

MR SNELL

Thank you Mr Speaker. The matter of public importance that initiated this meeting is the phone call and subsequent letter dated 19th March 2015 from Assistant Minister Jamie Briggs, advising amongst other things that the Australian Government will amend the *Norfolk Island Act 1979* to remove the islands democratically elected parliament and replace it with a regional council after transitioning through an advisory council. Mr Speaker I would like to read that letter. To the Hon. Lisle Snell, MLA, Chief Minister Norfolk Island Government, Old Military Barracks, Kingston, Norfolk Island. Dear Lisle, the Australian Government has today responded to the Joint Standing Committee on the National Capital and External Territories Report on the future of Norfolk Island. As you know, the Committee's Report highlighted the urgent need to address critical governance infrastructure and economic issues to mitigate further economic decline and the deterioration of living conditions. The Committee's recommendations also noted that Norfolk Island governance and economic reforms must occur together to give the community the greatest chance of recovery. Many of the issues considered in the report are longstanding and have been the subject of numerous reports, inquiries and submissions over the last 35 years. These concerns were similarly echoed during the public consultation lead by the Hon. Gary Hardgrave late last year. The consultation process highlighted a strong mood for reform within the community with most individuals including some Members of the Legislative Assembly acknowledging that the model of self-government is no longer appropriate. Norfolk Island has a rich cultural history and natural beauty that can provide many opportunities for your community into the future. Preserving this culture and ensuring Norfolk Island's sustainability is critical, but can only occur by addressing the fundamental changes facing the Norfolk Island economy. I write to advise that the Australian Government will, in line with its election commitment, extend Federal taxation and social security payments to Norfolk Island effective the 1st July 2016. This will include the extension of all personal and business taxes, but the goods and services tax will not be extended. Consistent with the practices on the other remote external territories of Christmas and Cocos (Keeling) Islands. Immigration, quarantine and customs services will also be extended from this date. I further advise that the Australian Government will amend the *Norfolk Island Act 1979* (Cth) to transition the Norfolk Island Legislative Assembly to a Norfolk Island Regional Council. This arrangement will ensure that local issues continue to be driven at the local level wherever possible without placing unreasonable expectations on a community of 1800 people. In amending the Norfolk Island Act the Australian Government will also provide a modern body of state level legislation modelled on NSW law. These laws will gradually be introduced from 1st July 2016 to ensure a smooth transition and to allow the Norfolk Island community sufficient time to adjust to any new arrangements. I would expect that elections for the new Regional Council will be held early in 2016. In the interim period, a Norfolk Island Advisory Council will be established to represent the local community, the Norfolk Island Advisory Council will be critical to ensuring that the local community has a direct line of communication with me and is able to steer and contribute to the reform process. As a first priority the Advisory Council will be asked to advise me on the appropriate shape of the Norfolk Island Regional Council noting that there are a number of options to consider. Until the establishment of the Norfolk Island Regional Council I will hold all Ministerial delegations and will execute those delegations through the Norfolk Island Administrator, the Hon. Gary Hardgrave. I am further intending to appoint to a new position of Executive Director an experienced local government Manager who can assist the Norfolk Island Administration in its pending transition. All Norfolk Island Administration staff, including those of the Norfolk Island Hospital and the Tourist Bureau will be retained, there will be no change to the arrangements at the Norfolk Island Central School for both students and Teachers. I would welcome your participation on the Advisory Council and have extended a similar invitation to the Hon. David Buffett, current Speaker in the Norfolk Island Legislative Assembly. I would also welcome your advice on other potential candidates for the five member Advisory

Council to consider alongside nominations from the Norfolk Island community. Mr Hardgrave is available to answer questions that you may have in the first instance and representatives of my Department will be on island in the first week of April to discuss these reforms in more detail with the Norfolk Island Government. This will be followed by the establishment of a shopfront with staff available to assist members of the community in the transition. Information is also available through the Norfolk Island Reform website www.infrastructure.gov.au. I wish to thank you for your service over the years to the Norfolk Island community and look forward to working with you to secure a brighter and more prosperous future for Norfolk Island. Yours sincerely all the best, Jamie Briggs. P.S. I hope you can join the Advisory Committee to bring your experience to ensure a successful transition. Mr Speaker I table the letter. Mr Speaker, this proposal is rejected by me and those I represent in the Norfolk Island community, it was rejected by the Norfolk Island Government in its response to the Report by the Joint Standing Committee of the National Capital and External Territories "Same country: different world" and clearly rejected at the public consultation held by the Administrator on 12 November 2014. Mr Speaker on a scale of public importance I cannot imagine any more important a matter than the proposed wholesale change to what we would consider the Norfolk Island constitution and our parliamentary mechanisms. Particularly as the purported process of consultation and information available to this community and the Australian public by the Australian Government has been questionable at its best. Before going any further Mr Speaker, there should be – 1. A commitment made by the Australian Government to allow and facilitate the people of Norfolk Island having a formal vote as to whether they accept or otherwise the proposed Regional Council model of government. 2. In the absence of this commitment, that an early approach be made to the United Nations seeking their willingness and subsequent facilitation of a formal Act of Self-determination for the people of Norfolk Island. Mr Speaker we were promised by the Assistant Minister in February 2014 during his only visit to Norfolk Island that he would consult on governance options with the Norfolk Island Government and the community before, and I repeat before making a submission to the Australian Cabinet. The Assistant Minister carried out no such consultation with the Norfolk Island Government. Once the Joint Standing Committee recommendations were published, the Administrator conducted his version of consultation, specifically on the Joint Standing Committee recommendations and produced his report. I am certainly aware Mr Speaker that members of this community who attended the public meeting called by the Administrator to discuss recommendations 1 and 2, were alarmed to read within the Administrator's report to the Assistant Minister that recommendations 1 and 2 were supported by a majority. I would strongly suggest that all attendees at that public meeting make themselves aware of the statement from the Administrator that the Joint Standing Committee recommendation 1 to remove self-government was given majority support through that consultation and facilitation. Mr Speaker I table the report and would suggest a commission of enquiry would be welcomed to evaluate the processes engaged in by the Joint Standing Committee, the Minister and the Administrator, the Norfolk Island Government has nothing to hide if such an enquiry was commenced. Mr Speaker, in 2011 you proposed the Norfolk Island Government's Preferred model of Self-Government. In advising the community by Media Release that you have tabled the Motion in the Legislative Assembly you said, and I quote: "The Motion I read into the Parliament today which I trust following debate will be adopted at the 11 July sitting, has been designed to demonstrate to Minister Simon Crean and his Cabinet colleagues that the Norfolk Island Government is willing, able and ready to embrace the Australian Taxation System, along with the transfer payment system, and gain entry to the Social Security and Medicare Safety Nets. We would like this to occur as soon as it is humanly possible for the Commonwealth to facilitate our entry." In good faith Mr Speaker, the Territories Law Reform Bill was supported to achieve the Commonwealth's desire for structural reform to the Island's governance arrangements; a Memorandum of Understanding was entered into

between the Norfolk Island Government and the Commonwealth Government and a Road Map was developed between both Governments. This was done on the understanding that the Commonwealth Government would honour its commitments under the Road Map and the Funding Agreements and that participation in the taxation and social security system would proceed on the basis that there will be a net benefit for Norfolk Island and its community and there is appropriate consideration of local circumstances. This still has not occurred and this community has been advised that it will be a further 12 months before this safety net will be implemented at an unmeasured cost to the economy of this island. The Road Map identified many actions, not the least of which was the Dry Run of Tax Forms to not only guide the private sector on the tax related costs of doing business, the dry run was also to inform both Governments of the impacts on our economy and to formulate a sustainable tax arrangement that did not destroy business and create a welfare state. Mr Speaker I table the Road Map and a document from the Norfolk Island Chamber of Commerce identifying similar concerns. Mr Speaker I read the letter from John Brown, 'President of the Norfolk Island Chamber of Commerce, PO Box 933, Norfolk Island. Dear Chief Minister, re proposed abolition of self-government in Norfolk Island. Though the real feelings of the Norfolk Island community can only be determined by holding a referendum it is clear that some members of our community are rejoicing at the announcement by Minister Briggs that the Australian Government proposes to abolish self-government in Norfolk Island. I urge you to ensure that the Norfolk Island Government's response to that announcement keeps in mind the necessity for every community to have a vibrant private sector. By insisting that the staff of the Administration of Norfolk Island be sheltered from the downturn in the Norfolk Island economy over recent years and inviting the Australian Government to take back some of the Norfolk Island Government's self-governing powers the Norfolk Island Government has provided the Australian Government with a free kick, that is to be regretted. Because there is very little negotiating power once there has already been a surrender. Nevertheless, the following comments which are my personal comments, might be of interest to you. The proposed changes will significantly affect the value of local businesses and of local accommodation properties in my view. They will now be valued on a similar basis to similar businesses and accommodation properties in remote rural areas of Australia requiring returns in the region of 14 per cent per annum. Even commercial properties which are tenanted will be likely to require a return of greater than 10 per cent per annum. Many business will be simply unsaleable as a result. The impact on values of accommodation properties is likely to be devastating with values of properties likely to fall well before their mortgage debts. In my view the lending policies of the banks, which are already restrictive will be likely to tighten further. Perhaps the Australian Government will lease some of the presently vacant retail space and the additional retail space which is almost certain to become vacant over the next three months. Administration staff will need to decide whether to resign from their employment now in order to draw their provident fund entitlements or whether to remain in their employment hoping that their positions are secure and take the risk that Australian superannuation rules will replace existing rules of the Provident Fund. It seems clear that the Australian Government intends to introduce land tax, a state tax, and to insist on the introduction of municipal rates, a local government tax, should that occur, in my view, a consequence will be a further fall in property values and forced sale of many properties. The Australian Government has suggested that they will fund medical evacuations in the same way that they fund medical evacuations from the Indian Ocean Territories. I will be interesting to learn the extent to which the Australian Government does so in the Indian Ocean Territories at present. I have not noticed any assurances about continuing to pay pensions, even if the Australian rules are no satisfied, for example the asset test and deemed income, or about whether aged care will continue to be provided in Norfolk Island. I am not aware of aged care being provided in the Indian Ocean Territories. At the least it seems that aged care will be subject to the rules which apply in Australia, including the requirement to pay a

bond, which can be substantial in size. I wish you and your colleagues well in your continuing endeavours. I urge you to ensure that the private sector is kept in mind in your deliberations. There will be a need for restructuring packages and without a vibrant private sector which has been absent for some years, employment and government revenues will continue to languish.' Mr Speaker, on further investigation the provident fund, not to worry those within the provident fund, the provident fund itself should be able to be transitioned to another fund maybe a super fund with no loss to the member, however this is another of the many issues to be discussed and clarified. Mr Speaker I table that letter. Mr Speaker there have been a series of reports commissioned by Assistant Minister Briggs Department, and previously by the Department when it was guided by Minister Simon Crean. The Economic Development Report authored by ACIL Tasman identified many actions to initiate recovery for the Norfolk Island economy, equally the report identified actions not to take. I table this extract from the ACIL Tasman report identifying economic improvement actions. And I read Mr Speaker part of that report. I quote 'In the immediate, it is not, however, necessary to resolve the final status of the integration of Norfolk Island with the Australian tax and transfer payment system. Rather, it is simply necessary to provide business with certainty regarding the operating environment. This certainty can be provided by the Commonwealth and Norfolk Island governments agreeing that company and income tax will not be extended to Norfolk Island until there is sustained evidence that the Norfolk Island economy is growing, and that the imposition of such taxes will not derail this growth; and that regardless of evidence of economic growth the extension of such taxes will not take place within the next five years.' Mr Speaker I table the ACIL Tasman report as highlighted. I table this report to demonstrate the vast difference between the perceptions and realities of Norfolk Islands fight for economic sustainability. The recommendations of economics experts and the resulting actions of the Australian bureaucrats that have gone against those recommendations - to encourage capital works and build the economy before introducing new taxes, duties, levies and regulatory impacts to the cost of doing business and the cost of living on Norfolk Island. The matter of public importance today Mr Speaker is also a need to set the record straight and ensure that this parliament achieves its role in supporting, representing and upholding the wishes of the people of Norfolk Island. Members of this community have expressed concern over the Assistant Minister Briggs' assertion that Norfolk Island does not have Child Welfare Legislation, Firearms laws, or Drink Driving legislation – Norfolk Island does have these pieces of legislation and I table them here for the record. Mr Speaker I table legislation Child welfare, Firearms, Drink Driving, etc. Equally there have been many island residents frustrated that the Assistant Minister has not acknowledged the two petitions with over 700 names on each that were delivered to the Australian Senate and to the House of Representatives. Also the 80 community members who wrote to the Assistant Minister seeking an informed decision making process were not acknowledged or responded to. The petitions have been tabled in this parliament, as have the 80 letters from concerned community members. Mr Speaker I understand that negative remarks have also been made by the Assistant Minister about the Norfolk Island electoral system and I would suggest that aside from the fact that any change to the electoral system would require assent from Canberra, it is important to identify that it was action from Canberra in 2004 that disenfranchised many long term residents and removed their ability to participate in the Norfolk Island Parliament. Norfolk Island's democratically elected government opposed this change, as did the community via referendum, however the legislation was altered by Canberra none the less. Mr Speaker many have referred to the election of the Fourteenth Legislative Assembly as a referendum on the Norfolk Island communities dissatisfaction with the 2011 Road Map process, obligations and pitiful economic outcome. I table the electoral results from the 2013 elections. Mr Speaker, Assistant Minister Briggs states that the Australian Government will amend the *Norfolk Island Act 1979*, an Act of the Parliament of the Commonwealth of Australia, to transition the Norfolk Island Legislative Assembly to a

Norfolk Island Regional Council and I acknowledge the invitation extended to me and to you, Mr Speaker, to be a member of that unelected five member Advisory Council, however, I wish to take this opportunity to advise the House and the community that I will be writing to the Assistant Minister to decline his offer and to advise that I do not support his regime. Mr Speaker, I was a member of the Norfolk Island Council in 1978 when we successfully gained a measure of self-government and I was proud to be a Member of that first Legislative Assembly which set us on the path that we have followed for the past 36 years. How can anyone in good conscience, now agree to the abolition of this Parliament and self-government for Norfolk Island? Particularly as many around this chamber are aware of the shortfalls in council operation that left the island vulnerable – financially, politically and socially. I appreciate that some Members of this Assembly were not on the island or of the age to understand the reasoning that drove the majority of the Norfolk Island community to drive towards self-government. Practical delivery of services, timely decision making and democratic representation were important to the community then and they are equally important now. From 1979, long term sustainability for Norfolk Island was to be achieved in co-operation with the Commonwealth Government, but no suggestion mooted by this and previous Norfolk Island Governments to expand our economy and remove its reliance on tourism have been supported by the Commonwealth. In fact, we have been thwarted on more than one occasion, some examples being, the expansion of Gaming; Offshore Finance Centres; International Shipping Register and Medicinal Cannabis. These are not hair brained schemes, they make other places a significant amount of revenue. Mr Speaker when we evaluate the direction Assistant Minister Briggs is driving Norfolk Island towards, we have to assess what an Advisory or Regional Council will achieve for this island. The factual and detailed feedback from the Indian Ocean Territories former Administrator Jon Stanhope, the previous Indian Ocean Territory Economic Development Officer and Christmas Island community members has identified that the current governance framework operating within Norfolk Island is far superior to the governance and management arrangements in the Indian Ocean Territories. In fact feedback from our island neighbours causes me to ask my colleagues around this table can you identify any small island or remote community of similar population that has operated better than Norfolk Island. Many of the islands in our region identify infrastructure, governance and financial sustainability challenges. Some have identified Lord Howe Island as an example to consider, however infrastructure such as the airport have been identified as of a poor standard and the 2001 “Trouble in Paradise” report Independent Commission against Corruption report identified many issues in management throughout the Lord Howe Island bureaucratic processes. Mr Speaker I table documents relating to the Indian Ocean Territories, specifically identifying socio-political problems. Mr Speaker our governance model is a transparent, accountable and functional system. Therefore it makes sense to retain the islands capacity to govern and work in collaboration with the Australian Government – and we have tried many times over to engage the two Governments and equally to provide a financial contribution into the Australian taxation system. It is interesting to note that the last recorded revenues for the fishing zone within our Exclusive Economic Zone in one year yielded more revenue than the financial support Norfolk Island has required from Australia in the last 10 years. To suggest that implementing taxes and providing welfare will grow and stimulate an economy is absurd; and that there is need to remove an elected Parliament, this Legislative Assembly, to enable reform is unfathomable. The Commonwealth Government in making this decision is doing so without proper consultation; without appropriate assessment of the impacts, and will result in regression. As the esteemed Dr Colleen McCullough Robinson would have said Norfolk Island will again be governed by “Colonial Overlords!” Mr Speaker, the Norfolk Island people and previous Legislative Assemblies are and should be proud of their achievements over the past 36 years; we have administered local, state and Commonwealth responsibilities, delivered practical services and an operational regulatory environment. At the ceremonial

sitting to celebrate 25 years of self-government the then Chief Minister, the Hon. Geoffrey Gardner, MLA, acknowledged the achievements of the Parliament of Norfolk Island, and during that commemorative debate quoted you, Mr Speaker, taken from your debate when recognizing twenty years of self-government and I quote: “in the sixty five years prior to 1979 whilst the Commonwealth had full responsibility for Norfolk Island’s wellbeing there were no statutory social service benefits, no workers compensation legislation, no socialized health insurance scheme, no meaningfully planned environmental protection legislation, no adequate health or immigration legislation, no proper statutory revenue base in some areas, there was no employment protection legislation”. Mr Speaker, legislation to address these and many, many others have been enacted and funded from Norfolk Island’s limited revenue raising capacity during our period of self-governance. The Preamble to the Commonwealth *Norfolk Island Act 1979* recognises the uniqueness of Norfolk Island and her people and it states, amongst other things: “And Whereas the residents of Norfolk Island include descendants of the settlers from Pitcairn Island, and whereas the parliament recognizes the special relationship of the said descendants with Norfolk Island and their desire to preserve their traditions and culture”. Mr Speaker during the inauguration of the first Legislative Assembly in 1979, the Governor-General of the Commonwealth of Australia, His Excellency Sir Zelman Cowan, quoted from the Commonwealth Government’s policy statement on Norfolk Island by the then Minister for Home Affairs and Father of self-government for Norfolk Island, the Hon. Bob Ellicott, QC, and I quote: “The Government recognizes the special situation of Norfolk Island including the special relationship of the Pitcairn descendants with the island, its traditions and culture. It is prepared over a period to move towards a substantial measure of self-government for the island. It is also of the view that although Norfolk Island is part of Australia and will remain so, this does not require Norfolk Island to be regulated by the same laws as regulate other parts of Australia.” Mr Speaker, today, through Funding Agreements, we are instructed that Norfolk Island laws have to “harmonise” with that of Australia. I am very concerned for example that information documents from Canberra already create concern over our elderly who currently have pension support and who may not be eligible for pensions under the new schemes. Major concern is also held for the long term Norfolk Island residents who may not have Australian citizenship and although they may be second generation Norfolk Island residents, they will become foreign nationals in their own home. Mr Speaker, there is more to be said, but suffice to say that on Thursday, 26th March 2015, it is the intention of the Commonwealth Parliament of Australia to introduce a Bill to abolish this Legislative Assembly, and despite this Government’s attempts to have dialogue with the Prime Minister of Australia and his Ministerial colleagues this has been denied and in fact the only time the Assistant Minister has contacted me directly, was because the ABC Radio advised my office, that the Commonwealth Parliament was going to abolish the Legislative Assembly and I made that statement in the adjournment debate last week. It has been said by others and I repeat - it will be a blot on the Australian Government if in years to come, it has to apologise to the people of Norfolk Island as it has had to do to its indigenous people and there will be a National “Sorry Day for Norfolk Island”. Mr Speaker, it’s not too late to return to the negotiation table with the Commonwealth of Australia before they pass the amendment Bill to abolish this Parliament and I encourage and implore the Assistant Minister to honour his undertaking to truly consult with the Norfolk Island Government and the people of Norfolk Island. In this regard I will be writing today to him to request an urgent meeting prior to the Commonwealth Parliament considering the Bill. This parliament determined by vote that a referendum is to be held, I endorse that process once again and suggest the referendum commence as soon as possible. In the words of the Hon. Kevin Rudd, MP, during his debate on the Apology to Australia’s Indigenous Peoples on 13th February 2008, I urge the Commonwealth Government to achieve for Norfolk Island: “A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed. A future based on mutual respect, mutual resolve and mutual

responsibility.” Mr Speaker the platform I was elected on for this assembly was clearly to support Norfolk Island self-governance. Although there have been pressures from past and present Administrators, I table the letter from former administrator Neil Pope delivered to me and this community directly after the 2013 election. And that Mr Speaker reads as follows, ‘14th March 2013, the Hon. Lisle Snell, MLA, Chief Minister, Legislative Assembly Norfolk Island. Dear Chief Minister, I write to you as a follow up to our discussion today. As indicated to you, the reform process is currently at a crucial stage with work presently being concluded in Canberra and proposed consultation to take place with the Norfolk Island Government within the next few weeks. With the election of the 14th Legislative Assembly the crucial question that Canberra now needs to know is will the Road Map and reform agenda be pursued by the incoming Norfolk Island. To demonstrate a continued appetite for reform and in support of statements in your radio interview today when referring to the Funding Agreement when you said that we must reaffirm our position and we will not do anything to jeopardise that arrangement, I call upon yourself and Cabinet to put forward a reaffirmation of the resolution of the 11th July 2012 (copy attached). Whilst you have given a commitment to the outcomes within the Funding Agreement, I would implore you to seek from your Cabinet an affirmation to this agreement for presentation to the incoming Assembly. I look forward to a positive response by the 22nd of March 2013. Yours sincerely, Neil Pope, Administrator.’ I table Mr Pope’s letter, the Administrator at that time. Although there have also been pressures and coercion through funding agreements Mr Speaker my resolve has remained. As stated earlier, I will not be supporting the Advisory Council or Regional Council model, we have been down that track before and it was not the best path for this community or the Australian taxpayer. I intend to continue to stand up for preservation of a form of self-governance that represents the needs of this community. This chamber of the Norfolk Island Parliament guides the future of our island, I take that responsibility very seriously Mr Speaker. I share the grave concerns of many Norfolk Island residents who question the net benefit associated with reduced representation, welfare payments and a collapsed economy. The majority vote I received at election was a clear indication that a majority in this community expect nothing less than democratic representation through self-government and a majority of those voters would welcome a path towards self-determination. Norfolk Island has been obstructed from United Nation listing in the past, it has also been apparent that the relationship between our island and the Australian political representatives would benefit from independent oversight. Thank you Mr Speaker.

SPEAKER

Thank you Chief Minister. Debate, further, Minister Adams.

MS ADAMS

Thank you Mr Speaker, and in commencing and continuing this discussion process I applaud the Chief Minister and the words that he has said this morning and support and endorse him in every word that he has said. Mr Speaker, to understand where we are today we need to look back at where we have come from and history records the following. A Royal Commission into Norfolk Island affairs was conducted on Norfolk Island by The Honourable Sir John Angus Nimmo in 1976. The Nimmo Report was the product of this inquiry. This document is key to the decision that Norfolk Island should move down the road to internal self-government in 1979. I table the Nimmo Report. The Nimmo Report provides the essence of the Australian Cabinet submission 2136 relating to the Future Policy for Government of Norfolk Island. I table the Cabinet Submission. That submission contains a number of salient points that bear reading into Hansard for posterity, and I quote from the Cabinet documents. “The report of the Royal Commission into matters relating to Norfolk Island (Nimmo Report) was received in November 1976. It has been acted on in only two respects – “that is the affirmation by the Government that the Commonwealth Government would continue to accept responsibility for maintaining Norfolk Island as a Territory of the Commonwealth of Australia and the relief

of QANTAS from the responsibility of providing air services to the island. An attempt to bring Norfolk Island's position before the UN Committee on decolonization under Article 73 of the UN Charter failed. However an Officer of the United Nations Association of Australia recently published a report which asserts that Norfolk Island is a non self governing colony of Australia and that a policy of self determination should be adopted towards it. To date (and this is the Commonwealth of Ellicott) we have strongly resisted the application of Article 73 to Norfolk Island". I table Article 73 of the UN Charter. And as an aside of this point it's important to note that Mr Hingecliff Secretary to the Department of Special Minister of State in evidence at Page 3,4,5,6 to the Nimmo Royal Commission admitted that "the reason Norfolk Island was in 1972 attached to the Department of the Capital Territory instead of instead of Science and External Territory along with Cocoa and Christmas Islands was to deliberately avoid UN scrutiny". I table a paper from the Human Rights Law Centre dated 20th March last Friday entitled "Australia's increasing contempt to be highlighted at the UN in a leadup to major human rights review". I further table extracts from the Norfolk Island Council of response to the Commonwealth's department's submission to the Royal Nimmo Royal Commission in which the Department made these comments. This is at page 3 144 (b) "We believe that Australia's interest would be best served by the island's full incorporation to Australia, and we see no reason why this should conflict with the real reasons that the real interests for the islanders. It would be consistent with the spirit of the times of the people of island who are already Australian citizens, should enjoy the full, the same rights and duties as people living on the Mainland". This is Council's response but I will not read into Hansard today. So back to the Cabinet submission and I continue to quote. "Although there is strong feeling on the island against the major Nimmo recommendations this does not mean that the residents wish the island to become independent. Most would seek a relationship with Australia which gave them a strong measure of self government. The major Nimmo recommendation is that the island should be treated as part of Australia, not only territorially but by extending to ist our tax laws, social service and medical benefits and except in special circumstances other Australian laws. Cabinet will need to consider whether a Referendum should be held. If a decision is made to adopt my recommendation I would not recommend a Referendum. However if the major Nimmo recommendations are adopted I would". The recommendations are of course are those of the Federal Minister with responsibility for Norfolk Island at that time the Honourable Bob Ellicott QC".. History of course records that the recommendations of Bob Ellicott were adopted by Cabinet and a Referendum was not held at that time. It is further important that history record the intent of the Australian Parliament as stated in the preamble to the Norfolk Island Act of 1979 and I quote. "The Parliament considers it to be desirable and to be the wish of the people of Norfolk Island, that Norfolk Island achieve over time internal self government as a Territory under the authority of the Commonwealth, and to that end, to provide among other things for the establishment of a representative Legislative Assembly and of other separate political and administrative institutions on Norfolk Island". Of course we all know that the inaugural sitting of the Legislative Assembly of Norfolk Island was held on 10 August 1979 and Norfolk Island commenced back down the road to internal self government. My use of the words "back down the road to self government" are deliberate. As the Pitcairn community when it arrived in 1856 were already a self governing people, a right that was removed by Great Britain in 1896. And so the years passed and there have been two forays since 1979 into abolishing Norfolk Island's self government. In 2006 with Minister Lloyd and in 2008 with Minister Bob Devis (?). Both forays failed. Time has continued to pass and Norfolk Island began to experience an economic downturn as a consequence in the main of the GFC and its disastrous impact on the island's visitor numbers and the financial viability of the airline that the Norfolk Island Government was running at that time. History must thereby regrettably record that in October 2010 the Chief Minister of Norfolk Island wrote to the Commonwealth Minister for Regional Australia, Regional Development and Local

Government outlining the current financial circumstances of Norfolk Island and seeking short term financial assistance from the Commonwealth. In response the Commonwealth acknowledged the difficult financial circumstances faced by Norfolk Island and the need to address the island's short term problems and its long term financial viability and consequently on 25 November 2010 a Memorandum of Understanding the MOU was entered into between the Commonwealth of Australia and the Government of Norfolk Island. The purpose of the MOU was to outline the understanding between these parties as to the process the parties proposed to follow to further consider revised Commonwealth and Norfolk Island relations including financial assistance to support Norfolk Island. In signing the MOU the Norfolk Island Government agreed in broad terms to participate in the Australian taxation and Social Security systems on the basis that there will be a net benefit for Norfolk Island and its community and there is appropriate consideration of local circumstances. Furthermore the Norfolk Island Government was required in the MOU to cease objecting to the provisions of the Territories Law Reform Bill, we call it the TLR Bill proposed for introduction into the Federal Parliament and today it is said that with the passage of the TLR Bill that the Norfolk Island Legislative Assembly and the Norfolk Island Government lost substantial control over its financial affairs and laws passed by the Norfolk Island Legislative Assembly became in all cases subject to the approval of Australian authorities, thereby effectively diminishing the self governing status of Norfolk Island. We were given no choice in how we felt about the TLR Bill if we wanted I do believe the \$3.2m interim funding for Norfolk Island. Through the MOU the Commonwealth indicated a willingness to assist Norfolk Island develop long term sustainability of its economy and to work to achieve this through structural reform to the island's governance arrangements, financial management framework, and other measures that may be agreed between the Commonwealth and Norfolk Island. Following on from the signing of the MOU a Roadmap was signed on the 2nd March 2011 by the then Minister for Regional Australia, Regional Development of Local Government and the Chief Minister for Norfolk Island. The Roadmap was to be a comprehensive reform plan for the Territory of Norfolk Island, it's stated purpose being to describe the reforms needs to strengthen the island's economic diversity, to provide a sustainable and growing economy, the island's social cohesion and resilience, the island's unique heritage and environment. The Roadmap detailed a partnership between the Norfolk Island Government and the Australian Government to "work together" and I repeat "to work together" to seek input from the community and to embrace a change to enable Norfolk Island to be strong and resilient. It is essential that history record the aspirational goal in the 2011 Roadmap the governance reform, and that goal was, that Norfolk Island has a form of government that is affordable, sustainable and meets contemporary standards for transparency, accountability and efficiency, and that a model for the Norfolk Island Government would be developed, that meets the needs of the community to a mutually acceptable and appropriate form of modified self government, I repeat "an appropriate form of modified self government" and is consistent with contemporary models, State, Territory and local governments, but is modified to take into account the unique circumstances of Norfolk Island. Nowhere does the Roadmap suggest the removal of self government. So where are we today on our historical timeline Mr Speaker today Tuesday the 24th March 2015?. A letter dated 19th March 2015 Assistant Minister Jamie Briggs advised each Minister of the Norfolk Island Government that the Australian Government will amend the Norfolk Island Act to transition the Norfolk Island Legislative Assembly to a Norfolk Island Regional Council. In other words the Australian Government proposed to abolish self government, so hard won by the Norfolk Island Council in the late 70's. It is clear from the letter of 19 March 2015 from Assistant Minister Briggs 1) That the 2011 Roadmap contract for governance reform between the Australian Government and Norfolk Island is now broken. 2) That the 1979 stated intent of the Australian Parliament in the preamble to the Norfolk Island Act which has remained a constant for over 36 years is now to be revoked. 3) That history will record that in 2015 The

Australian Prime Minister and his government along with the Australian Parliament will be the first since Federation and probably the first in the British Commonwealth to abolish a democratically elected Parliament, not because of failures of governance, but because of a perceived need to strengthen the Norfolk Island economy. Surely Mr Speaker this must beg the question – if every Australian State and Territory along with Commonwealth have deficit funding, why is Norfolk Island being singled out to lose its Parliament and lose self government? And all of the forgoing actions are being taken without the Australian Government giving any heed to the Petition delivered by the Speaker and the Chief Minister to the Australian Parliament last October, a Petition signed by more than 700 members of the Norfolk Island community, requesting they be consulted at Referendum or Plebiscite on the future model of governance for Norfolk Island before such changes are acted on by the Australian Parliament. So let us turn now to the document titled “Norfolk Island Community Consultations Report to Minister prepared by the Honourable Gary Hardgrave 20 December 2014”. I ask you to note the date of the report Honourable Members, 20 December, 2014. History will record that despite numerous inquiries from the Norfolk Island Government for a copy of that report, access was denied, until it was posted on the Department’s website on 18 March 2015. On reading the report I can understand why we were denied access. When I turn to the summary of findings to read “The vast majority of residents believe the 14th Assembly has not acted in the best interests of the people of Norfolk Island “ and “the overwhelming view of the community is the Norfolk Island Legislative Assembly should now be abolished and replaced after a transitional period to affect changes to the governance structures for service delivery by a local type body”. For posterity one must ask the Administrator to advise this Parliament and the Norfolk Island community how he arrived at these conclusions when the community has not been consulted at Referendum on the questions and in access of 700 members of the community by Petition have requested the Federal Parliament that a Referendum be held. The Administrator’s report at page 6 states that at the first community forum a vocal group rejected the repeal of the Norfolk Island Act 1979”. Mr Speaker I do believe that some 300 members of the community attended that meeting and it was the view of the Administrator on the night, when those present, when those community members present called for a vote on the repeal of the Norfolk Island Act, in other words, Recommendation 1 of the JSC Report, it was held that a show of hands from the 300 or so people at the Public Meeting were insufficient numbers to represent the community. Nowhere in the Administrator’s Report can I find the statistics to support the conclusions drawn in the Administrator’s Report and Mr Speaker I would go so far as to say this is because there isn’t any meaningful and factual evidence to support these conclusions. Mr Speaker this reminds me of an earlier consultation process undertaken by Assistant Minister Briggs by undated letter to residents provided by the Administrator Neil Pope, on 12 March 2014 seeking input from the community on how “we the Commonwealth can 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”. At that time Assistant Minister Briggs in an ABC interview advise he relied on the replies from 70 members of the community to draw a conclusion of support to change governance. He ignored the 80 plus letters sent registered post and copied to the Administrator, again asking among other things, for a Referendum. I table the letter and the 80 plus signatures. Mr Speaker why should the Commonwealth be able to get away with continual distortions of the truth both written and in overseas media. Assistant Minister Briggs consistently advised the Norfolk Island government that the Administrator was undertaking the consultation process on his behalf. One can only conclude Mr Speaker that Assistant Minister Briggs placed great weight on the Administrator’s report. In fact it would not be unreasonable to conclude that the submission to Cabinet and its decision to abolish self government and to abolish the Legislative Assembly could very well have been influenced by the conclusions drawn in the Administrator’s report on this very point. It is essential Mr Speaker that the forgoing facts

be brought to the attention of every member of the Federal Parliament and the global community at large that all may be aware of the ongoing duplicity in the consultation and decision taking processes. In fact I would go so far as to say that it is time for another Royal Commission into the Commonwealth's handling of Norfolk Island since it's last Royal Commission almost 40 years ago. The global awareness campaign has commenced with the Secretary of every branch of the Commonwealth Parliamentary Association being contacted advising that democracy is at risk on Norfolk Island and asking the CPA to defend the rights of the people of Norfolk Island to retain their Parliament and remain a member of the CPA as membership will lapse if our parliament is demolished membership which has been in place since 1981. I will conclude this morning Mr Speaker by asking the following question. In the event that the Australian Government/Parliament abolishes self government and the Legislative Assembly of Norfolk Island, will Australia continue to strongly resist the application to Norfolk Island of Article 73 of the United Nations Charter, as it admitted to doing in the abovementioned Cabinet submission and in the Departmental submission to the Nimmo Royal Commission in 1976? And for posterity I read into Hansard Article 73 of the UN Charter. It's a declaration regarding non self governing Territories. Article 73 " Members of the United Nations which have or assume responsibilities for the administration of Territories who's peoples have not yet attained a full measure of self government recognise the principle that the interest of the inhabitants of those Territories are paramount, and accept as a sacred trust the obligation to promote to the utmost within the system of international peace and security establish by the present Charter the well being of the inhabitants of these Territories and to this end a) To ensure with due respect for the culture of the peoples concerned, their political economic, social and education advancement, their just treatment and their protection against abuses b) To develop self government to take due account of the political aspirations of the peoples and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each Territory and its peoples and their varying stages of advancement. c) To further international peace and security d) To promote constructive measures of development to encourage research and to co-operate with one another and when and where appropriate with specialised international bodies with a view to give practical achievement of the social, economic and scientific purposes set forth in this article and finally e) To transmit regularly to the Secretary General for information purposes subject to such limitation as security and constitutional considerations may require statistical and other information of a technical nature relating to economic, social and educational conditions in the Territories for which they are respectively responsible other than those Territories to which Chapter 12 and 13 apply. The Commonwealth of Australia is a signatory to Article 73 and to the UN Charter. Thank you Mr Speaker.

MR WARD Thank you Mr Speaker. The proposal before the Australian Parliament of which details were leaking out on the morning of the 18th and subsequently confirmed by letter on the 19th are no surprise to anyone who has been following the political situation on this island. What would surprise many is that it now confirmed that the Commonwealth have been working towards this point for some 10 years. The logical conclusion to be drawn from this is that as many suspected, the Roadmap to reform process was a charade designed to play the 13th and 14th Assembly's along until the Commonwealth were ready to make their move. This Government and Assembly condemn the arbitrary and inflexible approach that has led to the decision to recommend to the Parliament the abolition of self government in Norfolk Island. The proposed abolition is a retrograde and undemocratic action. While the community consultation process did indeed find widespread acknowledgement that some reform is needed in the island, to imply this was widespread support for reform as proposed is a blatant attempt to mislead both houses of the Australian parliament and would cause irreparable damage to the fabric of this island community. While holding strong concerns around the proposed abolition of self

determination. Never being able to benefit what is rightfully ours. We look out through the window as I can see our seas, if like the Chief Minister said before about there has been some information previously as to what Australia has benefited from our waters. That is just a blatant slap in the face. This island was given to us, the waters surrounding us and we have never been able to benefit, we have never been able to benefit from what is rightfully ours around these waters. Hopefully if we ever got that opportunity we would be able to manage it and make sure it's a sustainable business, but certainly to lose our self government we will never be able to benefit from that. I suppose another thing just recently we've had the 225th Anniversary of the Sirius, the wrecking of the Sirius which was adamantly jammed down our throat as a major part in Australia's history. Ok it happened just right out here on the Norfolk Island reef, the Kingston reef. No reference was made, although some references were made how it was quite a good wreck, nobody lost their lives, but the environmental disaster that actually occurred to Norfolk Island, no one made any reference in all the things, and I listened quite intently to some of the historians and of course the Administrator. No one made any reference to, within four months of the wrecking of the Sirius, 172,000 Providence Petrels were killed. Obviously humans have a great way of making sure they survive but unfortunately they don't really care what happens when their survival is put at risk. Nothing was ever made of that, and that was a huge detriment to Norfolk's environment. I can't see with the Commonwealth coming in, that our environment is ever going to be the same, and I shudder to think that it will probably cause some devastation that happened to the Providence Petrel. I endorse what the previous speakers have said and Mr Speaker and I certainly endorse as the right of the Norfolk Island people to have a Referendum. Unfortunately like I did say we have some contacts from some people. I'd just like to assure someone that said they were actually ashamed to be Australian. I would just like to say to them – we certainly don't have a dim view of any Australian that lives here within our community. Most people that have come onto this island from Australia or from New Zealand and from other parts of the world Mr Speaker have endorsed Norfolk Island's way of life. They have endorsed this island. I don't want them to ever be ashamed of who they are. In this case just be ashamed of who you voted in as a Parliament Mr Speaker. Don't be ashamed of who you are. Be ashamed of what your politicians are trying to do to this island and the democratic right of Norfolk Island and it's people. On that note Mr Speaker I'll let some of the other Members speak, and thank you for your time.

MR NOBBS I'll have a go Mr Speaker. Mr Speaker it's clear that there are real issues in the process of arriving at where we now are. Mr Speaker it's clear that there are real issues in the process of arriving at where we now are. The basic issues relate to the use of words such as "change, reform etc etc". To say the community rejects change is basically a lie. A community will change but it is usually based on what, why and when principles. Norfolk Island is no different. Reform actually is rather a glib word bandied around, consistently I should imagine, I have seen and what does it really mean. The dictionaries say it means "improved, reconstruct and even one was abandon evil practices." Again a community will reject and accept on the basis of aforesaid principles. Consultation is a word used with gay abandon in the whole process to date. How often do we see the following extensive at consultations used when the writer spent 4 days here. Consulting is also not the first and consulting in establishing the agenda and holding the floor. There is subtle difference between consulting and dictating. Interpretation is another key issue. Clarity is essential as people interpret things differently. The final issue and a really important one is reporting, particularly to the final decision makers in our case, the senior Australian Government Minister's. At that stage the recommendations of the bureaucrats become the Government's decision. From some statements made by Minister Briggs, after acceptance by his Government of the present arrangements it suggests information which may have been provided was not totally true or relevant, and smelled of

arrogance. There was also belittlement of the island people. Mr Speaker I'm a Norfolk Islander born and raised here but I spent significant time off the island. Not my choice but in reality where we have been was a privilege, as was the ability to return to Norfolk Island over 20 years ago. I worked in Australia and Norfolk Island, and in that time I actually worked for or was associated with the Commonwealth Public Service for some 31 years. So as they say I have a good idea of how things work. People tell me they are disgusted with the Commonwealth. My response is simply, why would they change at this stage. Mr Speaker our history over the past 100 years from up to 1 July last year actually was the 100 year mark Norfolk Island prior to that was a previous colony which was placed under the authority of Australia. These were the words used, not assumed within the Commonwealth of Australia. Basically my concerns are related to the inability to consider the island's economy, the first one is the inability to consider the island's economy. Regardless of what reforms change or changes etc would occur the first consideration must be aimed at revitalizing and expanding our economy. I know Members get sick of me saying this but without it we are history, complete history, and it's been proven in the past that the strength of the economy is the strength of the island, and at the moment we are pretty weak. The economy is RS so they say and there is no great move to get it back on the right path again. Nothing positive has been achieved in this area in the past five years apart from Air New Zealand. Such things as claimed as the removing of Immigration barriers. Mr Evans just spoke of that. That was supposedly aimed at the economy but it was not aimed at the economy. Removal of Immigration barriers was directed at what some saw as a form of elitism or retention of the island for the islanders. Nothing can be further from the truth. It was basically about security, as can be claimed by the Australian current stopping the boats policy. There have been issues since lifting the legal requirement, as referred to by Mr Evans and amending past immigrations systems were warranted to a degree, but not opening the door, as has occurred. The third point I want to make is basically poor governance arrangements will remain under the new system. There are basic poor governance arrangements which require attention and will continue to require attention. These include several institutions which include those within which the Commonwealth has serious responsibility. I refer to the Police, the National Parks, and to KAVHA in particular, all key institutions on Norfolk Island which the community has little say, if at all. Just an example. The current KAVHA Management Plan arrangements are a perfect example of an opportunity for change, but is an example of where we are actually going. At virtual takeover by the Commonwealth in which the community will have little say. We will be an advisory body with very very little say. Please don't say the Commonwealth has responsibility for the area. If you do – I will say to you why is the Commonwealth's own department responsible for the area internationally being pushed aside by some jumped up people with no responsibility, which includes, this is the department of whatever it is Minister Briggs' Assistant Minister to, which leads me to 4) A disappointment with Minister Briggs. The Minister has visited the island once as far as I know. At the time I suggested, and he was sitting in this Chamber probably where the Chief Minister is sitting now and I was probably sitting where Mrs Ward is sitting and between us was the Administrator. That was the setting. At the time I suggested he should hold Public Meetings, come again, because he was leaving that day I think, hold Public Meetings and hear for himself the views of the people. He said he would be very happy to do that, he does that in his own electorate and everything was kosher, but as I say, that common Australian term "Where were you brother when the chips were down". The old age of visiting, shutting the plane door and forgetting is alive and well. He did not even visit let alone meet with all the people. Unfortunately he put his faith in others and an absolute circus has emanated. 5) The so called consultation process based on a series of reports, Minister Briggs stated in one interview over 20, the consultation commenced, if you can call it that. I don't want to blow my own trumpet Mr Speaker, but I've had considerable experience in such consultation particularly in isolated areas. You don't tell people what they are going to get

before you start your consultation. You do not make flash judgement on what you may believe as issues within a community without seeking the reasons why the community is doing something in such and such a way. You do not say what you will or will not allow. You are simply the messenger, and that was a major failing in the consultation and it's the reasons why they do shoot messengers. 6) The need for a proper indication by the community. This is a fundamental right, not understood by those involved in these negotiations. It is not something that any community gives up lightly, and I'm sure this one does not. The value of self-government. Norfolk Island achieved this in 1979. The Northern Territory for listeners, I was, you may not know, I was living in the Northern Territory for quite a considerable time. The Northern Territory achieved that status one year earlier in 1978. Having served on a Norfolk Island Advisory Council in the 1960's, an earlier time, I understood the issues which were, and were highly behind as was I believe all the community on Norfolk Island when self-government was passed, was given to the island. In 1977 I stood for an election which was the pre self-government election in the Northern Territory. I missed out. I stood for what was eventually the Government Party, so I was fully behind and watched with great pleasure the response of the Northern Territory people to self-government. I really don't know what would happen in the Northern Territory if they took self-government off them. They've had their issues over the years, in the 36 years that they have had self-government, they have had huge issues, they've got through it, they've been in debt, they've been everywhere. Minister's going off on a trade trip and getting sucked whilst they're overseas, Chief Minister's sorry, getting chucked. All these things, what people would classify as somewhat unusual circumstances have gone on. They haven't been sacked. From time to time the community falls out with its body, and at the next election they pay, and that's the way it is. I mean I can't see the sense in providing a group of five people who have to be nominated by who I don't know, to go on a board which allows the transition when it should be negotiated by the representative body. It seems ridiculous. There was a statement in relation to this, the people wished the Fourteenth Assembly to be removed, now this is one of the things that you find what I'm saying there, and like people shoot the messenger. Because in reality if you look at the history of this organisation, I think until they started lasting three years, and seemed to be taking some sort of pride in lasting ten years even though the community was having seizures because they wanted to get rid of them, but the average length of a life of an Assembly, was just over two years. People ask me why do they want to get rid of them after two years, I said the community's been used to a two year rotation in election, that's the only thing I can put it down to, and that's the way it should be. So to say that we want the Fourteenth Assembly removed, there will be quite a few people the day after the election that will want that. But the thing is it's not something that the negotiator or one of his party, or one of his representatives, should be spruiking around. And there is a reason, the two years, for those that don't know me, I've been in here for a little while off and on, but the two year time frame is significant, it is something that we've tried, that we looked at several years ago, for replacing the three year time frame. My next point is what's it all about. Is it an empire building exercise by the bureaucracy? This is a nice place to live, nice place to bring your kids, to bring them up what have you, at the moment. The point I am building Mr Speaker is the disease in the Commonwealth Public Service, everybody knows that, a number of Governments have tried to cut it out, reasonable bosses have tried to cut it out, but it is still there, and it is still going on. If it's not that body, what are the other reasons really? To say that we can't manage the place, we've had our glitches, we know that, every parliament's had glitches, what do they do about it? They just change the Government, that's it. But they keep on with what they've got. I mean the current Commonwealth Government, well the last three actually, have been what I call, from a parliamentary perspective, after the stabilities of Howard and Hawke and Keating, is a complete and utter shambles, I find it, and I know that a lot of Members find it, very difficult to cope with. My tenth point is that there are some very simple solutions to the

Administrator, which have been provided actually to the Administrator and Minister Briggs which have been rejected completely out of hand. And yet we have a parliamentary committee come over here and at the drop of a hat, at the last minute, they change their whole agenda to deal with a problem as they see it within self-government. I just can't believe it Mr Speaker that these people would go to the extent that they did, and these are not Ministers, just remember that. I mean the people think that all Parliamentarians have got some power, all Parliamentarians have not got all the power, they are only involved in a process. A significant process, but the power base are the Ministers and that's the way it goes. These guys, none of them are Ministers, none of them were Assistant Ministers, none of them were Secretaries, so they're way down the chain. I was quite concerned how this whole issue was dealt with and the way it was dealt with and the way it's been played out. Everything that you see, from Briggs right through, is aimed at what these people said. They were here for five minutes. They had a talk there, and they didn't have our, and I'll say it again, I've said it before and I'll say it again, they didn't have our papers, they didn't give us time to talk things through. They gave us five minutes and then they went shopping. Now that's good for the private enterprise, the shops, but it's not very good for the community I can tell you that. I was most disgusted with it, and I thought that this was one way that we would go. Just to look at Minister Briggs' letter, the Chief Minister read it out, many of the issues in the report are longstanding and subject to numerous reports, enquiries and submissions over 35 years. He didn't say that they are on a number of subjects. He didn't say that a lot of those are funded by the Commonwealth, and whoever pays the piper calls the tune. And he didn't say that this is still a democracy. Thankfully we have a differences of opinion alright. Now these concerns were similarly echoed during the consultation lead by, we've been through that today, I would say that that's the worst case of consultation that I have ever seen. I would say that that is how Putin handles his consultation, nothing more, nothing less. Instances were given, so I'm not going to go on about that. Consultation highlighted a strong mood for reform within the community, everybody wants to do things better, with most individuals including some Members of the Assembly acknowledged that the model of self-government is no longer appropriate. Really? Maybe this referendum which must be held will dispute that. Mr Speaker in finalisation, I've got a book here, it cost one of my kids obviously \$24.95. It's Battlelines by Tony Abbott and you can probably buy it at your local newsagency. I'm a fan of Tony Abbott's, but he's gone a bit off the radar at the moment, I wanted to read about his life and everything. He said in this document Mr Speaker, "I'm a liberal because I believe the government's role is to give people a hand up not a handout". He must not have seen the releases from these people here because what we are going into is a handout mentality. Now I have seen this in rural areas in Australia completely degenerate groups of people who they say, oh they haven't worked for three generations, well these people, well I've seen them in the top end of the Northern Territory and over in the Kimberley's and wherever that mining is down below, down a bit farther, have not worked since 1967. They were convinced that they should have better wages, there was no negotiation process going on. They went to one particular area, Wattie Creek and had them work off from the pastoral property at Wade Hill, they lived in that creek bed for years, and what they gave them was social services, now those people have not worked since. And their kids haven't worked, their grandkids haven't worked, it is unbelievable. It is quite incredible. I worked in the area for ten years or more, I can tell you, with a bit of effort, a bit of consideration, some moneys, you can get these people active again. The issue really is that the land rights legislation came in, it turned people in the wider community against a lot of these people, and they were now holders of considerable land. The problem was that the only way that they could get funding to develop the land was from the Commonwealth Government, they could not borrow money other than through the Commonwealth. The same as we are having here. It's extremely difficult for the Commonwealth to see their way clear in relation to these Aboriginal communities, because they are seen as being on attack sort of thing

and that is should be all available to the wider community, so they're in a catch 22 situation. They can't get work. But what really annoys me is that all this issue can come through, we spent four years on one particular group, and we got them going again. If you want to go into a town, the town which we operated from was classified as quite redneck, by the time we finished it was fine, because in the negotiation process, not only did the Aboriginals have their go, but the wider community had their go as well, and that's what you have to do, you have to be inclusive in the whole thing. Whereas now we are being told that this is what the Commonwealth wants, and a few people here, and there's no middle ground. There is a huge middle ground here, if we could get the economy going, if we could get some infrastructure, not a lot, small infrastructure going, I believe that this island would pull itself through. It has been brought up that in 2006, this goes back to 2006, in 2006 the Minister at the time had the guts to come over here and tell us he was taking us over. Unfortunately for him it was only a buff, that was his aim to take us over, but it wasn't in reality. But we've been working on things to get the island back, we were down at that time, the island was down and we got back. The Commonwealth Government in the 12 months in the period after this outburst by the Minister came to realise that we actually could manage the place and they rejected his view. I don't know whether the Commonwealth now still hold the same view, but I firmly believe that a hand up will be far better than a handout and if you are going to have handouts, make sure their controlled, but as the same as immigration, it'll be open slather. Boy oh boy. And people say you can't travel around, there are ways round it, because they are still doing it. So I mean this is it. If this thing does go through, there's got to be some massive controls put in and I don't know whether the group that's going to be negotiating it will be up to that. Thank you Mr Speaker.

SPEAKER Thank you Mr Nobbs, thank you for your contribution.
Further debate Honourable Members? Mrs Ward.

MRS WARD Thank you Mr Speaker. On behalf of the people of Norfolk Island I welcome the Australian Government decision, it is the right decision. And I thank the Assistant Minister the Hon. Jamie Briggs MP, who is the Assistant Minister for Infrastructure and Regional Development. I thank him for delivering the message to the people of Norfolk Island and I thank him for writing to each of us personally as Members of the Legislative Assembly and his letter came through to us initially by email on Thursday morning and was followed by a hardcopy which I have certainly received. The Australian Government policy announcement on our future governance model is more than many in the community had dared to hope for. When I was first elected to this small parliament Mr Speaker five year ago, I was not elected to follow the 1995 vision for full internal self-government. I was elected to achieve an affordable and sustainable model of government for the people of Norfolk Island. I was elected to obtain the same rights and responsibilities for the people of Norfolk Island, the rights, responsibilities, opportunities and protections which are taken for granted by our mainland cousins, brothers, sisters, mothers, fathers, aunts, uncles and friends. I was elected to work in partnership with the Commonwealth to modify our model of government that was established in 1979, and I made a commitment then, at that time, to work in partnership with the Federal Government to transition from an unsustainable model of government to a sustainable one. And come hell or high water I was not going to leave the table. I have been inspired and motivated by many people along the way and recent events. And none more so by my recent visit to Cameroon as a Commonwealth Parliamentary Association delegate. The parallel between the CPA tagline 'unity in diversity' and Cameroon's vision stood out. The vision was 'unity, unification, equality, education and inclusion' despite there being ten different regions in the country. Each having different customs and dialects and distinct traditions. I was inspired to continue to drive hard for a greater union to be built between Norfolk Island and mainland

Australia, and I said then that my strong message will continue to be, that Norfolk Island's segregation, our isolation, at the Federal and State level is not in our best interests and must be corrected as a matter of urgency and when I had the privilege of participating and heading or chairing the Education Review, the provision of services in Norfolk Island, and made recommendations. Such as, and I will just read two Mr Speaker, number one was that the Norfolk Island and Australian Government agree to an equivalent funding and service delivery model in relation to early childhood education where there is a complete absence of legislation. School age student education, vocational education, apprenticeships and adult education. And number two, was that the Norfolk Island Government negotiate the extension and implementation of relevant Commonwealth and NSW legislation where applicable and appropriate. To me Mr Speaker and the people that I represent that is not a recommendation that should have or can be ignored. The announcement to me Mr Speaker and the people that I represent means that we have been heard and our fight for social, economic and political justice has been won and I am proud to have been part of the team that set out in 2010 to enter the larger pool and to put Norfolk Island onto a long term sustainable footing. Now the model may not be exactly what the Norfolk Island Government called for initially, but it is a realistic model, a model which will ensure that we are included and it is a model that the community will be able to afford. And the programme which came through late yesterday afternoon Mr Speaker, sent me back to some of the debates which we had had earlier on in this House and it was the leading up to the acknowledgement and the creation of a new model and I said at that time, in support of a self-government model, that it would be naïve to assume that what the Government has put forward today is exactly what will occur. I would caution my colleagues against making any claim on a future governance model too ambitious. We must continue to be realistic about what we have the capacity to deliver and what we as a community can afford to sustain, not just for today, but for the next 20 and 30 years. What the community is celebrating in most part today is that a decision has been made, that's what we wanted, a decision, and the Government took a very hard line approach to holding a line and demanding a decision from the Federal Government through the Assistant Minister and I congratulate them for having achieved that. We understand that the comprehensive reform package has bipartisan support and we trust that the reform legislation will move smoothly through both Houses of the Federal Parliament. I do not imagine for one moment Mr Speaker, that any Member of the Federal Parliament would deny our children and our ageing population and our small business people and our families the same rights, responsibilities, opportunities and basic protections which are available to theirs and to them. For in the most part Mr Speaker we are Australian citizens, but I am pleased that other Members have brought up concerns around citizenship and ensuring that this is a truly inclusive policy, an inclusive reform package and that we deal with anybody who may feel disenfranchised or would like to take out Australian citizenship as soon as possible. We should be assisting people in our community who chose, who chose, to take up that option. What must be said Mr Speaker with that in mind, is that the people of Norfolk Island have strong core values, which include the protection of family land, maintaining the natural environment and continuing our traditions. Many of us have a strong desire to continue to recognise and identify with the unique Pitcairn past and we want opportunities for economic development including local employment and training. These are the things that we will continue to work towards. There are so many people to thank Mr Speaker for this decision, beside the Federal Cabinet and the Hon. Jamie Briggs. But I will start with Jamie who came to see us last year with a crystal clear vision of how he saw Norfolk Island and how he thought Norfolk Island should be governed and I thank him for his direct, honest and consultative approach. We would not be having this debate today without the former Administrator Mr Neil Pope and his wife Jen and I can not thank Neil enough for his unrelenting commitment to our future. Thank you also to the current Administrator, Mr Gary Hardgrave and his wife Lorraine, who clearly kept just the right amount of pressure on the

Assistant Minister to assure an outcome. His Honour now has the privilege in ensuring that the transition to a regional council is smooth, effective and in the best interest of the community, because that must be what is always at the forefront, the best interests of this community in the 21st Century, I wish him well and I offer him my ongoing support. There are many people who have worked behind the scenes to bring us to this point, in particular, the Department of Infrastructure and Regional Development. My sincere thanks goes to Robyn Fleming who has visited the island a number of times, and the entire Norfolk Island reform task force. What is equally, and if not more important to mention, is our community and their input, the Norfolk Island community, the people who have actively engaged in the consultation process over the last five years. Reading through the fact sheets Mr Speaker I can see that many of the concerns of the community are being looked, have been addressed, I can see them looking back at me through the words on the pages, they are the concerns and the questions that have been raised with me again and again over the years by people in the community. So it demonstrates to me that they have been heard and that their concerns and questions have been listened to and that the Department has understood and responded. It is taking even me, somebody like me Mr Speaker, who has lived and breathed this reform for five years, time to digest all the content, there is a massive amount of work and those discussions should continue and the community should feel free to keep asking questions and stating their concerns, because no question is too simple or would be seen as stupid. The timeline of the visits by the Commonwealth Senior Officers coming to Norfolk Island to meet with the Legislative Assembly and the Administration are on that website and they are stated to be the 30th of March and on the 13th of April tax and social security officers will hold an information expo. And I have asked His Honour the Administrator that the senior officers and the relevant officers who come out from the Department have some focus groups because there are people who have approached me who are single parents with children, and they would like to have more of a community session and I think that in consultation going forward it will demonstrate to people that there is still a strong sense of community and people are not alone. There are people who obviously fit into a tradesman area, there are people who fit into self-funded retiree areas, so these are all the conversations that have been going on behind the scenes and will continue to go on in the best interests of the community. Mr Speaker it is important for the community to understand that this is just the beginning. That we must continue to work together to achieve what we need. There are some in the community who may think, well Australia is taking over so they can either rest on their laurels or give up, well as you well know Mr Speaker nothing could be further from the truth. The hard work begins now. What the Australian Government has done is to commit to the creation of a sustainable model of Government for the island. That is a regional council model. So the hard work is ahead of us to rebuild what has been an economy in decline for the last 10 years, it is time to put in place support for families and small businesses and the most vulnerable so we can assist our ageing population and go forward. And I can assure the community Mr Speaker that as a lay person, whatever role I hold in the future in this community, that I will not be leaving our future to chance, it will not be left in the hands of Australian Federal Politicians or bureaucrats, it is still up to us. Thank you Mr Speaker.

SPEAKER

Thank you Mrs Ward. Further debate. Mr Porter.

MR PORTER

Thank you Mr Speaker. I would preface my remarks in also thanking the Commonwealth Government for making this hard decision and for all of the officers that contributed those many reports to give us an affordable way forward. Mr Speaker the overwhelming majority that I have spoken to and an enquiry of them from their circle of friends, I find very little support for the current Norfolk Island Government and the retention of it in its current form. Those people have the opinion that this proposal has been a long time coming and for many too long. The decision I don't believe has been

taken lightly, as I said before it's a product of 35 years of investigation and recommendations and albeit those recommendations and investigations were on many things. Running a country is a many faceted responsibility and those inquiries by definition investigated many of those things, and it's to give us the best opportunity, the outcome of all of that is to give us the best opportunity into the future. Much ? is put into self sufficiency but I still fell the premise that we have the right to access markets or products that are available to other small groups within the Commonwealth is unrealistic. So that items such as offshore banking, or exploiting the EEZ and so forth are either not viable or not fair on the majority of Australians who in their small communities don't have direct individual benefit for those matters or those types of services are, at the benefit of the Commonwealth which then reapportions that in a fiscal equalization model that is fairest for all Australians, including us. I believe it is beholding on this Government to act in the best interest of all Norfolk Island people and as we said especially the most vulnerable, and not hand it to the vested interests of the powerful minority who would see the current way the best in their interest. In terms of culture I feel that this governance change do not represent within themselves a threat to the culture and heritage of the island, but believe strongly that the culture and heritage of any place is best sustained and survived in a vibrant community that has a strong economic and contemporary governance structure and that it is affordable. Nothing said to me post this announcement or unfortunately this morning gives me any confidence to support the call for retention of our model of self government. Our focus from this point on should be on getting the best system of governance for this community within this new model to be rolled out over the next few years. It's beholding on us, as the elected representative of this community to broker that better deal and in whatever capacity we can in our time remaining within this institution. Thank you Mr Speaker.

MR SHERIDAN Thank you Mr Speaker. We've certainly been around the world this morning. I think we started on Pitcairn Island, made mention of Queen Victoria, been up the Northern Territory and even over to Cameroon and right around the world talking about Norfolk Island, and it just goes to show Mr Speaker what an impact Norfolk Island has had on the world over the last 230 years. Mr Speaker as everybody knows we're here in regards to the Commonwealth's response to the Joint Standing Committee's report that was tabled in the Senate last Thursday and Mr Speaker whilst this Government and the previous Norfolk Island Government had supported change, we need a change, because Norfolk Island would not be sustainable without the change, and I certainly applaud that a decision has been made. Whether or not it is the correct decision of both Government, the last two Governments the 13th and 14th have advocated for change, and I support those changes being introduced into Norfolk Island, particularly the taxation and social welfare, so that as speakers have said that the community of Norfolk Island can have equitable access to other services that all other Australian's have. What I don't agree with Mr Speaker is the claim that the governance model needs to be removed so that those changes can take effect. That is not correct. We do not need to change the governance model, it needs to be amended, and we supported that, this Government and the previous Government, did support that the model would need to be changed to allow certain responsibilities that the Federal Government have to be conducted by the, but it was still the wish of the Norfolk Island Government they would retain state and municipal services, local services and I believe that this island still has the ability to achieve that. Mr Speaker I think as many speakers have said there have been numerous reports over the last 20 or 30 years on Norfolk Island and in particular since the Roadmap was signed some 4 years ago. There has been numerous reports and most of those reports, if not all of them have concentrated on the economic side of Norfolk Island, not the governance issue. They talked about introducing Australian services, taxation etc. It was really the Joint Standing Committee when they investigated the microeconomic reform on Norfolk Island that they

were divided into the governance issues of Norfolk Island and they so made those recommendations, which I don't believe there is a great number on the island as would be indicated by the Administrator's report that are in support of it. I believe the Administrator's report where he indicates that the vast majority of people support the removal of the Norfolk Island Assembly self governance to be wrong, and I don't think he's supporting documentation supports his outcomes. The majority of people would want to see changes within the Government, of course. I think we all do. Everybody down here, and the majority of Norfolk Island community members would support some change to allow us to access services that we can't currently access now. Mr Speaker I'd just like to reflect upon why the Commonwealth have really, their argument being that Norfolk Island can't sustain itself so that they've made that decision based on, and I'll read from an exert from Radio New Zealand and in here it reports on the Australian Government. It says "It has overwhelming support for reforms to it's making of governance for Norfolk Island, and the Minister here is purported to say "there are some on the island with certain traditional backgrounds who want to make this into us versus them, or that this is some takeover by the Australian Government". Well I would argue right now that we've had more of a role in running the island than ever before and that is because as I say they are in affect in administration. Mr Speaker I agree that for the last 4 or 5 years we have found it difficult to balance the budget and we went to the Commonwealth because we had nobody else to go to, we couldn't go elsewhere and we asked for support. We asked for some financial support to see us through a difficult times and as part of that financial support it was agreed that we would go through a reform process and that was about the introduction of Australian tax and social services. It was never about the governance issues. Never about Government. That was never agreed, never entered into, but it's surprising that the Australian Government has said now that our method of government is no good and we're going to go to a Regional Council setup. Well it's very interesting to research Regional Council setups and in particular NSW governance sector of which it looks like NSW will be responsible for a lot of the provision of services, paid for by the Commonwealth, and some of the, this is a report done in April 2013 Mr Speaker by the NSW Treasury Corporation and in NSW they have 152 Regional Councils. Of those Councils, this report back in 2013 only some 50 were sustainable, only 50, and it says the majority of Councils are reporting operating deficits and a continuation of this rend is unsustainable. In 2012 one third of Council's, 50 recorded an operating surplus. Over the 2009-2012 review period the review period the cumulative operating deficits for all Council's in NSW totalled \$1b. Mr Speaker we're no different to a lot of other Council's in NSW of which possibly those Council set ups or frameworks could be implemented into Norfolk Island. I don't agree with that, I really don't agree with that. The same report is mind boggling Mr Speaker and of course they say one of the main problems, they try and identify the problem and it comes down to population density, that the small population they cannot manage the infrastructure especially roads, that the areas that they administer, they can't be undertaken by the Council because they just cannot afford to raise the funds from these small communities, and this is what we've identified. We've identified that we have a small community and we are unable, unable to provide the services to the community because we can't raise those funds. Mr Speaker these NSW Regional Council's have got something like \$1.6b of infrastructure backlog, much the same as Norfolk Island. That's just for the past four years but the actual backlog is \$7.2b but there is no recommendation within the report that the Federal Government steps in and administers those Council's on the State's behalf. Mr Deputy Speaker that's the only part of the report that I disagree with is the intention to remove the Norfolk Island Legislative self government arrangements. As the previous speakers have said we have very limited self government responsibilities now, but it is something that this island has fought for 35 years, it's something that should be maintained and I don't believe that there is, I don't' believe that time will see us run short. I think that there is still time for the Federal Government to reverse its decision in regards to the model

Government. It forwarded it after Public Meeting processes, after Motions in the Assembly. It did that in 2011. So you can see that's four years ago, and to just again encompass that model, it was one in which the current Territory institutions would remain. The Executive comprising the Administrator, the Ministry elected from the Territory Parliament would remain, the Assembly would remain, Public Service would remain, Territory Courts and Tribunals would remain. But further to that the Commonwealth functions would accordingly migrate to the Commonwealth area. That's a significant change to the governance arrangements we have now, but Norfolk Island would retain State, and Local government functions, but just as other States and Territories have assistance to provide the State functions such as education and health services and the like, such assistance would equally flow to Norfolk Island. That's just an overview of that particular bit. And we also undertook studies and reports to inform us on the way forward. But in the meantime, that was a long term plan. In the meantime Norfolk Island needed to have its essential services survive and so there was a successful negotiation over each of the last four years for emergency funding and this year it is \$7.5m. Now that's an extremely truncated version of the sequence of events, extremely truncated. From the Norfolk Island perspective, the Norfolk Island perspective and it's an abbreviated mention of Norfolk Island's proposals for the long term sustainability of this place. But we all know that it takes two to tango, it takes two to tango, and the partner to be brought to the floor is of course the Australian Government. So therefore what does the Australian Government say to all of that that I just mentioned in terms of our proposals. Well on Thursday last, that is the 19th March we got their first substantive answer, and the Australian Government in formulating its answers have equally obviously undertaken reports and the likes of a joint Standing Committee to examine things and advise them, and it has been mentioned in debate that that report has been presented, and the Government's response to it. So we've got their response. Yes it has taken something like four years for such an answer to be provided, and yes during the time of uncertainty and subsequent decline in the island some businesses have been forced to close, and individuals have suffered significant financial constraints. Family's have been compelled to leave the island to find work elsewhere and many of those who have needed to leave are of course in the young family category from where our community draws its vibrancy and it's vitality, and I think it must be said that the Australian Government must face the fact that it's lengthy timeframe for response has been much of the cause of this pain and suffering in the Norfolk Island community. Couple with that we have the response from the Commonwealth Government that have for two probably for most people unpalatable components and they are that the State functions are also to be removed. Our proposal was that the Commonwealth functions migrate away. The Commonwealth's proposal, the Australian Government's proposal is also that the State functions be portioned elsewhere and also the unpalatable component that the Assembly be dissolved. I've got to say one could talk about those and I have got notes about those but those two issues have been fairly adequately addressed by Members in debate to date, and my contribution would in greater part be repetitive. But I too have issues with both of those. There is not a demonstrated need to abolish for example, the Legislative Assembly. Yet despite all that difficulty, and without trying simply to write off such a sum of the personal pain that I've referred to, to get ahead, and to recover we must look ahead, and we must look ahead positively and clearly focussed on the goals, on those goals for example that have been agreed between us, and if you examine the Commonwealth Government's response to date, whilst it has those difficulties I've described and I'm not trying to underestimate those difficulties. There are clearly significant examples of agreement. Things that we have asked for. Taxation regime entry, social welfare scheme entry, Medicare entry, PBS entry, again examples not a definitive list. We asked for all these factors, now the Commonwealth Government have agreed to them. In those examples that I've just given, that subject range, you'll recognise they're in the Federal tier of governance and Norfolk Island's governance's model clearly indicated that the Federal

measures should in the main migrate to the Commonwealth. So again there is agreement and we should be participants in the schemes explained on the same basis of Australian's elsewhere. We now need to foster further the establishment of a shop front, again that's an agreed position, to explain the provisions of those services or the ? of such Officers in the Norfolk Island context. Where detail is to be further worked upon we must foster the machinery proposed to do so, otherwise we sit afar and snip, and that's not going to get us along the track. Minister Briggs has foreshadowed an Advisory Council to do this and a further agreed position is that local government matters will vest in a local authority and this body is foreshadowed to be titled a Regional Council. One of the principal criticisms I have made of the present Norfolk Island Government is that there has not been success in bringing the Australian Government Minister or Minister's to talk about their plans or for them to hear our views. Well of course what's on the table now is that that's all about to change. Allow me to just read, the Chief Minister read it earlier but I think in this context I'd just like to emphasise these couple of sentences. Minister Briggs wrote these words "In the interim period a Norfolk Island Council will be established to represent local views. The Norfolk Island Advisory Council will be critical to ensure the local community has a direct line of communication to me, a direct line of communication to me, and is able to steer and contribute to the ongoing reform process, ongoing reform process". In other words there are still things to sort out and we need to be at the table if that is to be successful in terms of the Norfolk Island community. It does say other things of course. I've just read from a letter that has gone to every resident in Norfolk Island, so that's not just a letter to me or anyone, it's a letter that says "Dear Resident of Norfolk Island". I understand that went into everybody's post box. As I say he has said other things but I wanted to draw out the essential element of communication. Minister Briggs has invited me, along with the Chief Minister to be a member of this Advisory Council. I have accepted. I have accepted because we must be at the table. I would hope that the Chief Minister will reconsider his decision to not be at the table, because there must be direct dialogue to walk through the areas of difficulty that all Members have explained around the table, some more fiery than the others, but nevertheless they are concerns, genuinely felt and sitting afar and trying to work through those issues will not solve them. We need to be at the table. I think that's important. There may be differences of views, especially at this time because this is the first round you might say, but the Minister is offering a place at the table. That is something that we've been endeavouring to secure for the last two years. I don't think it should be turned away, if we are to satisfactorily move along to a long term sustainable arrangement. I think that's probably enough from me in terms of what I wanted to say about the issue in front of us. I wanted to mention an aside because in terms of the matter of public importance, it is an aside. Passing reference has been made to Referendum. I just wanted to make the point that nothing said today halts the proceedings for a Referendum that the Members decided upon at our last Sitting on the 8th. All of that is proceeding and there is no proposal that is before us to halt that in any way. Mr Deputy Speaker I thank you.

MR NOBBS

Thank you. Any debate. Chief Minister would you like to

sum up some way.

CHIEF MINISTER

Yes thank you Mr Speaker. It goes without saying that the debate around the table this morning indicates the community, a democracy on this island is still alive and well and I thank the Members here this morning for their contributions. I think it's all been to the benefit of the listening community and I'm sure it is a relief to some that the Members have spoken out and contributed their views on the present situation, and that's the reason Mr Speaker and I thank you and your Clerk for enabling this meeting to be held today, and I thank the Administrator the Honourable Gary Hardgraves for assisting in processing the request for this meeting and I thank the Administration Norfolk Island staff who at short notice was able to provide the legal framework to enable this important

meeting to be held. Mr Speaker I do appreciate the comments that have been made and I'm sure the community also appreciates those comments. Thank you Mr Speaker.

SPEAKER Thank you Chief Minister. Honourable Members the process is that now we are all concluded is for there to be a Motion that the discussion be now concluded.

CHIEF MINISTER Mr Speaker I move that the discussions be now concluded.

SPEAKER Thank you Chief Minister. The question is that the discussion be now concluded.

QUESTION PUT
QUESTION AGREED

SPEAKER Suspension of the Sitting of the House.

MR NOBBS Thank you Mr Speaker. I move that this House stands suspended until a date and a time to be determined by the Speaker.

SPEAKER Thank you Mr Nobbs. Any debate. I put that Motion to you Honourable Members.

QUESTION PUT
QUESTION AGREED

SPEAKER Thank you. Honourable Members this House stands suspended until a date to be determined by the Speaker.