertaken for the benefit of the community in general. These could be services such as the cost of roads, library services, radio and television provision. The special rates and charges are for services, facilities and activities that have a special association with particular land and the occupier of the land contributes to the need of the service. This could be maintaining a certain portion of road due to heavy vehicle usage, cost of drainage systems etc. Utility charges are for a service, facility or activity for waste management, gas, sewage and water. Separate rates and charges are for any other service, facility or activity. Mr Speaker it must be noted that this bill allows for the charging of rates and charges for which currently there is a direct charge for services provided already on Norfolk. Such as the water assurance scheme, waste management and the roads levy. This does not mean that the intent is to currently alter these methods of revenue collection, but allows for a change in the collection system if so desired. As I have mentioned this is a bill to facilitate the charging of rates and charges but the detail will be provided in the regulations. Regulations which I would have liked to have presented today with the bill, but unfortunately regulations are still being developed and are only days away from presentation. I can assure you that this bill will not be finalised until the regulations have been made and members have had a chance to discuss them. This bill also provides for rates to be levied on all land except for unleased crown land, private roads and road easements. This bill also provides for a facility to recover overdue rates and charges over rateable land, with the ability for the Administration to register the charge over the land by lodging documents with the Registrar of Titles, an action that is already available to the Administration and has been

utilised in the past to recover outstanding debts. This will of course not be the first action in pursuing overdue rates but the normal methods of debt collection will be worked through first. This is the 30 day notices and final demands, etc. The Administration would only take this action in extreme cases which could include the selling of the land to recover overdue rates and charges, this is normal practice where land has been rated and whilst I recognise that it is difficult on Norfolk where land is usually passed down within the family, it is not the intent of this bill to have a family have to sell land to pay for these rates and charges. The regulations will facilitate and have the ability to walk through issues such as this so that all land owners are treated with due consideration when considering these charges. Mr Speaker as mentioned this is only a facilitating bill to allow the regulations to be made for the provision of a levy of rates and charges to be made on land for a related purpose. This is the commencement of providing a base for revenue collection for the provision of services to the community of which delivered by this Government. And Mr Speaker under the Funding Agreement of which was signed yesterday this is one in the first reporting period which covers up to the end of October, this is one of the requirements under that first reporting period and it actually says that we can't introduce the bill into the Legislative Assembly unless it's actually cleared by the Commonwealth, unfortunately this legislation has just been provided to the Commonwealth in the past week, and I don't know how long they will take to consider whether or not it is appropriate, if there is any need for any amendment to the Bill I will facilitate that during the detail staged amendment. Also Mr Speaker as mentioned, the development of the regulations of which details the requirements under this revenue raising initiative will be provided to Members as soon as they are provided to me and that is hoped that they will be with me in the next week, so that they may be considered prior to the passing of this bill. Thank you Mr Speaker.

MR SNELL

Thank you Mr Speaker, this is a very contentious issue within the community of Norfolk Island, it's an issue that has been around as Minister Sheridan as stipulated for a long time, and I don't envy Minister Sheridan in bringing this forward. Mr Speaker it raises a number of questions in this community, and one in particular is the community's ability to pay all charges, we know from the current situation that Households on Norfolk Island, from the Household and Business Survey that people are going backwards. To impose another impost on the community in regards to their most dearest treasure and possession on Norfolk Island is land. Without land Norfolk Islanders have nothing. To put a tax on the land is something I canvassed against in my time for standing for the Assembly back in seven years ago. I have great difficulties in this, I have great difficulties that it stipulates and provides for overdue rates and charges to be charged over rateable land and that land could be sold to recover those rates. Mr Speaker when the time affords I would ask that this bill be referred to the Impact of Bills Committee.

MS ADAMS

Thank you Mr Speaker, and just a question to the Minister, and I have already raised this with you. Why is it call the land rates bill when we are talking about municipal rates? Just as the Chief Minister has said, I made it quite clear when I stood for the Assembly, I didn't support land tax, and hence my raising the concern why is it a land rates bill when it's a municipal rates piece of legislation. I note from the regulation making power, and I take on board, and thank Minister Sheridan for agreeing that there will be no finalisation of this bill, or attempt to finalise this bill without the regulations coming into the House and allowing not only us, but the community to be made aware of what the regulations are. Because those regulations are intended to include the process for recovering overdue rates and charges, including by the sale of land to which the rates and charges relate. I don't care what happens elsewhere around municipal rates if that's what happens, that the land gets sold, and I understand also that at this time, from memory, that is the practice for Absentee Landowner Levy, it's a charge on the land, and the land can be sold. I certainly can't support it if it's a charge on the land. Thank you Mr Speaker.

MR WARD

Thank you Mr Speaker, this is a subject that is very dear to my heart also and I certainly endorse the comments of the previous two speakers, firstly I have a question as to why we are continuing to push this idea, this concept which was part of the Road Map process, we are told the Road Map is now dead, and yet this

particular initiative which is being pushed so vigorously by the Commonwealth is still very much with us. Secondly I have major concerns with the stipulation of a value by the Federal Minister on the amount of rates to be collected and there has been major devaluation of property due to the uncertainty here over the last four years, some of the prices that lands has been sold for is absolutely ridiculous and I understand that it is very hard for people to get finance against land now, it is virtually deemed worthless by the banks, one might say that that translates to low rates, but it does in the short term, but is that something we can trust? Thirdly, we have a specification that we have to raise, in four stages, raise our rates in four stages, and the first years revenue take was to be \$250,000. We are in an awkward situation so far as that particular aspect of things goes because we have voted for the Appropriation Bill and that component is in there. I can not support the land rates bill as it stands, or an ongoing commitment to land rates, but at the same time, we have to be prepared to put something in place that collects that \$250,000 that we have committed to, and I would certainly suggest at the right time that a motion be moved that we have a one off levy arrangement put forward for this year, that is based on the system of rating that our CEO has put together, that we have put together locally, that is not based on valuation and that the situation beyond that be reviewed and that no land rate system be introduced here until this Norfolk Island economy is up and running again. Those are my key thoughts on it. Thank you Mr Speaker.

MR SHERIDAN

Mr Speaker if I can just respond to those couple of queries. Firstly, it's called the Land Rates Bill, because the intent, whether it is municipal rates or if you call it a land rates bill, it is the principle objective to, under either model, it will be the portion of land that is being assessed. It doesn't matter whether it is called the municipal rates bill or a land rates bill, the end result will be the same, it will be based upon the actual use or the valuation of the land. And that brings me to the rates system that has been developed by the CEO which Minister Ward says that he endeavours that we would charge everybody that, that's the intent this year, the levy system that has been produced by the service, it has been put up on the net, it's a levy system on the use of the land, not the valuation, the use of the land will be incorporated for this year. But it is proposed that we would migrate to valuation type system when we have in place the Valuer-General and the valuations undertaken which is programmed to commence later this year. The Valuer-General has been identified I believe, the contract is still being negotiated with him, so that the process can start, so that valuations can be undertaken and then we move ahead with our rating system based upon valuations of land. And this is where the equity comes into because if you have worthless piece of land as Minister Ward says, well then of course the valuation wouldn't be as much, but if you have a valuable piece of land, well then of course those ratings would be a little bit more. I have written down 'push this process', the reason why that NI have continued to say 'push', I've gone ahead and encouraged the Administration to work through the process of developing this because I realise that as a Government we do need to find a way of raising funds for the Administration, the Government's expenditure. At this point in time, we don't have any, apart from the GST which is a broad based taxation system, we don't have any other method of raising funds, except for taking huge dividends from our Business Enterprises which by rights those money's should be left in those enterprises to allow them to fully explore their options and to renew their infrastructure etc, so apart from that we do need a method of collecting monies from the community so that we can provide services that the community utilises and that they want to have provided for them. If nobody on the island pays any money, how can this Government provide services, there has to be a meeting of minds, there has to be a conciliation there between the community and the Government on a way forward to raising funds within ourselves to fund these services. We can't expect the Commonwealth to provide all our funding for us, they have assisted us greatly in the last three or four years, as the Administrator said today, \$57m, we don't want to be in that position, Mr Nobbs will tell us, we don't want to be in that position for ever and a day, that's the worst place that we could be. We have to show some leadership here in this Government and we have to start reforming our financial base so that we can start to manage some of our functions ourselves, instead of relying on a third party to provide resources for us so that we can manage those services. This is the reason why it's important, it is a very emotive issue, I realise that, I

acknowledge that, we have to show some leadership, we have to show some responsibility in where and how we manage our funds, our financial system. And this is why I have progressed it, because I have realised that we do need it, and unfortunately the community of Norfolk Island, we haven't had to pay rates or charges forever, maybe in the days gone by when they the men used to have to work for a day or so, you could call that some type of system of levying rates you might say, but I don't believe that there has ever been a system where the community have had to provide money's to the Government purely for the purpose of rating, or a rating type system to pay for a service. So yes it is hard to change the views of the community but it is up to this Government to show the leadership that is required to ensure that our coffers does get injected with some moneys to provide the services that this community sorely needs.

SPEAKER I am looking to see if there are any other contributions before I come to those that have already spoken. Mrs Ward.

MRS WARD We all understand what this bill is about, it is about integrating into the Federal taxation system, it is about restructuring our revenue base and how we raise revenue and that will be based on property as that is what we have decided and I want Minister Sheridan to know he has my full support. It is part of a bigger picture, it is a part of the plan, it is a piece of a jigsaw puzzle that has to be dealt with. The amounts of rates collected it does need to be remembered that it is the back of an envelope figure, and I would hope that the Centre for International Economics have made some comment on that when we refer and consider the Household and Business Income and Expenditure Surveys and I will come to that in the next debate. But at the moment the amount will be dealt with, in this year, as a levy on the use of land. Now I would argue, and I have called it in this House before a dodgy interim measure, I am surprised that Minister Briggs agreed to that, of course that is a disincentive to business, however that is where we are at, it is obviously more important to raise this money, which I hope the Centre for International Economics guys looking at the survey can make comment on, and I think they have when I pick up on when the Chief Minister's comments around the matter of public importance, when Minister Briggs has said, well this is certainly as my understanding as a Member from the meeting yesterday, and what was read out today, that Social Services and the Welfare Section will be implemented on the 1st of July, which may well be prior to a taxation system which will be phased in. And that was something that many of us have called for over the last three and four years and that was what we referred to as de-linking, and we were always told 'no, no, no, no' but I would hope from what I am picking up that the Federal Government has considered, seriously considered that option and that I imagine would be based on the Centre of International Economics people coming here, I don't know, I am just making that as a comment or an observation. Coming back to, Minister Sheridan has just flagged something for me, and he may come back to that, I will put something interesting, around the Funding Agreement, please bear in the mind members of the Government that Members of the Assembly do not have a final Funding Agreement in front of them, so when Minister Sheridan refers to a comment that the Bills need to be ticked off by the Commonwealth, I'm sort of thinking, oh dear I don't want to step off our first sort of condition that we are trying to deal with, and for that not to have been checked through the Commonwealth, it is timing, but I will make this comment next, because it is about the heading, it may be appropriate to hold off introducing it today, and we deal with it in October with two Sittings, we know that we can do that if there is a deadline to be met by the end of October, because it comes back to the question of land rates bill. And to me, there are two completely different systems of tax, there is municipal rates and land tax. Now, if we are to move onto some form of land tax it is just going to get a little bit confusing down the track. If I could just make one last comment Mr Speaker, and it's a personal one having visited Cameroon last week and the week before, and that is that it is an absolute privilege to live in a community which has a taxation system which provides services, when you look at those countries that are developing nations and they are selling fruit out of wheelbarrows and paying no tax, rest assured they receive no services. Thank you Mr Speaker.

MR NOBBS Thank you Mr Speaker. I'm not in favour of this, I think there are alternatives, I think that the Commonwealth has just picked on this one as the main one as they know something about it, there are other ways of raising funds, and I'm not talking about it here. But one of the issues with land, this arrangement is simply this, and I know that the eight of you, I found you very remiss that you didn't support the proposal. But if you have got a taxing arrangement when 20 per cent of that is not taxed, I find that quite incredible that anybody can support that, that is the first reason. We live in hope I think was mentioned something about it, and we also die in pain I must add. The issue really is that the pain will be in actually paying from a community, I don't think that we need, I mean Tim is going to say you brought in the GST, I did, but we did certain things, and we gave certain things away, and we sort of added a bit and we got a mix of something new and also some dollars out of it. But this is a straight hit and it's a hit to the producers, that use the land for production and the likes, it will add increase to the price of things, don't worry about, I mean you are looking after land and that, and just digging out a bit of bush and keeping it tidy and keeping the fences up and all that sort of thing which does happen here, will be gone, because people will now have to put their hands in their pockets and put something out. The go is, that with absentee, is absentee to be retained or are you going to have both? So are we going to have absentee tax, land rates, land tax, what are we having? I'm a bit confused about the whole thing, because the Minister for Territories keeps bringing it up that we've got to have land rates and land tax and I don't think he's changed his tune, nothing that I've seen anyhow. So I'm concerned about the whole thing and really at this time it's just not on. It's something that you can't force on the community, that's my personal believe. If you can get the economy going, fine, but not just bring it out of the blue when it's at the lowest that it's been for some time. So Mr Speaker I won't be supporting it, thank you.

MR PORTER Mr Speaker, we are a Government and we are going to raise a rate, so I guess there might be some reluctance to use the word municipal. But the rating of a levy, or charge or rate on the land you possess is a long standing method of collecting sufficient funds to provide the municipal services that modern societies desire. Admittedly this is an interim method, and I have strongly held the view that I will accept an interim method so long as we are heading towards a value based rating system, it is a most equitable manner available to raise these funds. The matter of attaching this charge to the land is a matter of fairness whereby all people will shoulder their responsibility in the provision of the services which make this island the attractive place in terms of services provided and the amenity provided. Also we provide the services already, so this method of revenue raising is a matter we are introducing, and probably not should be looked at an opportunity to raise additional funds, because these services are already provided, we are merely, in my view, using a more contemporary method to determine that all people of the island shoulder those responsibilities equitably. Thank you Mr Speaker.

MR EVANS Thank you Mr Speaker. Mr Speaker I suppose when I first came into this Government and saw the Road Map and saw where we were going with taxes and things like that, when I first read the Road Map I accepted that probably down the line Norfolk Islanders would have to eventually have some sort of land tax or municipal rates or something like that. So I suppose for a long time Mr Speaker I have already been open to the thing, and what I really want to talk about is what Norfolk Islanders can do with their land. Rather than make this a tax that they pay for, try and utilise the land, I have lived in an environment where we have utilised every little bit of land, we are farmers, we pig farm, we market garden, so in a lot of ways the land is very productive on Norfolk Island if you want to get in there and work it, so where I am coming from, rather than Norfolk Islanders find ways that they pay for their land tax, try and work out little ways that the land may, so maybe in the next few months we can think of little things when you go into Foodlands and see how much imported goods that do come into Norfolk Island there is a big scope for Norfolk people to use their land and not only be able to cover their taxes for their land tax, but also increase their revenue in some ways. So Mr Speaker I do support what Minister Sheridan is bringing forward here, as in a way that we have talked about the pain that is within the community at the moment, and I think that Mr Porter may have alluded to it in a little way, that hopefully there may be a little bit of pain, but hopefully by coming into these sort of schemes down the

line there will be a relief that hopefully really land tax, other than income tax, might be just one of the taxes that we have to contend with. So I am very interested in how this is going to go forward, what it is going to be called, and just pinpointing to Norfolk Islanders where this money actually pinpoint. So I think that is going to be a big thing to a lot of people, because I've already believed that it was going to happen, I suppose in some ways I have taken it on that it is going to happen, but certainly I will be willing to help people if they want to talk about what they may be able to do with their land, I suppose that is something that this Government could even set up, some sort of body that can help people look at ways their land can be productive. I will support it at this early stage Mr Speaker and I think it's hopefully like I said, the relief will come a little bit later and it won't be so hard on the households and the people of Norfolk Island. Thank you Mr Speaker.

MS ADAMS Thank you Mr Speaker. I just want to make it quite clear, I am not against what Minister Sheridan is doing, I believe the people should pay for radio, library, TV, maintaining public places and the like, that's our community. But I will not support a charge against the land, and the land being sold to meet the charge. End of story for me. We don't own land, we are caretakers of it, and I agree with Mr Evans, absolutely, but let's not penalise the people for improving the land! That's my problem, the more you improve, improve, improve. I understand it Mrs Ward, that it is unimproved capital value. Thank you.

MR WARD Thank you Mr Speaker, firstly Mr Speaker I would like to address Minister Sheridan's pointing out that it is the interim measure that we would be using, I am certainly well aware of that, as one of the people who pushed for this alternative system rather than the acceptance of valuation based. Because I believe in our small place, and with the potential for property values to move very quickly in response to activities, that valuation based poses a real danger for us, I know it has been said to us that we can manage our way around that, but we can't be sure that the people in the future who will be sitting around this table would chose to take that line and keep a moderate level of taxation on there. It is a regressive tax in our situation. Because you own a large bit of land, and a lot of land here, well I take Mr Evans' point on board, about making the land more productive. A lot of the land here is steep, it's not all of it is terribly fertile, you could not put a lot of the land to work to earn to that, those rates on an annual basis. So I certainly see the taxing of land as regressive, someone who owns a big block of unproductive land because the valuer says it is worth so much that you are up for a big lot of tax. You may have a house on it the same size as the guy next door who is on a half acre and you pay a lot more because you have this extra acreage around you which really only costs you rather than yields you any real benefit. I don't see it is equitable in a hereditary acquisition context which is what so much of the land here is. And by virtue of it being hereditary acquisition and it really distorts the picture, in mainland situations you buy into an expensive area your rates are proportionally higher than if you are out in the lower cost suburbs. Here, some of us have good lands because our families have looked after those lands and passed them down. I don't see that people should be punished for that. The other point I have about it is that land rates are one of the most, probably the most divisive issue on this island, and it's the issue that fires up, fosters up, much of the distrust and concern that local people have of going into the Commonwealth system or going into Australia, of having a greater involvement with Australia. If an alternative could be found to that one issue I believe we would have a major step forward in relations with Australia. And income tax to me is not a worry, us going into the income tax system is not a problem, because it is proportional upon what money you are bringing in. Land rates are based perhaps, as some Liberal Party material has said in the past, it is a tax on wealth, and whilst you could sit on your \$3m bank account and not be paying any tax on that, you are punished for holding a piece of hereditary family land that could be worth \$200,000-\$300,000 at best. So I do see many inequities in it and this is why I have bitterly opposed this concept all along, I have tried to see the other side, I have tried to see what the Commonwealth see in this method, and I have a colleague here, Mr Porter, has talked me through some of the concepts that he is familiar with, but really in the context of this small place it is not right for here.

MR SNELL Thank you Mr Speaker, I applaud the comments made by Minister Ward they echo my sentiments entirely, I too have grave doubts as to the ability of this community to pay any form of land tax, it would be unfair, it would be an impost on families that don't have the ability to pay, he has mentioned that a lot of the land is hereditary, a lot of the land is useless land, it would be very difficult for them to earn any gain from it and I am speaking from experience. We look at the wages and salaries situation on the island, there is no capacity yet that wages and salaries will increase with the costs of the imposts that we are putting on the community, this is another one. We get criticised from time to time because of the nature of the healthcare levy being a set levy on all contributions to it, and not on income and the ability to pay. This is another situation that we see coming up, you will pay the land rates as per a valuer, who if I recall correctly, the valuer has the right to value the land, if you object to the value you have to go through a very convoluted process, very expensive, and it's not guaranteed that your concerns will be taken into account. There is a lot of grey areas in this and I have serious doubts and as Minister Sheridan says, it's a very emotive situation, but it is one that I objected to in my campaign to become a Member of this House and it's one that I certainly won't reflect from.

MR WARD I just reiterate though, that having raised those concerns about the system, we do have to put some short term measure in for this financial year to cover what we have committed to raise in our annual budget.

MR SHERIDAN If I could just have the final say then Mr Speaker, that if we don't support this we will need more than \$250,000, we will most probably need, \$1.35m that we have to raise to make up for the shortfall in our funding supplement from the Commonwealth. So if there is no intent to go down this road and we have to raise that \$250,000 just through an alternative method to meet the budget, we will also have to fund that \$1.1m that is intended to be realised under the Funding Agreement for the full implementation of this system. I just put that on the table Mr Speaker.

SPEAKER Thank you a final motion for this morning, this afternoon.

MR SHERIDAN Thank you Mr Speaker. I move that debate be adjourned and resumption of debate be made an Order of the Day for a subsequent day of sitting.

SPEAKER The question is that this matter be adjourned and be made an order of the day for subsequent day of sitting.

QUESTION PUT
QUESTION AGREED

The ayes' have it, that matter is so adjourned.

TRAFFIC (AMENDMENT) BILL 2014 / TRAEFIK (CHIENJEN) BIL 2014

MR WARD Thank you Mr Speaker. Mr Speaker I present the Traffic (Amendment) Bill 2014 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill.

SPEAKER The question is that this Bill be agreed to in principle.
Minister Ward.

MR WARD Mr Speaker, this Bill is an initial step towards bringing the road traffic laws of Norfolk Island more in line with accepted principles of safety applied in the Commonwealth. The Bill seeks to reduce the level at which sanctions are provided for driving under the influence of alcohol and to make provision for obtaining random tests for alcohol and drug use. The Bill will reduce the principal acceptable level of alcohol from 0.08 to 0.05 grams of alcohol in 100 millilitres of blood or its equivalent in 210 litres of breath.

The Bill has four clauses and a Schedule. Clauses one to three provide the usual short title, commencement and reference to the principal Act being amended. Clause four provides for the principal Act to be amended by the Schedule. The Schedule contains three items. Item one replaces the existing definitions of “prescribed concentrations of alcohol” which are used in the principal Act with respect to penalties. The amounts are all reduced from the previous levels in giving effect to the principle that for an ordinary driver under no restraints the maximum allowable quantity acceptable is 0.08 grams per millilitre of blood. The definition also includes a new provision referring to the equivalent for example 0.08 millilitres of alcohol in 240 litres of breath. The two equivalent measures are used to allow for blood testing and breath testing and for the use of equipment (particularly breath testing) that may not provide the equivalent in millilitres of blood. Item two makes a consequential change to paragraph 32(6)(b) to reduce the level from 0.08 to 0.05. Item 3 inserts 6 new sections into the principal Act. These are section 32A to provide a power to conduct random breath testing. A police officer can request any person to take a breath test if the officer is satisfied that the person is or was driving a motor vehicle on a road or otherwise in a controlling position with respect to the vehicle or the driver. Before breath test is done a police officer may require a person to take a preliminary breath test to ascertain if there is any indication of alcohol in the person’s breath. A police officer may require a person to stop a vehicle and if the driver does not do so an offence is committed. Section 32B provides that a person may be arrested if as a result of the testing, the alcohol concentration exceed those set out in the section. Section 32C provides for the conduct of random testing of oral fluids for prescribed illicit drugs. The provision mirrors that for alcohol testing. Section 32D provides for the arrest of persons testing positively for illicit drugs and mirrors the provision for alcohol testing. Section 32 E makes provision for having oral fluid samples tested following the arrest of a person. Section 32F provides for the taking of a blood sample where a person has been unable to provide an oral fluid sample. That is all I have to present at this stage, I do have further comment.

SPEAKER If you wish to continue with your further comment I would be pleased to hear them now, then I will give other Members and opportunity to speak.

MR WARD At the last sitting of this House I tabled a report from Road Safety Specialist, Iain J. Faulks, Safer Road Travel on Norfolk Island, developing a Road Safety Strategy for 2014-16 and I give notice to Members that I intend seeking the endorsement of the House for this report at our next sitting. However there are two key aspects of this report that warrant our immediate focus that need to be addressed before the Christmas holiday season. I bring this bill on today knowing that its content will be a source of angst for some, but it is a matter that we, as a responsible legislature can not ignore, both the Court of Petty Sessions and the Coroner’s Court have made comments in respect of the incidence of high range drink driving, the bill provides our police force with the certainty they need around drink driving enforcement. The bill is a step towards the road traffic laws of Norfolk Island in line with acceptable principles of safety in the Commonwealth. I have details here on the various levels and how they affect people which I think may be of use in this debate. At 0.02 to 0.05 per cent BAC (Blood Alcohol Content), your ability to see or locate moving lights correctly is reduced, as is your ability to judge distances. Your tendency to take risks is increased and your ability to respond to several stimuli is decreased. At 0.05 BAC drivers are twice as likely to have a crash as before they started drinking. At 0.05 – 0.08 BAC your ability to judge distances further, sensitivity to red lights is impaired, reactions are slower and concentration span is shorter. At 0.08 BAC drivers are five times as more likely to have a crash than before they started drinking. At 0.08 per cent to 0.12 per cent BAC, euphoria sets in and people can overestimate their abilities leading to driving recklessly, peripheral vision is impaired, resulting in accidents due to hitting vehicles when passing and your perception of obstacles is impaired, drivers are up to ten times more likely to have a crash at this level. At BAC levels in excess of 0.12 per cent you can experience confusion, stupor, leading to unconsciousness and significant impairment of sensory and motor functions. Over half the drink drivers caught on Norfolk Island over the period 2009 – 13 were at this very high level of alcohol impairment and quoting from the Faulk’s Report,

'the Norfolk Island Police noted that these figures do not include the drug readings that were also obtained, of which there were three out of the nine BAC detections in 2013.' Evidence of drug use arises when police conduct a blood test as opposed to a breath screening of a driver. This happens when breath testing equipment is off island for calibration. Arguably this indicates that it is likely that a number of drug detections or impaired drivers are missed as police predominantly use breath analysis to screen for impairment. Mr Speaker it has been put to me that this legislation has the potential to impact sales at the clubs, while any negative impact on business activity is regrettable, to ignore an issue which has such serious consequences, such as road accidents, can not be tolerated, as a responsible legislature we can not ignore the statistics of extremely alcohol levels recorded in the Faulk's Report, nor can we ignore the need to give our police force unambiguous laws to enable them to do their work effectively. As much as clubs may rue the possible reduction in trade I am certain that none of those clubs members or customers wish to be burying one or some of their members or witness a grieving family dealing with the consequences of a serious crash, no amount of trading justifies this trauma. I offer Members my apologies for the short notice in bringing this bill forward and ask that Members acquaint themselves with the statistics and details in the Faulk's Report and the Regulatory Impact Statement. If there were no incidents to support the known impairment factors there could be room for doubt as to whether these measures are needed. But the facts are compelling and there is no credible argument against them. If impaired drivers only risk their own wellbeing there could be room to say that it is their choice, but the risks are to them and to all road users, and often others in the vicinity of the roads as well. I commend the bill to the House.

MRS WARD Can I please ask a question Mr Speaker, the Minister may just wish to take it away and deal with it at some other stage. It is around the bill bringing the road traffic laws of Norfolk Island more in line with accepted principles of safety applied in the Commonwealth. Is the bill based on, is there a set of model rules around this road safety question, or is this based on a particular state or territory jurisdiction, that's probably just the first point for the Minister. It's certainly an issue, that I will be supporting I will tell the Minister right now, it is certainly going to be a case of educating ourselves on how we tolerate alcohol consumption, individuals and we've had some discussion about this yesterday, it was something that Mr Evans brought up and he may speak about that a bit further about assisting the community in being educated in this area, providing some good websites or whatever so people can have a look. The bill isn't going to stop people going out and having a social drink, this is about the amount of alcohol consumed by an individual. Minister Ward referred to a drug detection, and maybe that is another thing that he could just spell out now, or in the next sitting, just to make it clear for me as to whether there is any question about drug detection, or how that may also be factored in at some stage. The evidence will show that I'm reading that that is equally an issue, the Coroner's Report raises that as well. Thank you Mr Speaker.

MR WARD Thank you Mr Speaker, I haven't been through all of the legislation in all of the different states, but I believe that 0.05 being the key element is pretty much standard across the board, I did have a look at website that lists many other countries, and I looked up what our listing was under the reading we were on this particular list, and it showed us as already 0.05 so I decided not to rely on that material, it was obviously not based on reliable information. Certainly some of our neighbouring countries are at the same level as we currently operate on and many others around us are at the 0.05 as for the drug testing, my understanding is that there is a fair bit of equipment and expensive outlay involved in the purchasing of equipment to be able to handle that side of things and I don't foreshadow that coming into force initially. But it is something that needs to come through as part of this process rather than doing it on a piecemeal basis.

MR NOBBS I have a question for somebody, what Coroner's Report are we talking about, are we talking about one that is actually been put down, or one that people think is going to go down.

a breathalyser with the stipulation that it wasn't random, that it was actually available for use by the police if they considered that a person had done something wrong or that sort of thing. Now we are saying that you can use, this is really in your face stuff, and I disagree with it completely. I will then now move to what Mr Evans just said, the original thought was that the policemen, the Chief of the Police is the head of the licensing arrangements, I presume he still is, okay. He has some responsibility in that area, the idea was that, in the clubs they would place these facilities where they could be tested, and I've talked to Tim about this and what have you. And you could monitor it, and it was also available for the barman to make sure that they monitored it. Those sort of facilities, as a trial, were never put in unfortunately. I think the Assembly changed, the oh yeah she'll be right mate, and nothing happened, but I firmly believe that with the testing arrangements that we should go through that process again and not put a random testing in. Because it's confrontational, we don't need it, and that's it. And they have got an ability to breath test people now, the police have, and that's my view on it. 0.08 to 0.05 well all the states of got it Rabi because they said you are not getting any funding for your roads unless you come to .05 and the last one to fall was the Northern Territory I can tell you! And under duress they went from 0.08 to 0.05 simply because they didn't have the cash. So whatever it is 0.08, 0.05 that's it, we put a requirement in at the time that there would be low alcohol beer would be cheaper and I think it still is, those sort of things, so we have tried, but we never put the trial in in the clubs situation and I would like to see that go in beforehand, before that, unless we go through and separate it, if there is enough support to take the random side of it out, I can't support the bill. Because policing here is extremely difficult, people don't realise it, I was asked a question on it earlier, about what happened with a bit that was put in Norfolk Online and it was taken down, I mean the Minister for the Police couldn't answer the question, knew nothing about it, that's what I'm saying, the governance arrangements with the police, policing is a huge problem, you don't realise it but's it huge. And I would assume that the police themselves would find it extremely difficult and therefore that should be sorted out. Apart from that, we need to get the parties back together again, that's what I'm saying, I think that it's happening, but these sort of things will just inflame it again, unbelievable. Thank you Mr Speaker.

MR PORTER Thank you Mr Speaker. These amendments to the traffic act just reflect contemporary traffic safety management and I don't believe I can sustain a defensible argument to legislation. Having said that, it is to be hoped that the commercial operators that rely on the sale of alcohol in their businesses can help their patrons visit their premises and return home safely. And that might be way of courtesy coaches or dial a driver or some other method, but it would be an impost on those businesses, I understand that. But the bigger issue here is the matter of illicit drug use which is adequately covered in this legislation and it is to be hoped that the traffic management authority will have the ability to invest in the technology needed to enforce that part of the legislation and that I hope that this legislation, especially in the matter of illicit drugs will help the police deal with the dangerous practice. Thank you Mr Speaker.

MR SNELL Thank you Mr Speaker. Mr Speaker this is one of those difficult decisions that have to be made by this House, and I guess this is why people will say 'this is why you earn that big huge salary'! But we are going to be damned if we do and damned if we don't. We are going to be crucified by the Commonwealth if it doesn't go through and when we go out for a drink somewhere we're going to be crucified again. Mr Speaker I tend to agree with Mr Nobbs on some of the issues that he is raised. In particular that the situation with the testing is available to us now, that they can test if they so wish, but when you consider if they bring in random testing, you have to look at sections of the bill, and one section in particular section 32B provides that a person may be arrested if as a result of the testing the alcohol concentration exceed those set out in the section. Now we might not have a big enough police station, we might not have a big enough response area. This could provide us with another huge problem, so it needs to be carefully looked at Mr Speaker. We look at the situation where I think Mr Porter said that we may need to attract people to these papers that are going to be affected to the clubs, are we going to allow the clubs to have the same benefits and facilities as they enjoy in Australia, 24/7 opening, poker

machines, gambling facilities, TABs, etc, etc, well they can have entertainment there now, but are they going to be available to them. We've got an issue on our hands here and it will be interesting to see what the results of the voting on this is, I still haven't quite made up my mind on how to vote on this, I want some more community input, I notice that the consultation part in the regulatory impact statement has said that there has been no consultation with the business, not-for-profit organisations or the community in this matter. Road Safety Strategy though has been tabled in the Assembly for the public to consider and when you look at the executive summary of the Road Safety Strategy, it does detail quite a number of issues and some of those issues mentioned in this particular document details the likes of 2013 there were 25 crashes, I want to ask what is a definition of a crash, is it one that rights of a vehicle, is it one that just backs into a post, etc, etc. And they quote that drink driving on Norfolk Island is at crisis level, you know there are some pretty strong words in here, and when you go through it and read it you can see of course it is going to affect the community in a great way, it's going to have a huge impact. So it is a problem for us, it is one that we are here to solve and I hope that when this is debated again we will come to some final arrangement on it.

MS ADAMS Thank you Mr Speaker. I just have a question. Are there statistics available that supports that people reduce their drinking as a result of a reduction in the level? It's a genuine question on my part, do these measures stop people drinking.

MR WARD We are not actually seeking to stop people drinking. We will need to adjust the way of doing things, start to have the sober driver or whatever other arrangements they need. This can either be introduced by us, or it can be forced upon us. But either way it is coming and I think we owe it to ourselves and to this community to do what is needed, it is the responsible action. I certainly will take on board Mr Evans' comments about working with the clubs and trying to get facilities for them, or system for them in getting those facilities that would help patrons. It's probably pretty much standard practice in a lot of places now, it's something I can take back to the Road Safety Committee maybe someone can research it from there and come up with some ideas, certainly they have already worked through this issue very thoroughly, the Committee is very aware of it and they will do everything possible, they work through issues about courtesy buses and all those sorts of options, there are issues around those and certainly nothing is as convenient as being able to get in your vehicle and drive when you want to, but at what cost, and if that cost is to wipe out someone's family member or such life it is simply not acceptable.

MR EVANS Just interacting with Minister Ward, it's like anything in this community, if you work with people and give them some moral issues of where they should be and what they should be doing, you do get a reciprocal feeling from the community and if we work with them, and try and show them that we are trying to do as much as we can to facilitate this, not make it so much of an impact, go to the school, educate our children, work with the community, these sorts of things can be ironed out very quickly, and with a lot more acceptance amongst the community because we have been seen to try and work with them, so I thank you for taking those few notes on board. Thank you Mr Speaker, thank you Minister.

MR WARD I would just like to allude to the Chief Minister's tongue in cheek comment about not having a large enough police station. Sometimes perhaps that might seem that way, but if that was really the case then we have a more serious issue than we realise, but thankfully I am well aware that the Chief Minister was speaking somewhat tongue in cheek.

MR SHERIDAN Thank you Mr Speaker, I will speak just briefly on this matter because I haven't fully considered the bill and I have only briefly touched on the report from the road safety strategy, but I do note that the statistics they quote are mainly for blood alcohol concentrations of drink driving with very high levels, and I presume that is because they will say that they don't have the ability to stop people and put them on the

breathalyser, but I don't think whether or not 0.08 or 0.05 is the level, whether or not you are going to stop those high levels of those incidents, of people with high readings, I believe that will continue and unfortunately that is something in all societies there are people out there that go to those extremes. But what I am really concerned about Mr Speaker, and before that it's good to see that the Government is indicating that they are being responsible in this matter. Previously I couldn't get that response from them. It's good to see that we are considering this in a responsible manner. But I do have concerns on the effect on not only the clubs, but also on the people who rely on the food industry for their livelihood, whether it's a restaurant, whether it's clubs, and in fact that you might say the Government for the liquor bond income, because this will have an effect on their takings, no doubt about it, it will have an effect. And we can all talk about well we have sober bob drivers and we're going to talk to the clubs about getting a vehicle to drive people home etc, it may work in certain circumstances, New Years Eve or Christmas Parties or a special event, but just for the run of the day, during every daily event, and I may have conflict of interest here Mr Speaker, because I do like to have a couple of beers in an afternoon, not every afternoon, but in the main most days, and I enjoy that, the ability to do that. But it will affect the livelihood of those clubs and I would hate to see any of those clubs fall or fail because of the introduction of this. I would have liked to have maybe seen this introduced in two parts, maybe introduce the ability to stop people randomly and undergo a blood alcohol test, but the 0.08 down to 0.05 I think that we don't have any statistics, only the statistics from throughout the modern world you might say, from Australia etc, that they pursued those reductions from 8 to 5 over a period of years, I don't believe we have that evidence over here to indicate that it would make our roads any safer. I understand that the more you consume well of course the more that it effects you, I just put it to you like this, I'm not advocating that you go out there and you have a dozen beers and you drive home, but I went onto a site and it's called areyoupissed.com and it's an online breathalyser and blood alcohol calculator, and it's interesting in there, and you just sort of go through in your mind, you put a couple of examples to the test, and you think about a couple of visitors to the island and they go out for dinner, they drive out to Norfolk Blue, out to the boondocks or they stay in town, but they still drive, and they share a bottle of wine, or they may have one beer and a spirit before they share a bottle of wine over dinner over two hours. In that instance if you have a beer and half a bottle of wine you would be .061 and if you had a spirit and then half a bottle of wine you would be .053, both would be incapable of driving. Now to me, if you go out for a relaxing evening with your wife and you share a bottle of wine and you have one drink, whether it's a liqueur at the end of the night or whether it is a beer whilst you are settling into things, I don't think you should be penalised for that, and I am sure that is not the intent of the bill and that is why I am saying that maybe .08 is not the right figure to consider. You know if you work outside and you go up to the club and over two hours you have four beers, over two hours if you have four beers, four full strength beer, you would be .075. If you had three beers in two hours of full strength beer, 4.9 per cent, you'd be just on the .05 so this is the ramifications that it will have on the clubs. I only drink mid-strength beer and if I had four beers over two hours I'd be .047 which is just below the .05. But what I am saying is that it will have an effect on peoples habits, on how often they go to a facility, but it is also affects our tourism, it will affect our tourism, I think we need to find a balance with where we go with this. 0.05 might be right for in Australia where you have taxis galore, you have buses, you have trains, you have all of those facilities, public transport that takes you from a to b and then you tootle off and walk home for the last half a mile. Here I don't believe that take up of a courtesy bus would be sufficient, you would still find people, because clubs aren't going to operate a courtesy bus 24/7, they are not going to operate it from opening to close, they will only operate it for a certain period of time, they may operate one in big events like I said, New Year's Eve celebration or one off band nights or things like this, it's just the run of the mill daily activities that people go out to and they relax with a beer or a wine after work and all of a sudden they find themselves down at the police station as the Chief Minister said, sharing a cell with many other people. I don't believe that's the intent of the bill, I know the need for safe roads, and I have pushed this through the previous Government when we introduced seat belts etc and other legislation that affected the traffic act, I fully support that, but I really believe that we need to have some consideration on how we implement this, we need to consider our duty on low alcohol products, at the moment I think a low alcohol

product could be more than a full strength product, purely because the size of the bottle etc, because the freight is so much more, hopefully the Minister will come and discuss that with me, or the CEO, we can manage that, we can make those lower end products a lot cheaper, a whole lot cheaper to encourage people not to drink the full strength beers, maybe you add on an additional surcharge onto those products, it's all about managing the situation. And I believe there are methods and ways that we can do it, but I really do just believe a blanket across the board .05 random breath testing out there, I know it will affect people because I have been told, they are waiting for this to come in so they can, they know Joe Blow's we will target certain people, and that's not fair if they go out there and do that. So I just think that we do need to look at this carefully I am very uncommitted as to the way that I would vote at this point in time and I would like to see some more response from the Minister in regards to how he plans to manage this, as the RIS was only got this morning, there's been no community input into this except for the input through the Road Safety Committee and the Faulk's Report, I acknowledge that, Iain Faulk's wrote to me, he wrote a submission when we did the major change to the traffic act some years ago, it's not to say that I took on board all of his recommendations, I did take on board some of them, I thought some of them were extreme. So Mr Speaker it is just food for thought for this point in time, and hopefully over the next month we can discuss it further.

SPEAKER Okay, adjournment motion.

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

SPEAKER Thank you Minister Ward, the question is that this matter be adjourned and be made an order of the day for subsequent day of sitting.

QUESTION PUT
QUESTION AGREED

The ayes's have it, that matter is so adjourned. We have concluded notices Honourable Members.

ORDERS OF THE DAY

THE HOUSEHOLD AND BUSINESS SURVEYS

SPEAKER We are resuming debate on the question that the paper be noted Mr Sheridan, Minister Sheridan you have the call to resume.

MS ADAMS I thought Minister Adams was looking for lunch. Mr Speaker I don't.

SPEAKER Honourable Members I know that a number of Members have been looking at the clock, I have not approached the matter for suspension of lunch so that we might try and conclude this matter, I had earlier foreshadowed that there is a funeral this afternoon and I would wish to have the facility of adjourning the House so that Members who wish to attend the funeral may do so, so we will continue on this basis at this time.

MR SHERIDAN Thank you Mr Speaker, Mr Speaker, I don't intend to add much to the comments passed at the last sitting, but I thought it was essential to have these reports lay on the table so that Members could have time to read them and digest these documents and then have time to have another say in this forum. I have to admit that I haven't had the appropriate time to fully consider these reports due to my being off island firstly with the Cadets and then the trip to Adelaide and Canberra with the Chief Minister to have discussion with Minister on Briggs on the model of governance for Norfolk Island. But I would like to make these comments to follow up on my initial comments from last month. As indicated I still believe that more detailed written commentary could be provided to go along

with the figures that have been provided and that these figures maybe/could be provided in different quintiles also. I take note of the letter written into the Norfolk Islander on 27th of September in regards to these reports and I have had a quick discussion with the compiler of the reports to ascertain as to whether or not there is the ability to make further comment, he has indicated that there is the ability, so Mr Speaker I will be discussing this with the Statistician to ascertain what further information can be provided to support the data that was collected. Mr Speaker my main concern is that the data as presented clearly indicates that the majority of the Households on Norfolk Island are living in a precarious state when it comes to finances, the data clearly indicates that 44 per cent of Households, that is 327 households out of the 729 surveyed are living beyond their means. Mr Speaker when I say this I mean that the household total expenditure is more than the income for these particular households, and it can only mean one thing, that these households are living off credit cards, food parcels, favours from family and friends just to make ends meet, and this can only end in one way and it's not a very nice thought to have. Mr Speaker another 21 per cent of households, or 156 in number are clearly in the position of stress, which indicates that two thirds of households on the island are living in a state of week to week survival just so that they can be part of this community. What is clearly frightening and it is clearly demonstrated by the data, not only are households struggling, but individuals are finding it very difficult to make ends meet, with the data indicating that 48 per cent of the population has (unclear on tape) income of only \$504 per week on which to live on. This is clearly unsustainable into the future especially when the Government can only provide a limited safety net through its social services. Mr Speaker these reports have been provided to the Commonwealth Government and I certainly hope that the information provided within the reports is taken on board when the extension of taxation and services are extended to Norfolk Island. I believe that the data clearly indicates the need for the extension of the Commonwealth safety net sooner than later, and that the ability for increased charges to the community is minimal, notwithstanding the intent of the Norfolk Island Government to introduce municipal rates. It is a fine balancing act that must be undertaken and the Commonwealth has a role to play to ensure that Australian citizens are not disenfranchised by the lack of delivery of services just because they live on Norfolk Island and the Norfolk Island Government is unable to deliver the full suite of services that are necessary. Thank you Mr Speaker and I encourage people, and Members and community members if they haven't read the report to do so, because it is enlightening and if I can get some further extrapolation of the data and the figures into a sort of a commentary I will make sure that is provided as well. Thank you.

MRS WARD

Thank you Mr Speaker, I thank Minister Sheridan for his contribution to debate because what he has concluded and extracted from the report is exactly the same thing that I have found, and I know for a fact that there are people living on their credit cards and they are living on food parcels and they are living on the support of their families and their friends, and that's why it is critical that the Australian Parliament make a decision sooner rather than later and then the discussion around the implementation of that new governance model gets moving, again we understand the implementation of the social services. There is an aim that that commence on the 1st of July, that supporting Minister Sheridan's words again, is what a municipal rating system is all about, it is about getting ourselves ready to slot in, to dovetail with the taxation system, which will provide relief to those most in need. In a general sense our current taxation system is regressive and it hits the lower income people and the families the hardest, so there may be that initial short term pain, anxiety, stress, around us moving towards the municipal rating system, it is for a purpose, a good purpose and to have an outcome that is in the best interests of the most vulnerable in our community. I can only take from the comments also made at the Briggs meeting, and I have said it before, but I will just repeat it because it is relevant to this debate, is that the Centre of International Economics have read this, I would suspect drawn exactly the same conclusions and that's why it appears to me that there is a thought around delinking. If you bear with me Mr Speaker, in the report, so we know what the report was about, one of the points which was on page 5, and like Minister Sheridan I do encourage everyone in the community to read the report, it is online and it has been online for a while, that showed that the 256 business owners in Norfolk Island were on average making slightly more than \$2,200 in profit for the financial year of 2014. Businesses have reported to me

that they have gone through their savings. And they are on their knees, so I think everyone is aware of that, that is again why it is critical for a Federal Government decision to be made sooner rather than later. The other point that I would like to make, it was my observation of this report, and it was something that I realised myself when looking at the questions in the survey, and then very rapid feedback and phone calls and emails from people in the community about where, it's about accurately demonstrating expenditure, to show where people spend their money, and they said well where do we put our school consumable fees, where do we put the education excursions at the school, where do we put the donations that we make with, we are happy to make those donations, we are happy to make those donations, but where are they are accounted for, so those details, there were some questions around where people put their spending around health, the dentist, my advice to people at that time was to spread it across the three categories which were food, clothing, and there was another one. But what I found, or people reported to me after the survey period had closed, was that they hadn't, so the ones I hadn't spoken to or that message hadn't got out to enough people, so they simply hadn't put down that expenditure, so I would say that there is a warp there, and that it is actually worse than it looks on paper, so I will just finish on that point thank you Mr Speaker.

SPEAKER Any further contributions? No further contributions
Honourable Members, then the question is that this paper be noted.

QUESTION PUT

QUESTION AGREED

The ayes have it, that paper is so noted.

FIXING OF THE NEXT SITTING DAY

SPEAKER Fixing of the next sitting day, Mr Nobbs please.

MR NOBBS Mr Speaker I move that the House at its rising adjourn until Wednesday, 19 November 2014 at 10 am.

SPEAKER Thank you Mr Nobbs, are we agreed on that matter, any discussion? I put that question to you Honourable Members.

QUESTION PUT

QUESTION AGREED

The aye's have it, thank you.

ADJOURNMENT

SPEAKER Adjournment, Mr Evans.

MR EVANS Thank you Mr Speaker I move that this House do now adjourn.

SPEAKER The question is that this House do now adjourn. Any adjournment debate? Mrs Ward.

MRS WARD Mr Speaker, thank you, just for the listening community and members I indicated this yesterday, as a result of my being a delegate for the Norfolk Island Branch at the CPA Conference in Cameroon between the 2nd and the 10th of October, I arrived home, as you are well aware Mr Speaker, on Monday and I intend to compile a full report. I also, as the Norfolk Island Branch representative on the Commonwealth Women's Parliamentarian Steering Committee will report to them when we have our teleconference which should be in a couple of weeks time, so I look forward to presenting that at the next sitting. Thank you Mr Speaker.

SPEAKER Thank you Mrs Ward. Any further contributions?
Honourable Members I put the question to you that this House do now adjourn.

QUESTION PUT

QUESTION AGREED

The aye's have it. Honourable members this House is now adjourned until Wednesday, 19 November 2014 at 10 o'clock in the morning.