

Prayer

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

Condolences

MADAM DEPUTY PRESIDENT Honourable Members I call on Condolences. Are there any condolences?

MR BUFFETT Madam Deputy President, we've experienced some sad weeks of late here in Norfolk Island. We have lost three much respected residents and additionally a lady, who with her late husband, spent the major part of her retired life within the island, and only in the last twelve months has left to be cared for by her daughter in Australia. Ernie Christian was a Norfolk Islander. After a period of severe medical treatment, undertaken both in Australia and Norfolk Island, he died in Sydney on 9th November whilst there seeking further treatment for his illness. Ernie was the son of Len Christian of this island, and Anna, of the former New Hebrides, now Vanuatu. For much of his youth and in adulthood Ernie had lived in New Zealand, and he resided there until 1978 when he returned home here to Norfolk Island. He was one of a family of nine children. They were a noted sporting family. Ernie himself was a footballer and athletics competitor, and latterly, a tennis player. A brother was a New Zealand national figure who played for, and indeed captained, the All Blacks. Friends of his earlier years, Madam Deputy President, in New Zealand, recalled their home proudly displaying trophies and awards won by the family members. Ernie was also an active person in the organisational aspects of sport, including establishment of athletics and rugby league clubs in Auckland and he served on the Auckland Junior Rugby League Control Board. Ernie Christian went to school in New Zealand and he served his apprenticeship there as a plumber and a drain-layer and gas fitter; and he progressed to management level in the respected New Zealand firm of Stevenson and Horsecroft. Early in 1950 he married Margie Quintal and they had seven children who in turn gave them ten grandchildren and four great-grandchildren. Upon Ernie and Margie returning to Norfolk Island in 1978 he pursued his trade as a plumber, and a good plumber he was, and he continued to offer his expertise as a sports organiser. He was athletics coach and manager of the Norfolk Island team to the 6th South Pacific Games to Fiji. Madam Deputy President, of special significance to us, to acknowledge here today, is to mention that Ernie Christian became a colleague of ours in this House upon his election to the 5th Legislative Assembly in May of 1989, and upon his re-election to the 6th Assembly. He held ministerial rank. He was firstly Minister for Community Services and later Minister for Immigration and Lands. Both posts of substance, and he carried out his duties with great sensitivity, with a smile and unfailing courtesy, both to his constituents and to his Assembly colleagues. He was able to carry through a number of important projects, including the Tuku and Huru cultural exchange with the maori peoples of New Zealand. He was appointed Acting Deputy President of this Legislative Assembly. His friendship, Madam Deputy President, I have much valued, and I know has been equally so with others. The number of people who filled and overflowed the Uniting Church and who gathered at his grave-side was moving testimony to the regard and the affection in which he was held. To Margie, and to Raewyn, John, Glen, Ernie, Ngairie, Neil and Sonja, and to all of their families, and to his brothers and to his sisters and their families, and to the many friends that Ernie had, we from this Assembly send our deepest sympathy.

Madam Deputy President, Gilbert Hitch was a Western Australian. Gil also had undertaken medical treatment for his illness in both Australia and New Zealand, and he died at the Norfolk Island Hospital last Friday, 18th November. Gil Hitch came to Norfolk Island in 1970 as the then Official Secretary and over the years he

really made significant contributions to Norfolk Island's Administration. Gil had three sons, Simon, Luke and Matthew and his daughter Deborah, from his first marriage. He secondly married Maeve Blucher of Norfolk Island. Maeve had three children at that time, Kim, Karlene and Adam who looked upon Gil as a father and in the case of Kim's children, as a grandfather. Gil Hitch held a number of formal appointments in Norfolk Island; Registrar of the Supreme Court, Deputy Registrar of Lands and of Companies, and of Births, Deaths and Marriages, Deputy Coroner. He was Secretary of the Executive Council. He was a Justice of the Peace. Subsequent to his Official Secretary role he was successively the Revenue Manager, the Administrative Officer and Philatelic Bureau Manager and Director of Postal Services. Whilst in the substantive post of Official Secretary, he was also the Deputy Administrator, and frequently performed the Administrator's duties whilst the Administrator was absent. Importantly, Gil Hitch, for a period in excess of a year headed the Public Service of the island, as the Acting Chief Administrative Officer. He undertook these duties at a very difficult time within the Service, and he undertook them with sound application of his talents. As well as the demanding duties that I have mentioned, Gil made time - I think Gil manufactured time - for many community and cultural pursuits. He published, with Mavis, a publication "Ghosts of Norfolk Island", and also "The Pacific War of 1941-1945 and Norfolk Island". It's a very carefully researched work; a very good contribution to Norfolk Island's historical records. I'm looking at it now, and I'm honoured that my copy that I'm looking at bears Gil's signature. Gil was immersed in organisations such as the Historical Society and the Conservation Society. He was for years Chairman of the Museum Trust until his illness prevented him continuing. Gil came to us in Norfolk Island in 1970, and really he threw in his lot with ours. Even in times when our lot was none too comfortable here in Norfolk Island. He made an immovable contribution and found a way into the hearts of people in Norfolk Island. To Mavis, to his children and grandchildren, and to his relatives and friends we extend our sincere sympathy this morning.

It is with regret also Madam Deputy President, that this morning we record the death of Marion Winifred Underwood, who passed away in Camden in New South Wales last Saturday. Marion and her husband Bill came to Norfolk Island on the "Tulagi" in 1962 - a while ago now, and they had been negotiating with the Administrator for permission to retire here, after having viewed in England one of the Alan Wicker programmes about the island. That was a long time ago and people probably in the oldest sphere of thinking in the island can remember the Wicker programmes. Their first introduction which they tell about, used to tell about quite regularly was to be slung over the side of a ship in a net, to get into the lighters, and then brought through the crashing surf to be landed at Kingston Pier. Marion's background was interesting. Marion's father was a tenor with the D'Oyley Carte Opera Company and her mother was a trained acrobatic dancer, and she often used to say that they were more or less born on the stage, but Marion was actually in Aberdeen. Not long after arrival Marion was instrumental in starting up what was then the old Musical Society which became the Norfolk Island Dramatic Society and is now known as something else, NATS, I think, and she directed some of their plays. In addition to that Bill and Marion were office holders and strong supporters of the Norfolk Island Agricultural and Horticultural Society. Marion was particularly involved in community affairs; she carried out secretarial duties at times of the then Norfolk Island Council; she was instrumental in the commencement of the then

Flora and Fauna Society. She used to meet incoming tourists to give them information and assistance in those earlier times. She was the librarian when the library was at Kingston, and she was a staunch member of the CWA. She was both secretary and president of the CWA and whilst she was undertaking her presidential duties she negotiated with the Far West Children's Health Scheme to include Norfolk Island in its services, which continue to this day. When Marion's eyesight started to fail and she couldn't really drive any longer, and was therefore not able to be as independent as she was accustomed to being, her daughter persuaded

her to move back to Camden with her in New South Wales, and there she has been for probably about 12 months now. And as I have said, she passed away last Saturday. To her children and their children, and many friends, we too share the loss of Marion and extend our deepest sympathy this morning.

William Herbert Quarrell, Bert Quarrell, was a Tasmanian. He was the second of four sons. He was married to Carmen and they had one daughter, Jill, and in turn three grandchildren. Bert Quarrell passed away at the Norfolk Island Hospital only this morning, aged 88 years. Bert and his family came to Norfolk Island upon his retirement from the Postal Service, and they did that in 1973. Thus they've lived here amongst us in this community for some 20 years. In his retirement, Bert Quarrell was a keen member of the bowls fraternity and he was a loyal supporter of the Returned Services League. He did have business interests in the island in his retirement. He was a returned serviceman who saw service in New Guinea. Bert Quarrell was a gentle and he was a courteous man, and he fitted comfortably with his family into the Norfolk Island life, and he will be missed amongst the Norfolk Island community members. To Carmen Quarrel, Jill Pereira and their family; to Bert's family overseas and his friends, we do extend out sincere sympathy. Thank you Madam Deputy President.

MADAM DEPUTY PRESIDENT Thank you Mr Buffett. As a mark of respect to the memory of the deceased I would ask that all members stand in silence. Thank you Honourable Members.

Petitions

MR PRESIDENT Petitions. Are there any Petitions this morning Honourable Members?

Notices

MR PRESIDENT Notices. Are there any Notices?

Questions without Notice

MR PRESIDENT Questions without notice. Are there any Questions without notice.

MRS ANDERSON Thank you Mr Buffett. I have a question for Mr Bennett as minister responsible for the airport. Can the Minister please advise what progress has been made on the construction of the new airport terminal and when he envisages it will be completed?

MR BENNETT Thank you Mr President. I received a note, up-to date information just a few minutes ago from the office of the CAO. As I have mentioned to the House on previous occasions, the project which we had hoped would have commenced early this year had been delayed for a variety of reasons, none the least being some disputes which arose over the contract and the Project Manager. I'm happy to say that those disputes have been resolved, even though it did take a little time to work through, and as at this time my understanding is that the tender documents are here on the island, and subject to my noting this memorandum which I got this morning the process of going to tender will be commenced. The tender process, from my understanding, is about a four to six week arrangement. Obviously we've got to add some for the Christmas/New Year arrangement, but I would hope that fairly early in the New Year - late January or perhaps early February - the tender position may have been resolved and that we may see construction towards March/April of next year.

MRS ANDERSON Thank you Mr Buffett. My question is for Mrs Lozzi-Cuthbertson

as minister responsible for Police. As it is generally understood that the tender for the construction for the new Police Station has been let, can the Minister please advise the name of the successful tenderer, the price of the contract and when construction is scheduled to take place?

MRS CUTHBERTSON Thank you Mr President. Unfortunately the successful tender has not been finalised as yet. There are discussions ongoing. As Members will know, tenders closed on 26 August, and five tenders were submitted. Copies were sent to the AFP at that time but all tenders exceeded the local component anticipated. As a result, Mr H....., who was the officer in charge of the project on behalf of the AFP (Australia Federal Police) and who has supervised the building of numerous Police Stations around Australia for the AFP, has entered into discussions with the four lowest tenderers, to see if the local component could be brought down to the expected figure. Discussions considered whether certain materials could be forwarded from Australia as a cheaper price and so on. It seems that the contract, as far as we know, has not actually been signed. That the lowest tender was submitted by Hunky Evans and that the AFP are deciding to accept it, because they have actually forwarded material to Mr Evans and we presume that the finalisation of the contract will occur in the very near future. We are in regular contact on the subject to the Health and Building Inspector trying to find out just what is happening, but at the moment to the best of our knowledge the contract has not as yet been signed. But it seems very clear that Mr Evans will be the successful contractor.

MRS ANDERSON Thank you Mr President. I have another question, this time for Mr King. The Minister's statement on the front page of last week's edition of the Norfolk Islander has caused considerable public comment. Can the Minister please assure the community that no decision regarding gaming machines on Norfolk Island will be taken without full community consultation.

MR KING Certainly Mr President, I can offer that assurance. I thought that the press release served two purposes - two primary purposes. One was to stimulate community discussion on it for the purpose of furthering the consultation process which will take place, and secondly to emphasise that no decisions have in fact been made by even this House or in fact any member of this House at this point in time.

MR BATES Thank you Mr President. My first question is for Mrs Lozzi-Cuthbertson with responsibility for education. Could the Minister outline what she has done, or what she intends to do about collecting outstanding or unpaid school fees.

MRS CUTHBERTSON Thank you Mr President. A process was set in motion by the previous Minister to ensure that the outstanding fees would be paid off by people who could not afford to pay them in total and writs, or warrants, summonses were actually issued for people who had clearly indicated that they were not going to pay those fees. A number of those summonses were due to appear before the court two or three weeks ago - I don't recall the exact date - the advice I received on the morning that the Hearing was scheduled was to the effect that there was a number of legal problems with the way the regulations had been made by the previous Government establishing a Fees Regime for Years 11 and 12. In fact we were advised that if the court ruled that the regulations had been made incorrectly, all of the fees that had already been paid would be jeopardised. I was also given legal advice that there were questions as to whether the contract that had been entered into, the verbal contract that had been entered into, as to the charging of fees for Years 11 and 12 between the Administration or the Government and the parents was valid. There was a question whether the contract should have been entered into in writing or not and it was the advice I received that morning that the whole of question was so fraught with difficulties that we were very likely to lose the

case. I was advised that it would be better to negotiate with the people who were due to appear before the court and try to settle the matter out of court. If we took that direction I was advised that at least the fees received already would not be jeopardised because there would be no ruling as to the legalities of those fees and because of the way the law is structured, fees or payments received in good faith are retained by the person - or good faith that the law is appropriate are retained by the person who has received those payments. In view of that legal advice, I consulted with the Secretary to Government. Unfortunately my colleagues were not here - executive colleagues were not here - therefore I could not consult with them, and I issued an instruction to the Deputy Crown Solicitor to negotiate for the best possible settlement outside of court. You will know that certain other debtors have made arrangements to repay the fees over a time period and these arrangements are continuing and they are being monitored by the finance department.

As a result of the negotiations, a numbers of fees were waived. It was agreed that they would not be collected and the Administration became responsible for paying \$700 in court fees, which is a very limited amount of costs. That is the situation.

MR BATES Thank you. A supplementary question Mr President. Does the Minister consider that this arrangement is fair to those who have paid in good faith, or does he consider that they should really receive a refund.

Mrs Lozzi-Cuthbertson Thank you Mr President. I do not think that this arrangement is fair, but then I do not think that the whole question of fees for Years 11 and 12 was ever fair. I think it was extremely short-sighted, but it all happened way before my joining this body. I have hesitations about suggesting that they should, that the people who have paid should receive a refund because I'm also mindful of the fact that the parents who pushed for the establishment of Years 11 and 12 by and large understood that a fee would be charged, and by and large that agreed that they would pay that fee. So however flawed the regulations and the structure of the agreement reached might have been in law, in conscience I think that certain people agreed to pay fees for certain service. Therefore I really would not like to re-open that situation.

MR BATES Mr President, my next question is to Mr Christian in his responsibility for the waters surrounding Norfolk Island. Recently it was announced that Australia had through international agreement had substantially increased the area of ocean it controls for fishing and other rights. Has the Minister any knowledge of how this is likely to affect Norfolk Island, and if not would he make the appropriate enquiries.

MR CHRISTIAN Thank you Mr President. At this time I'm not able to give Mr Bates a substantive response but I understand that there are papers and documents from the Commonwealth on their way to us now and they'll be available for discussion amongst the Assembly Members and at the appropriate time I'll make a formal statement to the House.

MR BATES A further question for Mr Christian in his responsibility for the environment. Recently the Minister announced that he planned to fence off and beautify Cockpit. Since beauty is in the eye of the beholder, does the Minister intend to produce a plan for public acceptance, or does he intend to proceed in a manner decided by him and a small group of well-meaning supporters. His idea of beauty may be all together different from the general consensus.

MR CHRISTIAN Thank you Mr President. I think there has been tremendous community support that has come out from my proposal to exclude stock from the Cockpit/Cascade area with a view to re-establishing vegetation in the area. I also understand that my idea of beauty may differ from someone else's and a plan will be prepared to be agreed by the Assembly, Mr President. Thank you.

MR BATES A question for Mr King, responsible for Airlines. Is the Minister aware of the re-structuring of airfares to and from Australia, which affects both locals and tourists, and has he had the opportunity to discuss it and its affects with the major airline servicing the island from Australia?

MR KING Mr President, yes I am aware; not in full detail I might add, and I had intended to touch on this in a later statement, but let me say at this point in time almost primarily as a result of Ansett's discussion with wholesalers and Ansett's, what could be said as Ansett's poor judgement in respect of Norfolk's - or October travel to the island this year - they have decided to do away with the high season/low season fare structuring and replace it with a system of fare structures based on classes of discount. In other words it would be on the basis of the earlier one makes a booking the cheaper the fare. Now I don't have any full detail on that new structure. It is intended to have affect from April next year. I do understand that it has an adverse affect on residents fares, which is unfortunate, but I'll endeavour to find out a deal more detail on the new arrangements and make it available for discussion among members.

MR BATES Mr President, another question for Mr King in his responsibility for the Public Service. Are you aware that a Minister of this Government recently threatened Public Servants that he would either take action or recommend that disciplinary action be taken against them under the Public Service Ordinance.

MR KING Yes Mr President, I am aware that during a discussion with an executive colleague of mine some words were mentioned that raised the suggestion that perhaps the conduct of those two particular officers was a little bit shorter of what might have been otherwise desired and could have implications for the disciplinary provisions, or under the disciplinary provisions of the Public Service Ordinance. Clearly an executive member doesn't have the authority to institute any disciplinary action under that Ordinance. I would think however that he would probably be reasonably well placed to talk to those who do have the authority under those, under that particular Statute. Yes, I am aware of the situation.

MR BENNETT Mr President, if I could amplify a little bit on that, I think it's an important issue.

MR BATES Yes, well I'll ask the question. I had one for you I was going to leave it a little bit longer, but I'll ask it. And that is to Mr Bennett, responsible for the airport. Do you consider your role as a minister includes the right to directly threaten or intimidate public servants by threatening to recommend certain disciplinary action be instigated against them.

MR BENNETT Mr President they were not exactly my choice of words at the occasion, but let me say this that my concern which gave rise to the meeting I had with the two officers arose out of a less than complimentary audit report on the RFFS, or some parts of the RFFS service at the Airport. The report identified some deficiencies in areas of training and in some areas of reporting. Now as the buck stops with me and I was entitled to be concerned about whether there had been any dereliction for want of a better word, of duty, whether any of these deficiencies could have been avoided. I wanted to establish clearly whether the problems arose out of our own making or whether they arose out of the failure by the Civil Aviation Authority to advise us of changes in procedures. They question asked of the people was to give me reasons why not to consider recommending disciplinary action. Now if you consider the Airport Fire Service is a very high profile topic at the moment and I take the responsibility of safety very seriously, and when I'm presented with an audit report which is less than glowing, then I have entitlement to be concerned. I am aware that I do not have any authority over the Public Service but I do appreciate that if I have grave concerns that I can make a

recommendation to the appropriate people that something ought to be done. It's a matter of where the responsibility stops and the action that I'm able to take to prevent any re-occurrence of such difficulty.

MR BATES I have a supplementary to that one Mr President. It was meant to be for Mr King who is responsible for the Public Service and the supplementary was, at a time when relations between the Public Service and the Government had reached a fairly high level do you consider that this type of attitude by a Minister is in the best interests of the community.

MR BENNETT Mr President, I don't think it's not. I mean I don't think in any way this could be considered to be an example of my attitude towards the Public Service generally, but for goodness sake, if there are matters of serious concern and the Executive Member has to take the responsibility for it, he's entitled to raise questions about it, and if that leads to ...

MR BATES Point of order please Mr President. I did ask that question of Mr King.

MR PRESIDENT I'm sorry. I gave Mr Bennett the call, I thought that you were directing that to Mr Bennett who had responded to the original question. Did you want to raise that specifically. I wouldn't call it supplementary in that context, I would see it as another question, but we won't argue about those particular things. That question is now directed to Mr King. Do you want it asked again Mr King.

MR KING No not necessarily Mr President. Let me say that my view is that over the period of self-government in Norfolk Island there has been far too great a propensity on the part of those in government to remain silent about certain matters. If there are legitimate concerns in any areas which touch on the responsibilities, the ultimate responsibilities of the executives, then they should not remain silent. Now if by not remaining silent that puts a strain on a relationship which is otherwise good, then so be it. That must be accepted that that may occur. I state once again Mr President that there's been too much silence and too much reticence and too much reluctance on the part of those in government in Norfolk Island to state their minds.

MR PRESIDENT Further questions without notice. I'm going to give you a break Mr Bates. Mr Adams. I will come back to you however.

MR ADAMS Thank you Mr President. I've got a question for Mr Bennett again in his capacity as minister with responsibility for the airport. There is a concern that a lion's share of the earnings generated by the Terminal being constructed will be moving off-shore. Can you give an indication perhaps as a percentage of the amount that off-shore consultants and consultancies will earn?

MR BENNETT Mr President, I don't have the details with me but let me say that the government has from the outset with this project been of the view that if at all possible I had encouraged the consultants to consider the contract being let to Norfolk Island builders and as far as practicable the materials be supplied from Norfolk Island. Now that position hasn't changed. We haven't yet seen the tenders and of course we have to take that into context with the range of tenders. But in respect to costs thus far, the Project Managers who are in charge of the total project, I think their fees to date are around about \$120,000 or thereabouts. I'm not absolutely certain of the total amount but it would probably be in the vicinity of 10 or 15% of the total project. The concept of project managership is a concept that I explained quite fully to this House and I don't have the details about it, but it was at the time a new concept for me, but one that was recommended to us and accepted on the basis that the Project Manager takes control of the total

project, and you don't have a whole lot of divided responsibilities in between. And I guess as a result of that we knowingly knew that the fee would be greater than simply the cost of architectural plans and whatever management fees.

MR ADAMS Thank you Mr President. This is a question for Mrs Lozzi-Cuthbertson in her capacity as minister with responsibility for education. Is it a fact that school children are without medical insurance cover whilst at school?

MRS LOZZI-CUTHBERTSON Mr President, to the best of my knowledge they would be covered by their parents insurance cover under the Healthcare Levy. What other insurance cover did you have in mind may I ask.

MR ADAMS I had in mind Mr President accidental type insurance. Where does liability rest for accidents which happen at school whilst under teacher supervision. Basically the question I guess is about responsibility not so much whether they are actually insured or not.

MR LOZZI CUTHBERTSON Thank you Mr President. We have had one such incident recently, and I know that the Deputy Crown Solicitor is looking at where responsibility might or might lay at the moment. Certainly the Headmaster informed me at the time that the regime applying in New South Wales did not provide the responsibility to go back to the school because he maintained all due care is exercised under normal circumstances and that's taken into consideration. I have not been advised by the Deputy Crown Solicitor as to just what the situation is in regard to the case that occurred a couple of weeks ago. I'm still waiting on advice.

MRS SAMPSON Thank you Mr President. I've got a heap here but I'll start with Mr Bennett. Could the Minister advise if the New Zealand Government foots the bill for the carriage of New Zealand mail from the ship to the shore.

MR BENNETT I can't give a categoric answer but my understanding is, yes. Just so that I can't be accused of misleading the House I will get that checked out shortly, in fact I probably will have the answer before this meeting's finished.

MRS SAMPSON Is the minister aware of the cessation of surface mail by air deliveries and is there any backlog of normal air mail?

MR BENNETT Mr President the matter of surface mail by air is an issue that arose during discussions with Australia Post over a range of matters, including the imbalance payments. I've been made aware by Australia Post that surface mail by air was something quite unique to Norfolk Island and that it was something that they had intended would be supplied in bags to the airline as filler cargo, but I don't know where the arrangement fell down but the Australia Post people tell me that the Airline charges the same price per kilo for surface mail by air which is, or was considered to be a category which included magazines, periodicals and fat letters and the like. In the re-arrangements Australia Post have set two mail rates, one for surface mail and one for air mail and those goods that previously arrived in that SMBA category are now, or will now arrive in the main by sea. We expressed concern to Australia Post that a lot of that mail in the SMBA category, in our opinion, was mail that was simply posted in the normal way by Australian individuals and company because of the 2899 postcode many don't think to put the air mail sticker on, and my concern was that normal mail might be getting tangled up in those SMBA bags. They've given assurance that to the best of their ability that situation won't occur and letters which may not have an airmail sticker on or whatever will be put into the airmail consignments. As to the question of backlog, as at Friday, sorry, the only backlog that I'm aware of as at Friday, was, sorry, was at Monday this week, were three bags left over from a consignment of a number of bags on Saturday 19th. The airfreighter that arrived recently uplifted the

backlog which had risen to about 80-odd bags at the time.

MRS SAMPSON Thank you Mr Bennett. I asked this question of Mr King while you were away. It's on the card operated 'phone. I'll ask it again in a different way. Is the minister aware of the difficulties caused by having a card operated 'phone at the Airport? Taking into account that cards are only available when the kiosk is open. Is there a card-vending machine available to overcome this problem and is he also aware that the 'phone was out of action from about mid-day last Saturday and no after hours service was available. This was a particular problem as there was a substantial delay in a scheduled service on Saturday?

MR BENNETT Mr President, taking the last part first, no I wasn't aware that there was a problem. No-ones reported that to me at all, but going back to the first part of the question, I was made aware that the removal of a coin 'phone at the Airport and the replacement by a card 'phone had caused some difficulties and there were a couple of instances identified to me. I immediately had discussions with the Manager of Telecom and the decision is to put a coin 'phone there as well.

We had identified or supported the view that people are at the Airport before and after the kiosk opens and those people wishing to make a 'phone call then are denied the opportunity because cards are not available to them. As to the question of the availability of vending machines, they are available, I've had a look at all the ones that are available at this side of the world, and I'm advised by experts that they are not suitable. The size of the card that we use here in Norfolk Island is the same as the card they use in Australia. It's a very thin material and in order to be dispensed from a vending machine has to be individually put into a plastic sleeve and by time and motion study you wouldn't want to be involved in it. The second point is that they have not been able to perfect a vending machine for phonecards that takes paper money, so you've got to have a pocket full of \$1 and \$2 coins to in fact ...

MRS SAMPSON So you might as well have a coin operated machine?

MR BENNETT Well that doesn't mean that I've ended the search for it, I'll keep my eyes open because I think that there is a demonstrated need for a vending machine of some type at both the telephone exchange and indeed the airport and perhaps at other places, but until some times that one that's suitable to our needs comes along we are going to continue to monitor the concerns of people about access to phonecards and try to find solutions to them. Where solutions can't be found, we will have no choice for the moment but to supplement the cardphone with a coin phone.

MRS SAMPSON Thank you Mr President. I'll direct these questions to Mr King. Has the minister any information on the future schedules for Norfolk-Pacific Airlines?

MR KING None whatsoever Mr President. I have absolutely no idea what's happening with that proposal.

MRS SAMPSON Thank you.

MR KING Mr President, if I could add a couple more words to that, and I have informed this House on a number of occasions that I have written to, I'm sorry, let me just get the nod from Mrs Sampson, you're talking about the proposed new airline?

MRS SAMPSON The proposed Norfolk-Pacific Airlines.

MR KING Yes. I'd forgotten its name Mr President. Norfolk-Pacific Airlines. I haven't received any formal advice from the proponents of that

airline. There are certain rumours circulating in the community which question whether that airline is going to proceed or not, but at this point in time I wait, I await some further information from those proponents.

MRS SAMPSON And also to Mr King. Why is a private contractor used to pull the lighterage vessels when there are two four-wheel drive vehicles at the airport which appear to be unnecessary and under-utilised?

MR KING Mr President, this is an issue that's been around for a long time. Basically it turns on the availability of plant for the purpose of moving the lighterage equipment around. It is a matter that's going to be addressed in the near future I would think with the expenditure of monies that we appropriated for the purchase of new vehicles this financial year.

MRS SAMPSON Thank you. As the minister stated on or about 17th October this year that the supply of quarry material was of the utmost urgency, what has happened since that date?

MR KING Mr President I have a sneaking suspicion that the responsibility for quarrying has shifted to me "in the night". I know there was talk of the responsibility passing to me.

MR PRESIDENT Yes, there was talk and in broad daylight!

MR KING I'm not quite sure that it's happened formally.

MRS SAMPSON ...in broad daylight!

MR KING Let me say that I'm happy to look at that and see what I can find out. There's no pressure at the moment. I understand that there is a source of rock which will satisfy our needs for the next several months in any event.

MRS SAMPSON Thank you. And also on roads, what is going to be done to remove the lumps and bumps in Bullock's Hut Road that may be familiar to the locals but are dangerous to drivers who are not aware of them.

MR KING Mr President that is a major concern of mine. I've spoken in recent times with the Chief Administrative Officer about the issue. I had instructed signs to be put up whilst we set about scratching out heads about how to achieve a final solution to it, it's not a new problem, there's some subsidence there that's been occurring for many, many years. As much junk and rubble as we put into the hole disappears and the road subsides. I'm hopeful that some signs will have been done by now which caution extreme care when using that section of road. Not that there's any risk of cars disappearing into the void, but the bumps do present quite a dangerous ramp type situation if they are approached at speed. So temporary signs in the meantime. As to a final solution I have absolutely no idea but it's one on which we are going to have to take some very serious engineering advice.

MRS SAMPSON Did anybody else want to ...

MR PRESIDENT Yes there are some others.

MRS SAMPSON Right, well I'll rest, I'll rest.

MR PRESIDENT I'll just ask you to pause for a moment. Yes, time has expired Honourable Members. Do you want to extend.

MR BATES I move that time be extended for 20 minutes Mr President.

MR PRESIDENT 20 minutes. That is the proposal. Is that agreed? That is agreed. Thank you.

MR BATES I only have one further question Mr President and that's to Mr Christian responsible for the environment. Is the minister aware that new methods of preserving timber which do not contain dangerous arsenic and copper properties by tanalith treatment is being used in South-East Queensland, and would the Minister be prepared to follow it up to see if this is an appropriate alternative process which could be applied here.

MR CHRISTIAN Thank you Mr President. No, I wasn't aware but I thank Mr Bates for making me aware of it now and I certainly will pursue that with the relevant Administration officers.

MR BATES That's all thank you Mr President.

MRS SAMPSON Thank you Mr President. I'll address this question to Mr Christian. What does the minister intend to do about the unworkable Environment Bill.

MR CHRISTIAN Thank you Mr President. The advice given to me by senior officers of the Administration is that the Bill is not worth the paper it's written on and that we should toss it out and start again.

MRS SAMPSON Well that's brief. Thank you. Also to Mr Christian. Would the minister consider revising the sponsorship programme for the Radio Station that was so successful before it was curtailed drastically by a previous minister responsible for broadcasting?

MR CHRISTIAN Thank you Mr President. Yes, I'm aware that the officer responsible for the Radio Station has been doing a bit of work to have the sponsorship programme modified and her proposals are apparently being progressed through the Administration and no doubt that in time they'll get to me for my comments and hopefully approval. So it is being worked on at this time.

MRS SAMPSON Thank you, and a last one for Mrs Cuthbertson, she thought she was going to escape unscathed.

MRS LOZZI-CUTHBERTSON No I didn't.

MR SAMPSON Could the minister advise this House of the current state of pay regarding nurses salaries and conditions please?

MRS LOZZI-CUTHBERTSON Well, this is a long and vexed question. Do you want the whole account of the situation or just the present situation.

MRS SAMPSON If I may just say that.. I think the present situation considering that there is going to be further disquiet if there becomes an imbalance, a greater imbalance between nurses salaries and teacher's salaries.

MRS LOZZI-CUTHBERTSON Thank you Mr President. I am seriously much more concerned with the imbalance between the nurses salaries and people on equivalent level of responsibilities, not equivalent but comparable levels of responsibility within the Administration. I do not think that the nurses salaries should be compared to the teachers' salaries simply because the teachers are such a case out on their own. The present situation is that a proposal was put together by the Director of the Hospital in consultation with myself and the Secretary to Government. The proposal was referred to the Health Advisory Council which had already approved an earlier

proposal therefore a new proposal had to be submitted to them. They reviewed it, unfortunately not a full meeting because there wasn't sufficient quorum at that time, but they reviewed it and I got agreement to the proposal from the members of the Health Advisory Council who I could contact, sufficient for a quorum and the proposal was then reviewed by the MLA's which I insisted upon as I felt that such a significant change in the nurses wages should also be referred to the Legislative Assembly Members who have to find the money to fund this kind of change in salaries and who have to deal with the consequences of a change in relativity, even though this is a "catch-up" change and I do not hesitate to say, one that's greatly deserved and very fair. It still will cause problems when other members employed by the Administration will start saying, "well, we deserve something similar". So the consequences will have to be dealt with by the Legislative Assembly in due course. Generally, I got the approval of the Members of the Legislative Assembly to the proposal, with some dissent. The question of whether the matter would best be submitted to the Remuneration Tribunal or whether a decision should be made by the Director with the approval of the various bodies I've mentioned was then also raised. It was generally felt that, also by the Members of the Legislative Assembly, that it would have been far better for the matter to have been referred to the Remuneration Tribunal because it's just a much more professional, impartial body, and it has been established to look at just such questions. I conveyed that point of view to the Director, who under the Act has the right to set salaries and conditions for the staff at the Hospital, and I have left her to negotiate with the nursing staff on this matter. As of yesterday I believe she was waiting for a reply from the nursing staff if they were prepared to have the case dealt with by the Remuneration Tribunal or they were pressing very hard for the matter to be settled as soon as possible. At that point she had not received such advice, but informally she believed that they were not prepared to wait. But that is the present situation.

MR PRESIDENT Thank you. Any further questions without notice. Well, we'll move on Honourable Members. Thank you for that. There are no Questions on the Notice Paper this morning.

Presentation of Papers

MR PRESIDENT Presentation of papers. Are there any papers to be presented this morning?

MRS LOZZI CUTHBERTSON Mr President, Members will recall at the last meeting of this House I tabled the accounts, or the audited accounts for the Norfolk Island Healthcare Fund for the year ended 30th June 1993. Those accounts were faxed to me that very morning and I tabled them as quickly as possible because of the lateness of those accounts. However, I did not have at that time the frontispiece that goes with those accounts certifying by the chartered accountant and auditors that the accounts were in order. I would like to table that frontispiece now.

MR BENNETT Mr President, I table the monthly financial indicators for the month of October which incorporates the first four months of the financial year. Mr President I move that that paper be noted.

MR PRESIDENT The question is that the paper be noted.

MR BENNETT Mr President, not a lot to say for the early part of the year but I will make just a couple of comments. The revenue appears to be fairly well on track with 97% of budget being achieved for the period of the first four months of the financial year. This represents a 26% increase upon receipts for the same period last year. The notable difference which gives rise to that 26% increase is the performance of customs duty and that in itself is running at 99% of budget. On the expenditure side again it's very early days and this should be taken into

context. Expenditure is running at 80% of budget at this time.

MR PRESIDENT Any contribution from other members. The question is the paper be noted.

QUESTION PUT
QUESTION AGREED

The ayes have it. Any further papers.

MR KING Mr President I table the visitor arrival statistics for October and move that they be noted.

MR PRESIDENT The question is that that paper be noted.

MR KING Mr President, by way of interest to members, close analysis of visitor statistics reveals that the New Zealand market was the top performer for the month recording an increase of some 13%. The worst performances were the Victorian/Queensland markets which fell by 36% and 34% respectively, with New South Wales remaining slightly ahead of October 1993. Mr President, as observed by one of my critics in the local press, the October arrivals were the lowest October figures for a number of years and in fact followed on from a period of fairly strong regrowth which was recorded over the earlier seven months. The fall came as something of a surprise although it was fairly apparent early in the month that things weren't going to go as well as we would have liked. I mentioned earlier on that some inquiries made of Ansett and wholesalers have resulted in my becoming aware of steps being taken by Ansett to ensure that there is no repetition of what had happened in October, and I mentioned the proposal to change the nature of the fare structure. Mr President although Ansett has maintained October as a high season month for several years, what they didn't take account of was the increase price sensitivity in the post-recession period and once again they've offered me an assurance that they will investigate the matter thoroughly and take some steps to insure that that sort of performance doesn't recur. I mentioned earlier on the basis of a new system of fare structuring. At this point in time it's a matter of waiting, I guess. We will obtain some further detail. I mean to enter into some further discussion with Ansett to what outcome I can't be sure at this point in time. Mr President, it's also interesting to note from wholesalers who were spoken to after the October performance that even though potential visitors shied away from Norfolk Island during October because of the unavailability of discounts, they've not in the main abandoned plans to travel to Norfolk Island, but simply moved their travel plans to other months. Mr President, the early indications for November are that growth is being restored and I remain confident of visitor numbers over the next several months.

MRS SAMPSON Thank you Mr President. Would Mr King put down the drop in the Sydney figures entirely for restructuring the air fares. From somebody who's at the airport every weekend, I venture that perhaps not enough frequency of service was some of the problem. They did put an extra plane on a Sunday but there are instances during the week of passengers' luggage being off-loaded because of capacity weight problems. Surely they could have put an extra flight on during the week as well. Have you got any idea of capacity of planes.

MR KING You're talking the recent last couple of weeks in October.

MRS SAMPSON In October.

MR KING Well, I'm aware that in October there were some planes which were full but by and large there were a number of planes that came in only one third full, or half full. What I have attempted to put in place Mr President is a

process of analysis. Here's what happened in October, let's send out professional people out there and make enquiries and try and determine what happened. Why was it that we couldn't sustain that period of strong regrowth that we've had in the earlier six or seven months. The advice that comes back to me is that the wholesalers are adamant, and Ansett is adamant that the major contributor to that was the maintenance of October as a high season, therefore high fare month. That has been in their system as a high season month for some several years, but what they didn't take account of was that in the post-recession period after a long period of recession, the market's sensitivity to price. That's their analysis. One thing which has been left unexplained to me at this point in time is why, then, in that event, did New South Wales' figures remain slightly ahead and the major drops occur in the Queensland and Victoria markets. Now I don't have any information on that. I can take a few guesses but largely in those markets there were groups that were concerned with travel and groups who cancelled their bookings or plans for October and shifted them to other months. But to put that in a nutshell I guess, the only consistent intelligence from those analyses is that yes, price was the major factor.

MRS SAMPSON Right. Thank you.

MR PRESIDENT Further contributions. The question is that that paper be noted.

QUESTION PUT
QUESTION AGREED

Any further papers.

MR ADAMS Thank you Mr President. I table a paper on the future direction for Norfolk Island National Parks, Botanical Gardens, Forestry Reserves and Phillip Island. I move that the paper be noted.

MR PRESIDENT Just a minute Mr Adams. In what capacity are you putting that paper on the table. Is it in any capacity that the House has given you.

MR ADAMS I will be moving, as on the Notice Paper Mr President, I will be moving a motion later on in the meeting based on this paper.

MR PRESIDENT Good. I suggest we do it this way, that when that time comes, you actually table that paper and then it can be addressed in the context of that motion.

MR ADAMS Yes, together. Okay. Thank you.

MR PRESIDENT Okay thank you. Any other papers to present.

Regulations

MR PRESIDENT Regulations. Was somebody to handle some regulations this morning, table some regulations. No, okay then thank you.

Statements

MR CHRISTIAN Thank you Mr President. I wish to make a short statement to provide an update on proposals to establish a quarantine station here in Norfolk Island. The promoters of the station, Hamilton Bridges & Associates had a very informative meeting with members of the Assembly approximately two weeks ago. At that meeting they outlined their proposals in more detail. Members will be aware

that I asked the Administration to despatch the proposal documents to the Australian Quarantine and Inspection Service so that they could undertake an independent assessment. Their response is awaited. The Government is also to seek, from a local veterinary surgeon, advice on the contents in the report relating to Norfolk Island. Mr President our primary duty is the safety of the people of the island and the protection of our environment. Until and unless we can be assured those responsibilities are met to the highest standard no quarantine facility will be erected. I hope the responses we receive alleviate those concerns so that this potential new industry for Norfolk Island can be further progressed. Thank you.

MR BENNETT Mr President, during question time Mr Bates asked a number of questions about the action of an executive in what he said was threatening officers of the Public Service. Before I could complete the answer the question was flicked back to Mr King and I should just make it clear that as a result of that discussion, which in fact was a very informative exchange of views, I became satisfied that the major problems arising from the negative audit report arose out of the Civil Aviation Authority's failure to advise us of changes in procedures. Minor, or less important issues were things, matters that we could take into account. I just didn't want to leave the matter just wide open, that we'd had this dispute and leaving the question unanswered as to whether there was in fact blame to be home. As I said the principle concerns arose, or advice was given to me, it arose out of the failure of Civil Aviation Authority to keep us informed of changing procedures. Thank you.

MR KING Mr President, I would like to make a statement concerning discussions held between the Norfolk Island Government and the Commonwealth Government in a formal sense. Perhaps advise the House of some of the matters discussed at the inter-government meeting held on 11th November between ministers of the Norfolk Island Government and the Parliamentary Secretary with the responsibility for Norfolk Island, Mr Warren Snowdon. And I'll go through the various agenda items. First of all Mr Snowdon spoke briefly about tourism and foreshadowed his meeting with members of the Tourist Bureau the following day. The Chairman of the Bureau subsequently advised me that the meeting took the form of a briefing session and I'm pleased Mr President that Mr Snowdon took the opportunity to gain that local insight into our, basically our only industry and to its future directions. In regard to the land review the meeting discussed the fact that a land consultant was on the island and was working closely with the Registrar of Lands on measures to streamline the administration of land titles in Norfolk Island. Mr Snowdon also discussed the possible involvement in ministerial councils where ministers of the Australian states and territories periodically meet, often with their Commonwealth, New Zealand and Papua New Guinea counterparts. I advised the Parliamentary Secretary that the vast majority of these meetings had no relevance to Norfolk Island and our involvement was therefore redundant in the main. However, I expressed interest in maintaining our involvement in the Tourism Ministers Council where we already have observer status and in Norfolk Island being involved with the Standing Committee of Attorneys General. Members will know Mr President that a perennial complaint of successive Governments and Assemblies is the extension of Australian law to Norfolk Island with little or no consultation. Too often laws, Commonwealth laws are applied which have no local relevance or which confer as sometimes expensive obligation on our government. It's my belief that if Norfolk Island can be involved at the formulation stage of many of these laws we would be better placed to speak out and have a say in their content and whether they ought to extend to Norfolk Island. The meeting also discussed the establishment of a Norfolk Island Legal Aid Scheme. This is a matter in the portfolio of the Minister for Health and Education and I understand that there are still some fine points to be settled before the Minister is in a position to make a public statement on the matter. The Parliamentary Secretary advised the concept, advised his desire to see a community development plan established for Norfolk

Island. Mr President I'm very much in favour of planning, but I'm somewhat sceptical about the worth of the kinds of plans which were put before us, but I am willing to examine the matter further, provided it can be proven to be a worthwhile expenditure of time and funds, and members will be aware that that remains on the agenda for some informal discussion between members. Mr Snowden advised a Memorandum of Understanding on the treatment of refugees in Norfolk Island would soon be finalised by the Australian Department of Immigration and Ethnic Affairs and it would then be sent to Norfolk Island for the Government's consideration. In regard to a proposal to recast the Memorandum of Understanding on education matters to take account of proposals to rationalise teachers' salaries - that is the localisation of salaries issue - Mr Snowden advised that he would respond in the very near future to Mrs Lozzi-Cuthbertson as the responsible minister. The meeting also discussed the report from Unimelb Limited on waste management strategies which we've only just received. Mr Neville Christian, in whose portfolio environment exists advised Mr Snowden that we had yet to consider the report in detail. The Minister for Finance, Mr Bennett, gave the Commonwealth representatives a brief on the ongoing disagreement between Norfolk Island and Australia Post on postal charges and Mr Snowden promised to pursue the matter of Norfolk Island's discriminatory treatment with the Federal Minister responsible for Australia Post, Mr Michael Lee. Mr Bennett also gave a short up-date on progress and planning for an off-shore finance centre in Norfolk Island. Mr Snowden mentioned that he had heard of a proposal for the establishment of a quarantine station in Norfolk Island for alpacas and Mr Christian has just referred to that. I advised that several assurances were still outstanding on this matter, including approval by the Australian Quarantine Inspection Service, and I should emphasise to the Assembly that Mr Snowden stressed that the matter of whether or not a quarantine facility was desirable for Norfolk was a matter for the Norfolk Island Legislative Assembly.

He offered to give the Government, on request, some financial details of the quarantine station on the Cocos/Keeling Islands. Mr President, in the Norfolk Island last Saturday mention was made of rumours that Mr Snowden promoted integration into Australia at the meeting. This is not the case, but it is fair to say that Mr Snowden stated quite emphatically that he regarded Norfolk Island as part of Australia. He went on in fact to make very clear that his aim was not to undermine the Norfolk Island Act, but to improve on it. He promised no changes of any sort to the current self-government arrangements, without full consultation with the Norfolk Island community and its elected representatives. The Norfolk Island Government made it very clear that it was unhappy with Mr Snowden's remarks that the ALP National Conference about Norfolk Island and that we hoped that this would not be reflected in any change to any policy or practice. The other matter mentioned in the Norfolk Islander was the new sea zone around Australia and Norfolk Island's coast, the subject of a question this morning at this meeting. This had not come into affect at the time of our discussions and was therefore not on our agenda and we of course have to assess, as Mr Christian pointed out in his answer this morning, what the impact of the implementation of the law of the sea will be, and some reproaches have been made as Mr Christian pointed out to have some documentation and advice to enable that assessment to take place. Mr President, the meeting on 11th November was the latest in the now established six monthly cycle of joint discussions. While we don't always agree with each other they are useful and worthwhile opportunities to make progress in areas where the two Governments do agree or to explain the reasons for any disagreement. The next discussions are planned to be held in April next year, and I thank the House for the opportunity to make that statement.

MR BENNETT Mr President, could I move that that statement be noted.

MR PRESIDENT The question is that that statement be noted?

MR BENNETT Mr President, I think there's a need to expand on some of what Mr King made mention of in his statement and perhaps this is the opportunity for

expressing some of my own opinions arising out of some parts of those discussions.

In particular to the exchange of views over certain statements and the meaning of those statements made by Mr Snowdon at the recent Labour Party Conference. Mr President, I am aware that most members of this House expressed various views at the last Sitting about Mr Snowdon's speech and it would not be helpful to go over this ground again in any detail. However Mr President, Mr Snowdon was made aware of the disappointment felt over his remarks and the intent behind them. It was pointed out such statements, in my terms, represent a further chapter in the recent and rising uncertainty of Norfolk Island's status, and seemed to indicate that the Commonwealth Government was operating an agenda different to that of the Norfolk Island Government, and very different from the initial agenda associated with the granting of the wishes of the majority of the residents to evolving self-government in 1979. I'll expand upon that in a moment. It was somewhat of a surprise to be told by Mr Snowdon that he meant what he said in his speech to the Labour Party Conference, going on to repeat his assertion that Norfolk Island was part of Australia and that as such all Australians in Norfolk Island were entitled to equivalent mainland standards and conditions. Mr President, that appears to be the thrust of where the Labour Party in particular, or the Commonwealth Government are coming from. My concern is that off-thrust and unhelpful assertion arises, in my view, from the slender thread they hold to a spurious interpretation of a judgement given in a Tax Court case years ago, and it really ignores inferences made as to the real truth in the judgement of a very recent, this year, High Court case quite unrelated to Norfolk Island, but nevertheless of sufficient import to be considered. I refer in particular to the case *Duplicators v ACT* over the question of whether a Commonwealth excise could or could not be levied against the territory. In determining whether a territory was part of the Commonwealth an interesting comparison was made between territories located within mainland Australia and external territories, commenting in part that a territory, if not geographically attached, nor a territory that has been ceded or annexed to Australia, cannot be part of Australia, let alone part of the Commonwealth of Australia. How very convenient that no-one wants to know anything about this inference in this case, preferring to dismiss it as if it had never occurred. But Mr President, I have digressed. The "daddy" of all the statements made by Mr Snowdon while he was here was that "Queen Victoria is dead". The inference being that this part of history ought to be put behind us and that we ought to get on with reality. Mr President such a statement that Queen Victoria is dead is a grossly insensitive expression and is destined to become Mr Snowdon's "Achilles heel". It belies any confidence at all that the heritage of the Norfolk Island people is of any interest to the Commonwealth. Mr President, the people of the island are entitled to be gravely concerned over the apparent shifting of the goal posts and the Commonwealth's subtle new agenda. Let me try and expand on that for you. Mr Snowdon seemed to assert that his authority for new direction evolves from the Australian Constitution. The Norfolk Island Act, in my terms, appears now to be very much secondary to Mr Snowdon and his department. The emphasis has very much shifted. Let me quote from a couple of documents, two of them being the Budget Programme of this particular department. The programme objective under the broad heading of Territories - External Territories - says, and I quote, "The programme's objective is to align conditions and standards in the territories with those of comparable communities in the rest of Australia to provide the residents of the territories over time with rights, opportunities and responsibilities equal to those of their fellow Australians, etc." And in the sub-section that relates specifically to Norfolk Island, it says, under the objective, and these words are interesting, "to establish an appropriate level of self-government ensuring that the residents enjoy rights, opportunities and responsibilities equal to those of their fellow Australians". And under Strategies it says, one of the strategies is to monitor the discharge of state and local government powers which have been transferred to the legislative and executive authority of the Norfolk Island Government. Interestingly, the reference to federal powers, federal type powers which we have here are not mentioned. I just raised the question, perhaps these

might be the next to go. I refer to immigration and customs as two. These should be compared to the statement of objectives which I think could be said, that is attached by way of a preamble to the Norfolk Island Act, where it says, "and whereas the Parliament", that is the Commonwealth parliament, "considers it to be desirable and to be the wish of the people of Norfolk Island that Norfolk Island achieve, over a period of 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 in Norfolk Island. It may be seen by some as semantics, but if you add to that the words "appropriate", then is it appropriate to who, appropriate to us or to them. The notion that the Norfolk Island Act is seen by Mr Snowdon as something that can be improved on, probably can't be argued, but the concern that I have and many people now have, is that the consultation process that we so often hear about invariably doesn't work. The only true consultation with people over major issues, or shifts in agendas, should be done at the ballot box and by referendum. Tragically our attempts at those over the years have not worked and our attempts at providing the wishes of the people, or information about the wishes of the people by referendum have been dismissed out of hand. Mr President, in 1979 when the Norfolk Island Act was accepted by the majority the people did so in the full knowledge that such an arrangement for evolving self-government was without all the trappings enjoyed by the people of Australia. It was very clearly understood that to want all the trappings would seriously impinge upon the ability of the island to retain its economic independence for many other polity. Surely the people of the island are entitled to be asked in a formal sense whether the new game plan with altered goal posts and the new agenda is what they really want. Perhaps they do, and if that is the majority then I'll go along with it. The people can also be forgiven for rejecting the rhetoric of, and let me quote from the infamous speech - Mr President I refer there to - excuse me for that pause - to the process of consultation and it should be made clear that this could be interpreted in a variety of different ways. For example, the recent visit by the Australian Law Reform Commission and a number of other personnel was a classic example of how I see the Commonwealth going through the consultation process. At very short notice to the Norfolk Island Government they arrived, ostensibly to try and assess the views of the people about such things as equal opportunities, access to the law and a range of important subjects, but the time-frame prevented the Norfolk Island Government from giving a fully considered set of views to them. They went about so-called hearings, but turned out to be a number of meetings, rather than hearings, and have gone away to fashion a report which will go I guess to the Attorney-General's department with wide ranging consequences for Norfolk Island based on a hand-full of submissions, and in fact I understand that the bulk of the report is being written based on the evidence of one submission. Now, is that really consultation? As far as I'm concerned that is not. There are other numerous examples, but the bottom line is that this is in line with the Labour Party's social and political agenda for Norfolk Island and appears that they will respond well to the lobbying of a few discontents and ignore the views of the majority. They certainly do this by dismissing local referenda, yet they will follow and pick up isolated advice that happens to be in tune with the agenda. History records countless examples from Nimmo, to the Distribution of Powers Enquiry, to the Electoral Reform Issue and to the recent day LRC Equal Opportunities Tribunal etc., and there will be many more, mark my words. Mr President, the people are also entitled to be somewhat concerned that such incursions have had, the effect that such incursions have on the island's meagre economy, more and more resources both in human and in funding are expended defending the island's position and future aspirations, and more and more funds will have to be deployed to pay for all these new services etc., being hoisted upon us. The Commonwealth more frequently these expresses concerns over their assessment that the island will not be able to fully resource its infrastructure needs. Now this particular cede was apparently signed by one of our former executive members on a visit to Canberra and subsequently those comments high-

lighted roads, for example, a new hospital and a harbour as examples of projects beyond the capability of the island to fund. This particular executive member had his own agenda and his utterings could in no way be said to represent the views of the majority. Mr President, as I said before the residents of the island have lived for decades, generations in fact, in the knowledge the island might never afford all the modern trappings, amenities etc of other places and they did so for decades, even when the Commonwealth was running the Island. The principle objective throughout this period was to live within the Island's means which meant very often, going without if funds were not readily available. If there is now to be a departure from this philosophy then the people should be asked to express it but in a very formal sense. Mr President, the Commonwealth's most recent response to their perceived inability of the Island to sustain itself economically for much longer was given by Mr Snowdon. Members will be no doubt aware of Minister Holding's views, perhaps I'm jumping ahead but Minister Holding took the view, and he said I think in this place, if we were to pay tax we could have anything we wanted. And Mr Snowdon's words weren't the same as those but took the form of advise that if Norfolk Island was to consider contributing to the Commonwealth coffers, that is I think he means taxation, then a bountiful supply of funding might materialise. To example the generosity of the Commonwealth Mr Snowdon referred to one of the territories where in exchange for taxation receipts of \$13m the Commonwealth has spent or will spend some \$30m in the Island, two and a bit dollars for the one. What appears to have been conveniently overlooked by the Commonwealth is that by their own admission in 1991 or thereabouts the Treasury already received in excess of a million dollars in taxation receipts from residents and trading entities in the Island. If this tax could be diverted or retained in the Island coffers it would have a remarkable effect on future economic stability.

Mr President I don't want to be criticised for overlooking the contribution that the Commonwealth has made to the Norfolk Island economy and let me acknowledge this offset at this point, including the considerable sums that they expend in KAVHA and ANCA. It's not a bashing exercise, I'm trying to paint a picture enclosing Mr President, the Norfolk Island Government is investigating opportunities to further develop the Island's economy. Such examination requires the assistance encouragement and guidance of the Commonwealth and its agencies, it does not need any agro or fear or uncertainty to pervade this process. One such option involves the possible development of an industry which may in time inject significantly into the economy and provide wide ranging employment and career opportunities for local people. It is an industry we believe which will have benefits to Australia as well as Norfolk Island in the longer term and to advance this project requires the co-operation and understanding of the Commonwealth. I sincerely hope that I have not cruelled this opportunity by speaking out today. Our most earnest hope is that the spirit of co-operation without threat, which existed for some years will again allowed to evolve. Any notion of the Commonwealth pursuing an agenda without the consent of the people does little to enhance this aspiration

MR PRESIDENT: Thank you Mr Bennett. The question is that the statement be noted. Is there any further participation?

MR KING: Mr President I have to say I'm somewhat surprised that no-one else wants to join the debate. Let me preface my remarks by saying that again in this forum I do not see my role as being one which includes defending the Parliamentary Secretary Mr Warren Snowdon. I have no difficulty in regarding him openly as an insensitive gungho diplomat. I do however, recognise him, and accept him as being the Parliamentary Secretary with Commonwealth executive authority over Norfolk Island and an individual who is entitled to express his own views and that's quite clear. I don't have the same concerns as Mr Bennett has and I'm not suggesting that Mr Bennett's concerns arise out of the fact that he is a New Zealander and I'm and Australian and therefore have different views. Geoff has been involved in this and turned his mind to the question for probably alot longer than I have. I'm aware not to the extent that Mr Bennett would be aware, but I'm aware

nevertheless of the crux of the debate that took place in the late 70's in the post Nimmo period regarding the future for Norfolk Island and I don't have any difficulty at all in the principals of self government being extended to Norfolk Island through the Commonwealth Act in 1979. I think it's great. It called upon us basically to perform in certain areas of responsibility and as a reward for that additional powers and responsibilities will be transferred over to Norfolk Island and implicit in the Commonwealth statute was the fact that the Commonwealth were always going to oversight what we do and how we do it here in Norfolk Island. For them not to do that would be an abrogation of their statutory responsibilities here in Norfolk Island, so what I'm saying is that I accept the Commonwealth have the right either as a whole, and I'm not suggesting as Mr Bennett is suggesting that what Mr Snowdon has said represents an entire view of the labour party or a different agenda but even if it did they have the right to express those views, and I think basically we have to stand up and take notice of them. You know, the ill timed, ill considered and insensitive remark that Queen Victoria was dead. I mean, an off the cuff silly comment. It ought not to have been made but I'm not sure that I place the same interpretation on it that Mr Bennett does and that is that the Commonwealth has no regard to the heritage of Norfolk Island. I mean, I happen to believe that that is certainly not the case. That there is a very strong regard for the heritage and culture and traditions of Norfolk Island and of the Pitcairn people who came here in 1856. Mr Snowdon made some remarks about his beliefs that we have a cash flow problem and that is an assessment which I guess he is entitled to make and I can't hide from the fact that I sat in this House and said that indeed, we have the same problem. They are not blind to the fact that as a proportion of total expenditure, our reserve fund has fallen from something like 60% of expenditure in 1979 to last year about 3%. Those are no secrets, those figures are reflected clearly in the statement of account so to say that we are approaching a cash flow problem is a fairly accurate assessment, particularly when you look at it in the light of things that we are considering now. Look at the recommendations of Unimelb regarding waste minimisation strategy in Norfolk Island.

I mean it might be a little bit out, it might be 20 or 30% out, it might be 50% out, but even if it is 50% out they are talking 400,000 and a projected outlay over a two or three year period of something like 840,000. Now where are we going to find that money. No the exercise, we sit around looking at pretty coloured pictures about the excavation and benching and making safe of the Cascade cliff. No-one's turned their mind yet to where we might find the expected \$1.8m to conduct the exercise. We have spoken for a number of years about the improvement in port facilities or cargo handling facilities and we haven't even got a penny to scratch ourselves with. I don't think that we have any difficulty going out into the commercial market and finding the money, \$5-10m but if we are talking about protected breakwaters and a project expenditure of \$30,40m where are we going to find that money. Of course we have a cash flow problem. The only reason it hasn't come to a four by four is that we have managed to balance our budgets. We balance our budgets by simply not spending the money on projects that need expenditure so I don't mind talking about this matter but I want members to understand that I respect the self government arrangements for Norfolk Island. I don't have any great difficulty with them. I have in the past questioned performance, I have in the past mentioned the responsible, fair or unfair, inequitable approach that we have had to taxation in the Island and tax gathering and I can't hide from those statements but if we are going to go back to the community now, fifteen years after self government, after the debate took place which led to our self government arrangements and say it's time to review our thinking community what do we want, what you are doing is asking people to look back over the past fifteen years and ask themselves what has self government done for them. Now I know the message you are going to get back from a whole body of people. But you also need to go back to them and say, well here are the alternatives, what is integration. This is a word which is thrown around, integration with Australia, what is it. It can take any number of forms. It can I guess, and Mr Bennett alluded to it, it can I guess take the form of becoming somewhat like a state or the Northern Territory or the ACT and

losing perhaps the Commonwealth type functions that we have now that Mr Bennett mentioned, immigration and those others. It can take the form of perhaps going back to the old Council advisory days which were done away with in 79, or it can take the form of simply throwing our hands in the air and having no community legislature or no community input and put us in the total hands of Canberra which I think would be an absolute horrible thing to do. Or it could mean retaining the status quo or any number of variations somewhere in between all this and so if we are going to go back to the community and ask them to consider what they want now, we have to be in a position to lay all those options out and all the failings, all the shortcomings of them, all the benefits of them. I'm not quite sure that we are in a position to do that now, but it's not a black and white situation as perhaps Mr Bennett has expressed. Thank you Mr President

MRS SAMPSON: Mr President, I'll weigh in with a few words. In the Fourth Assembly when the Minister of Territories came over they met with all members of the Assembly. I don't think Parliamentary Secretary's existed at that stage. The Ministers used to come here. Now as a non executive member with four others around this table we don't go to discussions with the Parliamentary Secretary or the Minister so therefore we have to rely on the Minutes or the discussions that come out of it, now it's not only what is said it's how it's said and I gather that the meeting was not the friendliest. I agree and commend Mr Bennett for his stand, I agree with 90% of it. I don't feel that we should in any way waver from our determination to progress self government. I think by suggesting even now that we have a referendum on what the people think shows that we as an Assembly have become uncertain. I think we should keep our eye on the goal and if the people don't wish the Assembly to proceed in this direction, they will tell us

MR BATES: Thank you Mr President. I think it's fairly well, I would like to comment on a few things that Mr King actually said and also on some of the things that Mrs Sampson but it is well known that Mr Bennett does hate Australian politicians.

MR KING: Point of Order Mr President

MR BATES: I'll withdraw that remark then but he did in a New Zealand newspaper actually go to print calling them a pack of mongrels. I don't have to withdraw that because that is in print so I do wonder just how much damage statements such as those just made by him really do. In our previous Assembly I did not support him as a Minister for the Government because I did not see him as a fit person to negotiate with Australia in the progress towards internal self government. The statement just made leads me to perhaps reconsider those views that indeed, he is not a fit person to negotiate our progress towards internal self government

MR BENNETT: Mr President of the comments made by Mr King it seems to overlook the changed objectives. All I'm trying to do is to point people, I don't want everyone in this House to walk around with rose coloured glasses on but to see what is changing and you can't deny the changes, the subtle changes that have been made with the use of words in things like objectives and strategies of the Commonwealth. Now you've got to measure that against what was granted to Norfolk Island back in 1979. I mean you can't argue against that and I don't think there was anything that I said in my words this morning that could be seen as being in any way tinged with hatred or whatever. Mr President Mr King also mentioned that Mr Snowden had observed that Norfolk Island had a cash flow problem. Well for goodness sake we did have a cash flow problem but let's have a look at the circumstances. The pilots strike which crippled the Island and the recession in Australia and New Zealand were not of our making, we were sandwiched in between. Now we learnt a lot from those and hopefully, our marketing strategies in the future may better equip us to handle things that are beyond our control but impact very

much on our economy. Mr President, Mr King failed to mention that Australia has a cash flow problem. I understand that it's \$180B in debt. Now Norfolk Island has got no debt. It doesn't owe a dollar. It has a reserve fund. Meagre yes but there are plans to rebuild it, so I mean you can't say that we've got a cash problem and nobody else has, I think that we are in a remarkable situation. We've weathered a very tough time in two years and yes, I admit that cash is very tight and we have had to take measures to curb expenditure but most of the people on the Island understand that. A lot of people have been unhappy about recent taxing measures to increase the inflow and that's regrettable but at the time was seen as necessary and to just make sure that we didn't tip the Island into the red for the first time. Mrs Sampson mentioned that the Assembly has to be careful that we don't, in fact I think what she was trying to say is that we don't become so negative and so uncertain that we should focus on the goalpost. Well I would love to be able to focus on the goalpost but as I said, the goalposts are shifting, I don't move away at all from the commitment of further self government for Norfolk Island but I'd like to see the goalposts in the same place, that is, trying to see and ensure that the words by way of objectives and strategies remain consistent. I think people are entitled to be concerned and have some uncertainty when those words are changed and the focus right now is on the Island's inability or somebody's assessment of the Island's inability to fund its infrastructure. As I said before, the Island has lived for generations without a lot of things. They took self government on in the full knowledge that that would not include all the trappings. To now be told that this community has to put its hand in its pocket and fund more and more opportunities, responsibilities, benefits, the entitlements and the like, is something that I think they ought to be aware of. They may prefer to cave in, pay tax and receive all the benefits but let's hear what they say about it thank you

MR BUFFETT: Madam Deputy President. I really think this debate needs to be brought back into perspective. There are two things that I think need to be put into perspective. One is the matter talked about self government and the other is the attitude of the Parliamentary Secretary. Let me make my points quite clear about the self governmental process. When we commenced in 1979 it wasn't thought that it would be easy track to follow. It was known then that it was a new phase in Norfolk Island's life, it was to be a challenge, it would not be easy, there would be many stones that we would stumble upon when treading this path but it would be a path that would allow us at the end of the day to determine our own destiny and that is extremely important and it must be forever kept uppermost in our minds. There will be doubts along the track, the pasture will look greener along the other side of the fence at times, but it should not destroy our confidence that self government is a path that will be to the overall benefit in the long term for Norfolk Island people if in fact we really want to do our own thing in our own back yard. If we want other people to come and do their thing in our backyard, well by all means follow another course, and if we want for it to be determined by others what we should do in our own backyard then by all means follow another course but if we want to determine our own destiny, we need to go through this process which we are upon now, and that light should shine very brightly for us and continue to shine, forever to shine and we shouldn't be put off by the difficulties that come along the track. There will be difficulties, one of the difficulties that we have faced is the varying attitudes of Australian Ministers and Parliamentary Secretaries from time to time but I would say to the House and to the Norfolk Island community, don't get that out of perspective. We do have as our guideline and our principle document, the Norfolk Island Act, it does contain the preamble that Mr Bennett has read in part to us earlier, we can continually turn to that document to be our "constitution". It is inevitable at times that people will not agree in some quarters, sometimes quite powerful quarters, but it only means that we need to be more vigilant and that we need to be pressing our point about what our path is and what our overall goal and aim is and that we want to achieve that. That doesn't mean that we have to maybe go to the ends that Mr Bennett has

gone to today, I've got to say quite bluntly. I think there are other ways in which we can achieve those ends. I don't think it pays all of the time to be antagonistic but nevertheless, if at some times we need to go into bat and bat strongly then we shouldn't be ashamed of doing that, but I think there are attitudes that sometimes prevail, and are sometimes brought to us. I don't think we should see them out of perspective. They have come before and I'm sure that they will come again, but we need to just continue our aims and exercise them and continue to make them strongly and that means making them to the person that is being addressed today, the Parliamentary Secretary. Quite obviously he has his views, quite obviously he is entitled to his views, but at the same token, so are we entitled to ours and we are elected representatives here in Norfolk Island who have a brief to pursue what the preamble to the Norfolk Island Act says and we should be equally reminding people who come to us, including the Parliamentary Secretary, as we have done to his predecessors, and as we may well have to do with his successors, that this is what we are on about and that's what we want to achieve so coming back to the original part of the statement that is, what Mr King presented to us I think that they are good things to have talked about with the Minister. They are things that are on our plate now and they are things that we need to consult with him about. Without doubt, we are in a position, especially after these difficulty economic times of having a depleted reserve fund. Well. That goes for alot of people, not only in this community but in other places in the world. We are no different situation then they and just because we are in that situation it doesn't mean that we should be put upon and made to move at a pace that is not ours. We equally want to achieve things such as better wharf facilities, benching of the cliff arrangement, increasing our cash flow situation but we need to do it at the pace that we can manage and it's important to emphasise with people who come and talk with us that again, we want to try and do things in our own backyard at the pace that we can manage. We are not necessarily talking about being at odds with some of the longer term aims that they may have. I don't think that we're at grave odds with some of the particular things that the Parliamentary Secretary wants to achieve in Norfolk Island. I think we equally want to achieve them. I think however that we might have a different time frame attached to some of the things that he is talking about and I think we need to do it within the realms of possibility for Norfolk Island. I don't think we should necessarily succumb to quite attractive offers you may consider of throwing money at Norfolk Island to achieve things that at the end of the day may mean that we no longer control our own destiny but would have it controlled by other people. I think that's a bit of a trap for us and I think we should be careful about that situation. I've got to say that I think probably they are made in the main with the best of intent but we need to be mindful of what it means for us in the long term so may I encourage members to ensure that the self governmental process is one that is kept uppermost in our minds and that we continue to work towards it. Let us put in perspective the attitudes that have been quoted of the Parliamentary Secretary and note that sometimes they have been no different to others that we have heard in the past and as I've said, I think we'll hear them again in the future. But if we are vigilant about our position it may not mean that that means grave difficulties for us, provided we continue to have the capacity to get on with the job as we would want to do in the best interests of Norfolk Island's community. It has been said, what will the community say if we ask it to respond to the question, what has self government done for us since 1979. I think to be fair one can point to some very secure things that it has done. I think also to be fair it needs to be said that we have a long way to go before we have totally achieved self government, but it has never been said that self government is an immediate thing. It's a process and we need to work at it, I've got to say that it's taking longer than all of us would like but it means that we've got to work at it continually and in a sense it may never cease to improve and indeed on occasions we may suffer significant setbacks, but if people think that the only measure of its success is that everything has gone well and there'll be no hiccups, we are deluding ourselves. That's not what government is about, for us or for anyone else. All

governments have their hiccups and so do we, but we must keep in our minds that at the end of the day if we are able to determine our own destiny which we are not able to at this very minute, it's a long track yet, that will be the most tremendous plus for this community

MR ADAMS: Thank you Madam Deputy President. It heartens me to hear Mr Buffett's words. I think he puts his case very well. I think the statement regarding Queen Victoria is dead, is a very indiscreet and a very insensitive statement. One thing we need to note is that even though Queen Victoria is dead her legacy lives on and the self government arrangement is a continuation I believe of that legacy. Coming back to the point about goal post shifting. If goal posts are to be shifted one way or the other, re-arranged, whatever, I think it should only be moved by us, and through the process of referendum. Consider in the past regarding the voting system. I believe that's been disallowed twice through an off shore decision and I believe one of those movements was at least against the wishes of people through a referendum. There is also the question of lack of amenities that's been raised by the Minister and lack of standards. Well, I mean we only need to look at the lack of homelessness in our community and the lack of racial problems etc etc etc. I don't think that we are actually looking after our basket in our own patch in a situation or condition that could be said to be poorly run. I believe we are doing quite a good job. There seems to be ongoing niggling by various Commonwealth Ministers regarding one thing or another, but it all seems to come back to the income tax anomaly because a lot of Ministers both Federal and Commonwealth are not happy with that arrangement. It's an anomaly that they are not comfortable with. It is interesting to note that a report on the radio this morning on the question of amenities and standards, the Minister for Aboriginal Affairs Robert Tickner made a statement that in an Aboriginal settlement 90 kilometres north of Fitzroy Falls, I quote "cattle appear to have more rights than people". I don't believe that we are doing too badly a job when we look at statements like that. And I think the thing to keep in mind here, is if we have help that's rammed down our throat I don't believe that could honestly be seen to be help at all. I think we've got our own agenda and we set it at our own pace. If we are not proceeding at a pace that suits someone else well that is simply bad luck. I believe also that the Commonwealth has an overview function but I don't believe that overview function necessarily means an interfering function and I believe there's quite a difference. Cashflow problems. Well I must agree with Mr Bennett here. Our national debt is zero. Australia has billions of dollars worth of national debt coupled with massive off shore borrowings. I don't think our situation there is particularly bad when it's matched against the off shore situation and I think the overall question here is - and this is a question raised by Mr King - and it is, what has self government done for us? Well I think the major thing that self government has done for us, is that it has guaranteed us our identity and it has given us pride in that identity. It has given us increasing responsibility for our own functions of government and my question is, how can that be a bad thing? How can it even be questioned

MRS LOZZI CUTHBERTSON: Madam Deputy President I really welcome Mr Buffett's long term view of the situation and such a discussion is really terribly important as far as I'm concerned to look at the long term situation. People, Parliamentary Secretary's, Members of this Legislative Assembly come and go. Conditions change from time to time but keeping to long term goals, objectives of self government and developing and identity for Norfolk Island, I think those are the essentials that we have to guard and be aware of and keep in line at all times. I certainly support Mr Adam's comments with regard to the achievements of self government. They are many, far more than Mr King gave credit for and to a certain extent I am also aware that Mr Bennett has made some comments that we should take into consideration. This government and in particular the present Attorney General does have a special agenda which he is clearly pushing not just in Norfolk Island but throughout Australia. He is concerned with human rights, standard of equity and

equal opportunity throughout Australia. You only have to look at what he is trying to make Tasmania do to recognise that we are not isolated when we are being confronted by the Law Reform Commissions, the Human Rights Commissions, Representatives coming here to have hearings. We can deplore the way the hearings are conducted. They are certainly not the way a properly trained researcher of social conditions would have gone about establishing what is going on in Norfolk Island. If I may say so it was a typical way that people trained in the law conduct their affairs, mainly in an adversarial capacity hearing evidence and not really doing research and hence you get very biased results but we do have to be aware in this new context of trying to bring about equal opportunities and better human rights conditions throughout Australia. That perhaps we do have some things that we should be working on at a different speed or giving greater priority in our own back patch. Surely our conditions here in Norfolk Island are much better than great many parts of Australia. I've worked with disadvantaged people in Australia, in Sydney and we have just nothing that comes anywhere near what the situation can be like there but that is the situation in most cities and certainly the situation that the Aborigines in Australia have to deal with - it's appalling. We all recognise that. But it doesn't mean we can't do better and that doesn't mean that perhaps we should reorder our priorities. I'm in favour certainly of reordering priorities to give human rights an equality of opportunity and a better deal for the individual, probably more than some of my colleagues may think and it is up to me to convince my colleagues that this should be given greater priority and I see that as a process of self government and something that we all bear responsibilities for. At the same time, I do support Mr Bennett in looking at such guidelines and tell tale identifications of the goalposts being changed because goalposts will try to be changed by many people as time goes on and we have to defend what we expect to be our bargaining and consultation rights. We have to make sure we understand that the Parliamentary Secretary can express opinions of what the Australian Government really believes and what its stand is, can be quite different things and we should be working with what the Australian Government expects rather than what the Parliamentary Secretary expects and clarifying that and seeking that in writing and keeping that as evidence towards how we will perform in the future and what we will have to deal with. Thank you Mr President

MRS ANDERSON: Thank you Mr President. I would like to just pick up on one point that Mr King made. I'm not trying to take you out of context Mr King but it was just something that I wanted to bring forward, you suggested that possibly the community would have ultimately the opportunity to decide whether they wanted to remain independent or integrate with Australia and the Commonwealth. In conversations with Mr Snowdon the question of the Australian Republic was raised and Mr Snowdon is a staunch Republican, he even has a watch to prove it, we asked him where Norfolk Island would stand if the question of Australia becoming a Republic were put to the vote and he said that Australians in Norfolk Island would be involved in the referendum the same as Australians in the mainland and that when Australia became a Republic which he seems to believe is a foregone conclusion that Norfolk Islanders would just and I quote "have to cop it sweet". I think we should also bear this in mind. He doesn't only believe that Queen Victoria is dead, to his way of thinking the monarchy is dead and I believe that to many people living in Norfolk Island that is an important point. We have a very strong allegiance to the British Crown and I would hate to think that that would be broken

MR PRESIDENT: Further debate Honourable Members. No further debate the question before us is that the statement be noted

QUESTION PUT
AGREED

The ayes have it thank you. Any further Statements?

MR BENNETT: Very much less controversial Mr President. I had hoped to bring to the House this morning a full report on the launch of Norfolk Island's first Foenkaads but unfortunately the fax that I was expecting last evening I did get a fax but it wasn't in the form that I had wanted to present to this House but I think it's important for me to make some comment in any case. As Members will be aware, the Foenkaads for Norfolk Island were launched in early October both in Sydney and in Germany and a little later in Eastern Texas and a little later in Auckland New Zealand. The results of the sales to date which I had hoped would be included in the report, I haven't got substantive information on it but can indicate to Members that the sales in Norfolk Island to date have receipts of a bit over \$151,000 and I understand that the sales from the Sydney Agency are of about the same volume and as soon as I get confirmation of that I'll certainly give it to Members. That's encouraging. I think there were some who thought it might go much faster than it did but I think that there are some reasons for that and I want to just turn to two of the launches that I was involved in and to explain my views as to why it didn't really soar in terms of sales in those two places. Firstly I think we have to appreciate that Norfolk Island is very tiny and when you walk into somewhere like Cologne in Germany or Houston in Texas there are very few people who even understand where Norfolk Island is and the launches required from my direction a fair amount of pre publicity so that we could overcome the problem where is Norfolk Island and get to the Foenkaad fairs so that most people who collect Foenkaads would at least be aware of where it was and could focus on the issue and its potential for them as investors or collectors. Whilst advertisements did appear in some of the magazines overseas the pre publicity in terms of editorial comment did not. Both the Cologne Fair and the Houston Fair both of which were very large exhibitions with tens of thousands of people going through each one, the people on the stall spent most of their time trying to explain to people where is Norfolk Island, what about Norfolk Island and it really did inhibit what a salesman likes to do, which is latch on and get a sale, however, there are two very positive things that arose out of that. There were press conferences arranged both in Cologne and Houston which I attended and in both all the publishers or editors of the major telephone card magazines were present and it is fair to say that all were quite excited about what this tiny little Island was doing. Were fascinated by its history and putting the two together were very keen to get involved with its promotion. Most of the major magazines are running articles, in fact the first of those has already arrived back in the international telephone card magazine from Great Britain and that magazine article has already produced a flood of enquiries into Norfolk Island and I'm told by phone a lot of sales into the Sydney Agency as well. The Foenkaad Manager told me yesterday that in two mails he's received some 28 or 30 letters and it's a very encouraging response so it just illustrates the importance of pre publicity when you are entering a market from the standpoint of tiny little Norfolk Island. The same process occurred in the United States but as I said all of the major Phonecard magazines were present and it was quite an exciting press conference to be involved in. The Americans as you are probably aware, get quite excited by new and interesting and historical things and to be told that Norfolk Island celebrates Thanksgiving Day was just something special. It was wonderful to be able to respond to their enthusiasm. Most of those magazines had agreed to run a one or two page story but the production dates for those are not until December and January. The American market is a very interesting market for phonecards. Members might be surprised to know that there are in excess of 1900 Telephone Companies in the United States and apart from those companies issuing phonecards there are innumerable private issuers of phonecards. Their phonecards are a bit different to what we understand out this part of the world as phonecards. They have what they call remote memory cards so it's simply a card with no value, you make the call and it's charged to a number and you get a bill. We have in our part of the world it has what is called debit cards where you pay for the card and the value is deducted from the card as you use it. Mr President just turning back to the German launch for one moment, one of the magazines, the largest German magazine, also publishes a

stamp or philatelic magazine with a circulation of about 60,000. Both of those magazines are going to be running articles about Norfolk Island over three issues, and running a competition where the winners of the correct answers to questions in relation to phonecards will receive a presentation pack and in the case of the philatelic bulletin the first ten receipts of deposits lodged with our Philatelic Bureau in Norfolk Island will be entitled to a presentation pack of stamps which includes the Bicentennial Logbook and such like. Mr President there's never any certainty going into ventures such as these and phonecards, or the introduction of phonecards to Norfolk Island was a fairly big step and it had its beginnings from the need not to get on the gravy train for collectors but to replace the outmoded coin phones which were giving us a few administrative problems but a couple of months down the track to find that we've got sales around about 300,000 in the first launch is very encouraging indeed. Now of course the real test is the response to second and third issues and we won't know that until sometime next year, thank you

MR PRESIDENT: Thank you. Any further debate. I'm not too sure whether you moved Mr Bennett that the Statement of yours be noted or not or whether that was the Statement itself

MR BENNETT: That was the Statement

MR PRESIDENT: Thank you. Any further Statements this morning. Then Statements are concluded Honourable Members except that I wanted to advise you that I have nominated Mr Bates, Brian George Bates to at times act as Deputy President when there is a need for somebody else to take the Chair

Reports from Standing and Select Committees

The next is Reports from Standing and Select Committees. Are there any such Reports this morning?

MRS ANDERSON: Thank you Mr President. The Select Committee on Electoral and Constitutional Matters which was established by this House on the 18th May this year, has to date received 15 written and three oral submissions and with one exception all of these submissions were received from people who are living here. The Committee is now formulating its conclusions based on these submissions with a view to preparing a first draft of the Report which will be tabled in the House in the new year. However, Mr President whilst the Committee's deliberations are now drawing to a close the committee will continue to receive representation on this important issue up to the 9th December and through this forum Mr President the Committee urges those people in the community who have indicated that they would like to talk with the Committee or to put some thoughts down on paper to do so in the next week or so before the Christmas Festivities are upon us. Thank you Mr President

NOTICES

MR PRESIDENT: Thank you. We are at Notices Honourable Members

NO 1 - THE MUSEUM TRUST ACT 1987 - RECOMMENDATION TO APPOINT A TRUSTEE

MR CHRISTIAN: Thank you Mr President. Mr President this motion has been brought about the resignation some weeks ago of the Chairman of the Museum Trust the late Mr Gil Hitch. Gil a long and sterling service to the Norfolk Island Museums and to the better understanding - I'm sorry Mr President. I should read the motion first. Mr President this is the Museum Trust Act 1987, Recommendation to appoint a Trustee and I move the motion appearing in the Notice Paper. Mr President I move that for the purposes of section 5(1) of the Museum Trust Act

1987, the Legislative Assembly resolves to recommend to the executive member the appointment of Ronald Coane Nobbs as a trustee under the Act until 24th August 1995. Mr President, I'll take of where I left off. Gil gave long and sterling service to the Norfolk Island Museums and to the better understanding of heritage in general and the government is very grateful for his voluntary service over such a long period. Mr President this motion proposes the appointment of Mr Ron Nobbs as a new trustee. Mr Nobbs combines a background from one of our most distinguished Island families with professional experience he has gained overseas.

Notably in the Northern Territory. I'm sure he will make a valuable contribution to the management of the Museum collections. I also propose having received her agreement, to appoint Mrs Nan Smith as Chairman of the Museum Trust. Members will see that the appointment runs until the 24th August 1995 which is the same expiry date as the other Members of the Trust. I commend the motion to the House

MR KING: Mr President this is a fine recommendation, Mr Nobbs displays on a regular basis a very keen interest in Island affairs and it's very clear from the style of his contributions to the columns of the local press which have to this point in time remained unscathing of Mr Christian, that Mr Christian will find a vigorous contribution to the affairs and the duties of the Museum Act by Mr Nobbs. I fully and wholeheartedly support the motion

MR PRESIDENT: Thank you. Any further contributions Honourable Members. I put the question. The question is that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it. That motion is agreed thank you

NO 2 - ESTABLISHMENT OF A NORFOLK ISLAND PARKS AND FORESTRY SERVICE

MR ADAMS: Mr President, this motion here appears in my name and it concerns the establishment of a Norfolk Island Parks and Forestry Service. I wonder Mr President is it more appropriate that I read out the Paper to give it a proper airing and then read the motion or shall I do it the other way round?

MR PRESIDENT: I think we put the motion on our books by you moving that and maybe your first task then could be to read the actual statement that you alluded to earlier in the proceedings Mr Adams

MR ADAMS: Mr President I move that this House -
(a) endorses the proposal to establish a Norfolk Island Parks and Forestry Service, as outlined in the paper presented to the Assembly by Mr Adams, MLA, on 23rd November 1994;
(b) is of the opinion that, to enhance its future management, Phillip Island should be declared part of the Norfolk Island National Park under the Norfolk Island National Parks and Norfolk Island Botanical Garden Act 1984;
(c) records its appreciation of the past work of the Australian National Parks and Wildlife Service in Norfolk Island and considers that that work would be enhanced by the establishment of a joint agency to incorporate parks management and forestry activities; and
(d) requests the executive member to pursue the objectives in the tabled paper and outlined in this motion.

Thank you Mr President. I shall now read out the content of the Paper that the motion talks about to give it a proper airing. It is somewhat long and detailed. I think it is about four pages so it might take a minute or two.

FUTURE DIRECTION FOR NORFOLK ISLAND NATIONAL PARKS,

BOTANICAL GARDENS, FORESTRY RESERVES AND PHILIP ISLAND

The focus of this paper is to give a direction to a co-operative management infrastructure arrangement between the Commonwealth and Norfolk Island on the Philip Island issue with increasing relevance to other National Park, Botanical Garden and Forestry areas, taking into account the sensitivity and practical requirements of such a move.

Objective of Paper

1. to give Norfolk Island Legislative Assembly acknowledgement that an ongoing and increasing commitment to Norfolk Island's environment in its many forms, is required by the community and the Commonwealth
2. to allay the widespread fear and frustration in the community that the community as a whole is losing its input into management and responsibility for Norfolk Island's environment, particularly Philip Island
3. to provide a workable framework where -
 - a) ongoing Commonwealth resources can be obtained
 - b) Norfolk Island gradually, over a period of ten years assumes overall responsibility for National Parks, Forestry Reserves and Philip Island
4. to increase the Commonwealth's confidence in Norfolk Island's environmental "awakening"
5. to add another milestone in our path of self-government, increasing our autonomy and responsibility in the environmental area
6. to increase environmental involvement and provide opportunities for future generations of Norfolk Islanders.

The initial changes would be Forestry being both expanded and re-named. Expanded by the addition of the already agreed new staff member but whose primary responsibility would lie in the Philip Island area. Forestry would be renamed The Norfolk Island Parks and Forestry Service.

Management of Philip Island and implementation of the plan would be jointly conducted by ANCA as the Commonwealth representative and the Norfolk Island Parks and Forestry Service. Over the period of five years, which is the life of the current Plant of Management, responsibility would progressively shift to the NI Parks and Forestry Service until at the end of the five year period responsibility would be vested in the aforementioned authority.

Funding

With the increased responsibility, ongoing and increasing funding would need to be dedicated.

In the first year around \$30,000 would need to be found. This figure would be expended through -

- a) salary of new staff member, suggested range \$18-23,000 over a one year period
- b) remainder on Philip Island project expenses

2nd Year

Allocation to be increased to fifty thousand dollars (\$50,000). Funding now going to Police Station would be redirected to NI Parks and Forestry Service to be used on Philip Island. This would have the effect of increasing funding but reducing the impact of having to obtain \$50,000 from other areas.

3rd Year

Allocation of an extra \$20,000 to be added, 2nd staff member to be recruited. Rather than have a large crew of permanent staff, I advocate a smaller permanent staff with casual labour employed on a "length of project" basis. The flow on effects would be -

1. overall costs kept down
2. continues the employment opportunities in the Forestry/Conservation areas
3. achieves the objectives in a more cost effective manner

4th Year

A further allocation of \$20,000 from the budget to the Philip Island vote. Increasing input and management direction into Philip Island. Expanding project objectives in keeping with the Management Plan.

5th Year

Responsibility for Philip's conservation and regeneration passes to NI Parks and Forestry Service. Funding from the Commonwealth would now be channelled direct to NI Parks and Forestry Service and would form the Commonwealth's part of the joint Management arrangement for Philip Island. The size of the Commonwealth's input would be reflective of the previous years allocation by ANCA to Philip Island (approximately \$80,000) as well another \$20,000 to be allocated by Norfolk to the Philip Island vote. Another staff member to be recruited.

Summary: 5 Year Point

1. Overall responsibility for Philip Island now rests with the NI Parks and Forestry Service, with an added obligation to draw up another Plan of Management at the expiration of the first.
2. Due to progressively expanding resource base the NI Parks and Forestry Service is now in a position to implement increasing conservation/reforestation projects in areas outside Philip Island
3. Around \$110,000 per annum allocated by Norfolk with input by Commonwealth of \$80,000 approximately per annum, giving a total yearly commitment of almost \$200,000 on Philip Island, with some input into other areas
4. Total "new" permanent staff are three members.

This outline forms the basic infrastructure for the five year period of the Philip Island Plan. I advocate a similar strategy and objective over the next five years in regard to the Norfolk Island Mt Pitt and Mt Bates National parks and Botanical Gardens.

More specifically, over the 6th to 10 year period, an increase of \$5,000 per annum to normal allocation of \$20,000 to counter inflationary effects. This period would see a decline in ANCA participation and an increase in NI Parks and Forestry Service till at the 10 year mark, overall responsibility for day to day management of Norfolk Island's Parks, Forestry Reserves and Philip Island is with the aforementioned authority.

Between the 6th and 10th year period one more permanent staff member to be added to the NI Parks and Forestry Service, along with increasing Commonwealth funding as ANCA involvement decreases.

Directional Mechanisms

A Norfolk Island Parks Authority would be required to -

- a. allow Commonwealth oversight and input into National Park area
- b. give the Legislative Assembly direct input into the direction of overall National Parks/Environment area

The Authority to comprise -

- i two Commonwealth persons
- ii two Legislative Assembly Members
- iii Chairman - the Administrator

The Authority would sit at six monthly intervals or as required.

To facilitate ongoing input from community interest groups or persons it is envisaged a Public Lands Management Committee would be required to give direction to NI Parks and Forestry Service and oversee management implementation in such areas as conservation, flora and fauna, Parks Management, Forestry Policy among others.

The Management Committee to comprise -

- a. Forester
- b. five other community members
 - Secretary to be CSM or Agriculture Officer
 - Length of term - three years.

MR PRESIDENT: That document is now tabled and will be a reference point in respect of the motion that is before us.

MR ADAMS: The purpose of these documents that I've put on table, the Paper and its motion, is to provide a fundamental basis for global public lands mangement

for Norfolk Island. This is an overall concept and will have the following effects. It will diminish the ad hoc arrangements we have at the moment where in the environment area there is a great deal of segmentation, a lack of actual planning and a number of other arrangements which put us in a position where the environment is not catered for in its entirety. I envisage with this paper and this motion that there are to be plans of management drawn up for all areas and that will put in place the structure which will give Norfolk Island the ability to cater for the management of the National Parks and Forestry Reserves, Phillip Island and Botanical Gardens as mentioned in the Paper. This paper also requires the Legislative Assembly to provide increasing direction and commitment in the area of overall public lands management. I think public lands management is the key here, rather than segmenting the areas because I think that's really what the core of this is about, the public lands management area. This will require a greater commitment which will take the form of a properly structured resources allocation, progressively increasing over a period of time and including human resource development. Mr President I think the human resource development is a factor in this paper we have to take particular note of. I think it's important to develop the human resource development and it's something we probably haven't done as much as we could have to date. As a result of increasing our human resource development, our expertise capability will be built up and I think that's something that's very necessary in the environment area. This paper provides a basis for a structured direction for the gradual increase in allocated resources. It's not throwing money at a problem, it's gradually increasing our allotment as our capability builds up. Whether or not it finishes in the order that I've got in the paper remains to be seen. Mr President, this paper calls for a joint co-operative management between the Commonwealth and Norfolk Island in the areas of the National Parks and Botanical Gardens but the key thing here is that there is a core on Norfolk Island to progressively shoulder more responsibility. I think that the shouldering of responsibility in the environment area is something we haven't attended to as best we could in previous years. As I see it the Commonwealth's role progressively becoming more one of guidance and the provision of technical advise and assistance with the maintenance of international protocols and I speak of such protocols as the Migratory Birds Act which includes the JAMBA, which for Members information is the agreement between Australia and the Japanese Government regarding Migratory Birds. That by extension also concerns us. The Commonwealth's resources input takes many forms. To name a few, the human resources, people on the ground, scientific research teams from a number of institutions, ANCA, funding from a number of sources. I envisage in this paper that the input and direction of these to be the primary function of the National Parks Authority. Mr President this concept of the National Parks Authority has been accepted by, or given the green light rather, by Mr Tim Richman who is the Deputy Director of ANCA in a meeting with the Minister for the Environment, Mr Neville Christian on the 11th August this year. Mr President, the Public Lands Management Committee, I'm sorry, I'll take Members back a section here. I intend to move an amendment if this has got any life. In the paper where I've got on the last page the Norfolk Island National Parks Management Committee, I would like to see the name of that changed to the Public Lands Management Committee because that more accurately reflects the true function of that body. The Public Lands Management Committee -

MR PRESIDENT: Mr Adams, this is in the motion that you have in front of us

MR ADAMS: No. In the paper Mr President and I'm now commenting on a future or possible change. The Public Lands Management Committee will give a wider focus than the authority. The authority is primarily concerned with Assembly and Commonwealth input whereas I envisage that the Public Lands Committee allows a greater community input into overall public lands management things, like forestry programmes, forestry policy, conservation, implementation of management plans. As I see it at the moment the public lands area is split. I think it's fair to say that they are split into two areas, one is the national park and botanical gardens,

two is forestry reserves and unallocated crown lease. In the first area which is the national parks and botanical gardens, it's overseen by the Norfolk Island National Park Advisory Committee. This Committee is not a statutory body and has remained constant for ten years. The other area Mr President is the Forestry Reserves and unallocated crown lease. This area has traditionally seen low levels of input and assistance from the community in its entirety, particularly in the formulation and enactment of forestry programmes. Mr President I think that the concept of the Management Committee which overlays the two areas of public lands actually pulls these two areas together giving the community through the Public Lands Management Committee, as I've mentioned, and its makeup, direct and ongoing assistance and input into all areas of the environment as we see it. Mr President the paper and motion, in my view, is the proper path for Norfolk Island to start out on. I think one of the things we need to realise or recognise is that Phillip Island is incorrectly listed as a forestry reserve. I think the intent of forestry reserves are well outside what we can foreseeably see the use of Phillip being put to. I see Phillip Island as a conservation and nature rehabilitation area and I think this will be given a proper structure and recognition by listing it under the Norfolk Island National Park and Botanical Gardens Act 1984. I think this Act provides a good framework for management protection of Phillip Island. I believe ANCA in 1989 also agreed that this Act was desirable to be extended to Phillip Island for alot of the reasons which I've just mentioned and I also think it goes a long way to reducing the ad hoc arrangements particularly regarding Phillip Island which over the years have been very much a stop start situation. I also note that this paper and motion is in general keeping with previous agreements, MOU's and a NIMPAC which is an Advisory Committee recommendation. I think it is also in keeping with the community's wish that Norfolk Island begins to assume responsibility for the rehabilitation of Phillip Island in particular because we have to consider that that issue is here today whereas perhaps some of the other areas can be addressed in time. Mr President I'm not seeking to reach a conclusion on this motion today but would prefer to hold it over until at least the December sitting of this House and perhaps come to some conclusion then. I'm also keen at this time to hear other members input into this

MR CHRISTIAN: Thank you Mr President. I generally support the motion that Mr Adams has before the House. I'm equally happy that he is prepared to leave it on the table for a number of weeks so that a wider input can be sought. I don't know whether the paper that he has tabled in support of his motion will bear any resemblance to the eventual plan that we decide on but it certainly forms a basis to start from. I suppose the only thing that I wouldn't support in his current motion is in respect of part B where he requests the executive member to pursue the objectives in a tabled paper and outlined in this motion and the paper referred to there is his one of the 23rd November and on page four he's forecasting an annual inflation rate in excess of 20%. I couldn't support that part but there is widespread community support Mr President for what Mr Adams has brought before us this morning and in fact prior to coming to the meeting this morning I received, you could probably call it a petition in the form of a letter if you like and the words to the letter read "...as concerned citizens of the community we feel that it is time for Norfolk Island to accept responsibility for the conservation and management of our natural resources. As a necessary commencement to this process we would urge that the Assembly assume responsibility for the conservation and management of Phillip Island. Further, we are of the belief that a Phillip Island Management Plan be produced and implemented by the residents of Norfolk Island and Mr President, there are 300 signatures attached to that letter so I think it clearly demonstrates a public feeling out there and I'll be working towards bringing this into reality and I so table that

MRS SAMPSON: Thank you Mr President. In the main I support Mr Adams and I commend his diligence in getting us all together. On the motion paper here is A.B. and C. A. endorses the paper as presented. The only part of that proposal which I

will endorse so far is the objectives which gives us, shall we say, the mission statement. It's well put together and there's six clauses there and I think that they are all particularly good and need addressing. The B. clause "...is of the opinion that, to enhance its future management, Phillip Island should be declared part of the Norfolk Island National Park under the Norfolk Island National Parks and Norfolk Island Botanical Garden Act 1984;" I will support, and the C. clause "...records its appreciation of the past work of the Australian National Parks and Wildlife Service in Norfolk Island and considers that that work would be enhanced by the establishment of a joint agency to incorporate parks management and forestry". I do have a little disquiet when forestry crops up occasionally. I know I've had some representations from members of the public who are quite happy with the bulk of this but they have some problems with the forestry operations. Now they probably have some problems with the forestry operation as it now stands, so if it is incorporated here and it is the wish around this table and goes to the vote I suggest that some definite re-organisation of management, capabilities, staffing of forestry be done to make it capable of being put into a parks management and forestry committee. I'll leave it at that but overall the paper has my support, thank you

MRS ANDERSON: Thank you Mr President. I applaud Mr Adams in raising this matter. The future of Norfolk Island's environment is of concern to most people who live on this beautiful Island. It is also essential that we take increased responsibility for preserving and enhancing our natural resources. The expertise provided by the Australian Parks and Wildlife Service, now ANCA has been invaluable to us and I would like to continue to work with this agency in the foreseeable future. This would enable local people to gain knowledge and be trained in land management, conservation and regeneration with a view to taking an increasingly active part in these areas, however, I feel this can only be achieved over a number of years. I am as yet unsure whether Parks and Forestry should be amalgamated although I agree that the Forestry Service as Mrs Sampson has suggested, could be enhanced. Mr Christian as Minister for the Environment has been working with ANCA on the plan of management for Philip Island and perhaps these two issues could be looked at jointly. We should not seek to take any decisions on this motion today. It's far too important to the Island as a whole and we should seek the views of the community before taking the matter any further. Thank you Mr President

MR BATES: Thank you Mr President. Environmental issues are ones to which alot of dedicated people and organisations have put in alot of time and effort and in one particular case alot of personal funds. Unfortunately these groups and individuals do not always see eye to eye and misunderstandings develop although the bottom line is that they all share a genuine concern about the issues involved. Last week's paper had two letter putting forward views and last night I was handed a brief summary of points of view mostly in support of the work done by ANCA. I must point out that these points of view are those of one who has been concerned about and involved in environmental issues for many decades and because of that I will try to convey those thoughts to members. I'm really looking at the points raised by this person and he starts off by briefly saying that ANCA are doing a professional and efficient job in managing the National Parks. He says that a Forestry Working Plan for Norfolk Island in 1992 recommended adequate funding for plantation establishment, training needs, records and appropriate filing system etc in respect to the forestry operation. They need more funds for weed control. He says there is a proposal to prepare a future directions for areas outside of National Parks and Botanic Gardens and Phillip Island for the Assembly to consider and Members will recall that some of these areas have been discussed recently by the Members. He offers some answers to some of the comments made, such as that locals feel left out and that there is a need for more local training and he points out that ANCA have to work out to a plan of management and locals have adequate input to the plan. He says that the Norfolk Island Government and Forestry and Environmental Societies and Committees have representatives on the National Park

Committee. He says that ANCA consults on many areas and that locals are employed full time with ANCA and have local training. He also says that there is a local person in training as a botanist and has already been used by ANCA on various projects and he understands that ANCA is producing a weed control training manual for the benefit of the whole community. He raises some questions - are there reasons other than those proposed? are there other reasons why there may be a wish to take over from ANCA other than those that appear on the paper. He says what are the driving motives behind the tabling of this document. Is it a genuine concern for the environment or part of self government and the reaching for more power. Is it not more important for the Norfolk Island Government to concentrate on areas we are currently being accused of neglecting and let ANCA continue to manage the areas they have already done plans of management for. Mr President that basically sums up the issues that were put before me last night but I would just like to mention that the input of funds into the Island by ANCA amounts to about \$600,000 per year and this has a twofold effect. It does create employment, you only have to look at the work that's been done in the National Park to see that that area has certainly improved dramatically in recent times but the fact is that the \$600,000 is also offshore funds which come into the barrel of money which I would term as our local economy and if we move too quickly in the direction of having to provide those funds out of our local economy without them coming from other places then it will have an effect on the economy. I would like to finish Mr President by saying that I am pleased that this matter is being held over. I'm uncertain of the effects that the motion will have on the work presently being carried out by ANCA but I seem to recall that overall they do not have alot of difficulty with the proposal that is before us and so provided it is not seen as a move to displace them but rather to support and enhance their work then I offer my support to the motion

MRS LOZZI CUTHBERTSON: I am in support with what has generally been said about this paper. Like Mr Christian I consider it a starting point for clarifying a direction set by Mr Adams to create more opportunities on the Island but also to ensure that local people are trained to become professionals in the management of our national parks and forests. I think that is a really commendable objective and very important for the Island's long term future. If the professional expertise and knowledge is not built into the people on Norfolk Island we will never have the skills to look after our own home and I consider it my home as well so I hope that this paper will be seen as a starting point and it will be discussed with ANCA in great detail and the practicalities and the objectives of making it into a reality are brought back before us in due course and it is worked out so that eventually we will have a proper plan that most people agree to and see it will benefit the whole Island and particularly the environment

MR BENNETT: Mr President most of what I wanted to say has been said. I support the initiative, I think it's timely. I have not been made aware of any ulterior motive that might be behind it at all, in fact I think it simply represents an expression of awakening of people to the fact that we, apart from one or two, have not done alot as a government in areas of conservation and management. I think this paper and this initiative had its origins with the debate over Phillip Island and some concerns in the community about the losing of traditional rights and that issue, or the fear that arose, would not have ordinarily risen had funding been made available in 1989/90 because at that time even the Commonwealth had accepted the proclamation of Phillip Island under the Norfolk Island National Parks and Botanical Gardens Act. A year later or some months later they had to say that there wasn't funding available for them to honour their commitment and I think the issue of it being proclaimed under the Commonwealth Act really arose out of the matter of the Commonwealth needing some basis upon which they could apply for funding. Now that was reasonable enough at the time but I think the debate over the last year at least has been very stimulating and has given rise to a very widespread community interest and a commitment I feel in wanting to become more

involved, to provide more funding into the conservation and management of their Island. I don't see anything in this paper whatsoever which ought to suggest to anybody from the Commonwealth or ANCA that its about carving them out. In fact, if you read the attached pages to it, it talks about a co-operative arrangement that goes on and on and on and I would be absolutely stunned if somebody suggested to me that that was the motive behind it. I'm not aware of it, I think it has no foundation at all. Lastly, I wanted to make the point that I commend Robert and whoever was involved in getting this initiative to the table for another reason, that it does illustrate that Members of the backbench can be just as proactive in things as the executive members and this is a significant initiative and he's to be commended for it and I hope that other members who might feel by sitting on the back bench that they are out of the play, might seize the same sort of initiative on lots of other issues

MR KING: Thank you Mr President. I don't in fact regard this as a starting point. I would prefer to see it as being the final step in putting the issue of Phillip Island to bed. It has been going on for some eight years and as a primary objective I have absolutely no difficulty with that whatsoever, I mean I have a sense of deja vu sitting here talking about Phillip Island. I put alot of time and energy into it in the last Assembly with the end result of striking an agreement or a Memorandum of Understanding with the Australian Nature Conservation Agency which added some direction to the question of Phillip Island and regretfully, not a great deal has been done on our side about that. The Australian Nature Conservation Agency has done its bit or part of its bit, which was established as an objective under the MOU and that was to develop in consultation with the community for presentation to Assembly. A plan of management for Phillip Island. We've done very little. I will agree Mr President with anything which achieves a number of things. Firstly as I've said the final resolution of the Phillip Island issue, an enhanced role of the Norfolk Island government and if this results in a financial commitment by the Norfolk Island government then I think that's great and I think the Australian Nature Conservation Agency would welcome that and provided as another objective that it doesn't result in the displacement of the Australian Nature Conservation Agency and that it achieves the objectives set by agreement last year with the execution of that Memorandum of Understanding.

I'm yet to determine in my mind whether anything in these papers represents a departure from that Memorandum of Understanding. It has been put to me that at least one person sitting around this table has expressed the feeling that he doesn't feel bound by the terms of the Memorandum of Understanding. We had a lot of discussion in recent times about the effects of Memoranda of Understanding. We have a number of them. A number of these agreements with various Commonwealth Government instrumentalities and Commonwealth Government Departments on a number of issues and we came to the conclusion in our minds that they really were simply administrative arrangements and that they contain no sanctions. If either party wanted to opt out of what they had earlier agreed to be, objectives, pursuits. I've given that question some more thought. I've come to the conclusion that sure, the Memorandum of Understanding don't contain any sanctions but what they do mean in the even that a subsequent government or subsequent Assembly intends to depart from the terms of those agreements, that we run the very serious risk of losing credibility and losing face and that would have particular impact on anyone else whom we might propose to enter into a Memorandum of Understanding with and you could understand someone's reluctance to enter into an agreement with a body or a government or an Assembly which will at a subsequent time, throw the agreement out the window. I'm a little bit puzzled as to what is proposed as ANCA's future role in these papers. I hear Mr Adams words that the Commonwealth's role might become more one of guidance in the area of nature conservation in the Island. I try to reconcile that statement in the paper that accompanies the motion that the Commonwealth's role might become more one of guidance. For example, the paper attached to the motion talks at point three about providing a workable framework where Norfolk Island gradually over a period of ten years assumes overall

responsibility of the National Parks and Forestry Reserves and Phillip Island. Now I may be reading more into that than what I should be. I may be reading more into point C. of the motion which seeks to record our appreciation for the past work of ANCA. It has a sort of ring of so long it's been good to know you so I want to be very clear in my mind about the future role of ANCA and I think that there are certain facts that we must understand and those in the community must understand. I have noticed because I was asked to sign the petition that Mr Christian has just tabled, and I can recall some of the words in it and I was a little bit troubled by the fact that the person gathering the signatures didn't understand what has happened. He simply didn't understand the present situation and I was further surprised to see that some of the signatures on the petition were from former members of this House who were involved in the former debate and who know darn well that this House, or the present plan of management is one that has been put together at the request of the Norfolk Island community's elected representatives and debated in the Parliament of their elected representatives in 1989. Now if that's not, just reflecting on the words of that petition, there were words something to the effect of "a plan of management be implemented and managed by the people of Norfolk Island". Now that has been done. That's what the existing plan is all about. The plan that was discussed in this House in 1989. But that point appears to have been overlooked. They appear not to have the knowledge that our present National Park and Botanic Garden has been proclaimed under our own legislation and that our own set of management regulations guide the management of those areas and not the regulations of the Commonwealth statute. Didn't know. I just have some difficulty with people running around with bits of paper not being in a position to properly inform those whose signatures they require and those who sign it, having been involved firsthand in the issue for a number of years, nevertheless signing those documents. I agree that Norfolk Island ought to take a great deal more responsibility in conservation matters without going offshore to Phillip Island or Nepean Island. We only need to look on this land mass here to understand some of the work that needs to be done in land degradation matters. The development of forestry plans etc, so I suggest Mr President that there is enough work on the three Islands of this group to enable an ongoing co-operative management arrangement between the Norfolk Island peoples and the ANCA representation for a long long time. So I'm happy to see this matter adjourned for a further month and I think I've expressed the areas in which I would seek some clarification

MR ADAMS: Thank you Mr President. I will attempt to allay some Members fears or perceived fears regarding intent or whatever of this motion. Mike mentioned the fact that we have an MOU with an outside authority and if we do something which could be seen as moving against the intent of that Memorandum of Understanding, basically our credibility is somewhat less than what it ought to be. But when we actually look at that Memorandum of Understanding Mr President we look at such things as conservation and management of natural resources. These are the aims of the MOU. Restoration of natural ecological systems. Prevention of introduction of non native plants and animals. Removal and control of existing exotic species, identification and protection of scientifically important resources on Phillip Island, maintenance and enhancement of the special values of Phillip Island for the people of Norfolk Island, encouragement of public understanding and enjoyment of Phillip Island and its resources. Mr President I'm somewhat at a loss to perceive how anything in this paper is somehow contradicting the intent of the MOU. I just have some difficulties with that one. A point that Brian brought up, now Brian has actually read out some concerns that at least one person in the community has, and I would be surprised if it wasn't the same person who has a letter in Saturday's paper. Now I could be wrong but the concerns seem to be fairly consistent with each other and it starts of, and is mentioned in Brian's speech, that there is a campaign to denigrate ANCA. That is just irrelevant. It's absolutely irrelevant Mr President. I'm somewhat surprised to actually be spending time on that point because it simply is not an issue here. It is absolutely not

an issue. It goes on to suggest that we are neglecting environmental areas on the Island, that we should be doing them rather than concentrating on Phillip or rather than doing anything about Phillip. Basically, tick the box, we'll forget about Phillip and move on to other areas because they've been around for a long time and we haven't had input. What I'm about here Mr President is providing basically a global look at public lands management. The reason why Phillip appears loud and large here is because it's the issue that's here today. It's washing away today and I don't see anywhere else on the Island where there is 190 hectare washout, so that is an issue we need to solve today and in my paper I seek to put forward a platform where that can be done. As I've previously said, it may not end up in that exact format through the mechanisations of it, the structure, the funding. They may well be different. What I've sought here is to find some middle ground in the whole environment issue because it's a highly sensitive area, it's an emotive area. I think what this paper seeks to achieve and I believe goes a long way toward achieving, is getting the job done and including the community as a whole. For instance, there are a number of conservation groups starting who wish to do things in certain areas, but it comes down once again to the old ad hoc arrangement, they don't know where to start, if they do something here, is it effecting the overall balance of the thing, so what I'm about to do with this paper is providing an overall scheme for all things like this to be taken into account and proceeded with and I really think that alot of the criticisms in the public which come from notably very secular areas, are somewhat unfounded Mr President. Things like where are we going to get \$600,000 from. Nowhere in this paper does it advocate that the \$600,000 tap or the funding, which is probably a better way to look at it, nowhere does it say that that's going to be turned off. I've tried to emphasize joint management, input from the Commonwealth. What we have to keep in mind when we are considering the funding issue is that the \$600,000 is in ANCA's budget. There are many other areas available to people and organisations in the environment area that have access to funding. All they need to do is state their case, put it forward and they can expect some sort of funding. The question of expertise - we notice areas in the community have problems with Forestry actually undertaking the work. I haven't really seen those concerns quantified. No-one's actually stated what the concerns are. Have these people who are actually implying that perhaps this is not a good organisation to be expanded, how thoroughly do they know the Forestry programme? How thoroughly are they aware of the operation? Have they been there? Have they had any involvement in the actual making up of programmes? I would say not. I wonder though, to throw into the debate, whether perhaps - this is a suggestion that has been put to me in the last week and a half - whether it wouldn't be better to actually have the tree taking side of Forestry set up as a Government Business Undertaking, perhaps a split in the actual function in itself. A split within a split. Whether that would be desirable or not. I think I've said enough at this time Mr President

MR KING: Mr President I didn't want Mr Adams to take issue with me. I'm on his side. Long term objective - preserve, conserve Phillip Island for our grandchildren and their grandchildren. Not a difficulty there, but what I want him to do is clear my mind on a number of points. I want to know whether what he is proposing here is consistent. Now I can read certain parts of the Memorandum of Understanding too. Let me read point three of the current agreement. "The Norfolk Island Government undertakes to take into consideration through consultation with the Norfolk Island community the means by which the Phillip Island Management Plan would be prepared and implemented having regard to; a) the ability of the Norfolk Island Government to provide an appropriate level of resources and expertise". Mr Adams is addressing that, "the agreement and ongoing participation of the ANCA". Not clearly addressed in my mind. "The application of relevant Commonwealth and Norfolk Island legislation". Not clearly addressed in my mind. No-one here this morning has spoken about a proclamation under the National Parks and Wildlife Conservation Commonwealth Act. "The desirability of integrated management of Phillip Island and existing National Parks". It addresses that point. I'm happy

with that but there are a couple of points in there which remain unclear. Now if we want to opt out of an obligation to consult with the people with whom we entered into the agreement. In 1980 Phillip Island was placed on the register of the National Estate. Not the Norfolk Island National Estate, the Australian Register along with a whole host of other areas. Now be that right or wrong it is not really for us to debate now because you should be assured in your minds that that is irreversible. Because it is on the Register of the National Estate it is regarded as a place of national significance so that factor is not going to change, nor should we overlook the fact that the function of land has not been transferred to the Norfolk Island Government so there is an over-riding aspect of control at Commonwealth level and the ability of the Commonwealth people to proclaim Phillip Island under the NPWC Act, now, today, without any further consultation. Now we may not like that either but it is a fact that we have got to live with and if we've got to live with those certain facts we try and get the best deal that we can. The best deal that we can do in my view is joint proclamation as we've done with the National Park here, the disapplication of the Commonwealth Management Regulations, the applications of our own regulations under our own statute and the adoption of a plan of management which has been developed here in the Island in consultation with the community and agreed by the elected representatives in this forum. Now if we achieve those objectives we can introduce these other objectives of Mr Adams, of which I have no difficulty, upgrading the skills, providing opportunities and conservation work, providing a deal more funding for conservation matters in Norfolk Island, I don't have any difficulty

MR SAMPSON: Thank you Mr President. May I ask Mr King, when he says that it was placed on the National Estate, who placed it there and was it done in consultation with the Norfolk Island Government

MR KING: I've no idea. I simply don't know. I mean we can find those things out but that's irrelevant. What I'm saying is that it is irrelevant. It is on the register now. That is irreversible. Now I don't want to get into arguments about how or why it got there or whether any consultation took place. But certainly we can find that out

MR ADAMS: Thank you Mr President. Just another point on the National Estate issue. I don't think it is an insignificant point. I think as we all know there is at least seventeen areas listed around Norfolk Island on the Register of the National Estate. What hasn't been said here today is the amount spent by the National Estate in these areas, particularly Phillip Island. The expenditure out there by the National Estate has been zero to date as I understand it and as I understand it within the last year an application for funding for Phillip Island was knocked back. It seems to me that if we are going to have these things listed under various Acts and things those people need to have some input and I think the reason why in 1993 the suggestion was given rise to the joint listing being a requirement or a desirable thing, was the fact that prior to that the Norfolk Island Government hadn't agreed to put a great deal of funding, if any at all, into it at that stage. They had made an agreement in 1989 that the desirable option was to list it under Norfolk legislation however, in the middle of that, one of those things that never happen, happened. The pilots strike and that caused a grave concern to our ability to begin new projects. That however is long behind us. The one thing that further needs to be taken into consideration. Anybody reading through the past plans of management, good idea files and whatever, would have to come to the conclusion that what I've advocated in this paper is a way of resources and allocation to that area is the same for the first year and after that is increasingly higher than whatever has been put up before and as for the other point bought up by Mr King that the Commonwealth can move in tomorrow and jointly declare it or list it under the National Parks and Wildlife Act of 1975, that's quite true, but what we've got to understand here is that our aims are the same so why would we expect anything other than assistance from the Commonwealth if we show

environmental responsibility and a desire to get on with the job. I think overall, our aims and intentions are the same. Thank you

MR PRESIDENT: Thank you. Further debate. We have exhausted debate for today? I think we have by the look of things. Did you want to then move an adjournment of this matter Mr Adams

MR ADAMS: I so move Mr President

MR PRESIDENT: Thank you. The question before us is that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it. Do you want to have a break for lunch. It's a quarter past one Honourable Members. I just mention that there will be a Domestic Violence Bill that will also be introduced onto this paper so apart from what you see listed there will be an additional item

MR BATES: Mr President there is a funeral at four o'clock this afternoon and I would prefer that we press on with the business before us

MR PRESIDENT: What is the view of Members. We press on? Okay

NO 3 - LEGISLATIVE ASSEMBLY (SPEAKER) AMENDMENT BILL 1994

MR KING: Thank you Mr President. I present the Legislative Assembly (Speaker) Amendment Bill 1994 and move that the Bill be agreed to in principle. I table the Explanatory Memorandum to the Bill. Mr President the purpose of this Bill is to amend the Legislative Assembly Ordinance 1979 to delete references to the President of the Legislative Assembly and substitute Speaker. Members will know that on the 16th December 1993 the Sixth Assembly passed a resolution requesting changes to the Norfolk Island Act to remove references to President and Deputy President and substitute Speaker and Deputy Speaker respectively. We have now received advice from the Australian Government that the requested amendments are likely to come before the Federal Parliament in the next few weeks. Accordingly it is necessary to amend Norfolk Island Legislation which refers to the President of the Assembly. I'm advised that the previous Legislative Counsel examined our statutes and the only place the President is mentioned is in Section 48 of the Legislative Assembly Ordinance which relates to his power to appoint the Clerk to the Assembly. Mr President this is a machinery Bill to ensure the Ordinance conforms with the Norfolk Island Act once the latter is amended. I propose to move the adjournment today for full consideration in December. The Bill will of course not be commenced until we are advised that the Norfolk Island Act has been changed by the Federal Parliament. I commend the Bill Mr President

MR PRESIDENT: Thank you Mr King. Any debate?

MR KING: Mr President I move that the debate be adjourned and resumption of debate made an Order of the Day for the next Sitting

MR PRESIDENT: The question is that we adjourn this matter until the next day of sitting

QUESTION PUT
AGREED

The ayes have it thank you

DOMESTIC VIOLENCE BILL 1994

We are at that stage I think Mrs Cuthbertson. Did you want to seek leave for that matter to be brought forward

MRS LOZZI CUTHBERTSON: Thank you Mr President. I seek leave of the House to present a Domestic Violence Bill 1994

MR PRESIDENT: Thank you. Is leave granted? Thank you. Leave is granted

MRS LOZZI CUTHBERTSON: Thank you Mr President. I present the Domestic Violence Bill 1994 and move that the Bill be agreed to in principal and table the Explanatory Memorandum. I have pleasure in introducing the Domestic Violence Bill 1994. The purpose of the Bill is to protect persons suffering from domestic violence and providing protection by order of the Court. Domestic Violence is a sad reality on a worldwide basis. It is not a problem peculiar to Norfolk Island. Yet it affects many families here. It is a problem which needs to be addressed because domestic violence harms and even kills people. If we are silent victims of violence continue to suffer and children exposed to it tend to perpetuate the cycle as adults. The Bill defines the offences in relation to which an agreed person may seek relief. The Bill provides for a regime to govern certain behaviour of a person against whom a Protection Order is granted. Provisions include the ability for the Court to issue an Order to prohibit a respondent from being on premises or in a locality where the agreed person may reside or work. It prohibits that person from approaching, harassing, threatening or intimidating the agreed person or from damaging the agreed persons property. A Protection Order may include a set of conditions and may extend to the aggrieved persons child or children. In a case of alleged misconduct where a child is involved the Bill provides that the child or his or her parents or the person with whom the child usually resides, may apply for a protection order. The Bill allows the Court to order that a child be separately represented in proceedings if it is thought necessary. In such proceedings the court shall take into account the need to protect the aggrieved person, the welfare of any children involved, accommodation needs, hardship and any other matter that the court considers relevant. Importantly, the court may make an order by consent and without proof or admission of guilt and it may recommend counselling. The Bill allows the grant of interim orders and provides that proceedings may occur in the absence of a respondent who has been served but fails to attend court or alternatively, it empowers the court to order that persons arrest. Where the court makes a protection order relating to a person who is the holder of a licence under the Gun Licence Ordinance 1958 that licence is simultaneously cancelled unless the court is satisfied that it should not be cancelled. The Bill includes provisions to allow the Court to order the seizure of a gun. As well, the Bill provides that the Court must explain the purpose of a protection order to a respondent present in Court and also the consequences if the respondent fails to abide by the order. The Court shall also explain an order to an aggrieved person. The Bill provides that the protection order does not prevent other criminal proceedings from continuing. A protection order granted under the Act will remain in force for a period specified in the order but not exceeding twelve months. However, an interim order does not remain in force for a period longer than ten days. The Bill contains provision to empower the court to revoke or vary an order or conditions on an order made under this legislation. In other words, if conditions change, the court can review the matter. Proceedings before a court under this Bill, up to an including the issuing of protection orders are of a civil nature and not criminal proceedings. This Bill does however, provide for failure to comply with an order to become a criminal offence if the court so considers. Mr President this Bill tries to guard the privacy of parties involved by including a ban on the publication of proceedings if any of the parties can be identified. It also makes provision for appeals to the Supreme Court and it sets out the sections in the

Crimes Act and the Court of Petty Session Ordinance that remain unaffected by the Bill. The Bill provides a general prohibition, as I have said, on disclosure but also provides for a Member of the Police Force to disclose information to an approved support organisation if it is likely to aid a person or a persons children. In other words, the Police Force is given the opportunity to bring in trained assistants when it is required. Mr President, I apologise to the House for the short formal notice of this Bill. Members may be aware that the Domestic Violence Bill was drafted by the previous Legislative Counsel on the instruction of the former Minister for Health and Education. That Bill was based on the ACT model and after discussions with officers and others including members of the Bench it was suggested that the Norfolk Island law could be an improvement in some respects on the model. Accordingly, a Consultant Draftsperson with the Queensland Parliamentary Counsel's Office is assisting in the redrafting of parts of the earlier Bill. These changes will extend the definitions of persons who can be protected under the law to include grandparents and other loco parentis. Most significantly these new clauses also confer on members of the Police Force a duty to act where they consider a protection order should be sought before the court. Because of the short notice which the Draftsman has had with the Bill some of the new clauses have not yet been included nor has the Bill received as much exposure as I would have liked. I therefore intend to move that the Bill should be adjourned today and considered further at our Assembly Meeting next month. In the intervening period I will consult with officers of the Administration and a senior magistrate on the Bill. I may be required to bring some amendments before the House in December. Mr President it is important as a legislature that we show the community that we are not prepared to allow a gap in the law to continue. One which allows a man or a women to threaten his or her spouse or child with domestic violence. We need to give a clear message that such behaviour is wrong and unlawful. We particularly need to say to our young people who otherwise may one day be called into an ongoing cycle of family violence and unhappiness that there are alternatives. I commend the Bill to the Honourable Members

MR KING: Mr President I would like to commend Mrs Lozzi Cuthbertson's efforts in bringing this matter forward in this form. It is a matter which the Minister has had pretty close to her heart and for good reason. I endorse the necessity for a Bill such as this. It is a matter on which we have sadly hidden from over a number of years. Domestic violence does exist in our community, it is no longer a matter of hiding from it, it does exist in all levels of our society I might say. I'm happy that this Bill has come forward and I would like to take every opportunity that I can over the coming month to have a close look at the provisions. Once again I commend Mrs Lozzi Cuthbertson for her efforts

MR PRESIDENT: Thank you. Any further debate? No further debate

MRS LOZZI CUTHBERTSON: Thank you Mr President. I move that the debate be adjourned and that the resumption of debate be made an Order of the Day for the next day of sitting

MR PRESIDENT: Thank you. I put that question

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned to a subsequent day thank you

ORDERS OF THE DAY

NO 1 - NORFOLK ISLAND HOSPITAL ENTERPRISE FINANCIAL ACCOUNTS FOR 1992/93

We are resuming debate on the question that the House take note of that Paper

MR KING: Mr President I have nothing constructive or reasonably intelligent to add to that. I've taken the time to have a look at the accounts. They are complex, they are a little bit confusing, I have some questions which I can raise direct with Mrs Lozzi Cuthbertson on the matter, but there's nothing that causes me immediate alarm on those and that's my contribution thank you

MR PRESIDENT: Thank you. Any further contributions

MR BENNETT: I only had a chance to look at this last night but what appears not to be here and I'm not sure if this is the forum in which it is handled but there are accounts for the subsidiary involvement by the Hospital of the Emily Channer Trust, the Mawson Units Account, the Annie Elizabeth Moore Account. Those don't appear to be there. I think it's important that Members are aware of where funds have come and gone in those. I just ask the question of whether it is your intention to get those to us at some time and are they normally included in the accounts or no

MRS LOZZI CUTHBERTSON: Mr President if I may explain. To the best of my knowledge these are the complete accounts. All these refer to a period that was before my coming into office. They are the accounts of the Healthcare Fund, not of the other funds. I certainly will get hold of the other accounts which are treated seperately as I understand from these. As far as I understand and I've looked at them fairly carefully, there's nothing untoward in any of those accounts but I shall certainly table them in the next sitting of the House. Perhaps I could mention that the greatest holdup in producing the accounts was that the Auditors, Ernst and Young who were the Auditors at that time, ceased to be the Auditors for the Administration and for the Healthcare Fund in December 1993 and were somewhat remiss in completing the work they had started. They are also awaiting on the Hospital Enterprise Accounting Validation Act which was only passed in March 1994 which may explain some of the delay but certainly not all of the delay

MR BENNETT: Mr President just two comments of a substantial nature in the income and expenditure accounts. They may have satisfactory explanations, but it talks about donations in the year ending 30 June 1992 donation totalled \$325 but in this financial year it's \$79,949 and being of such significance I just wondered if perhaps there were some notes attached to it which might explain just what that is and where the money came from and secondly, on that same page of concern to me is the big swing in insurance money. Insurance premiums I guess paid of \$39,000 in the year ending 30 June 1992 but only \$6,600 this year. I just wondered whether something up there might not have been insured or ..

MRS LOZZI CUTHBERTSON: If I may clarify one thing Mr Bennett. We are not talking about this year, we are talking about the year ending in June 1993 so it's a year ago. I will find out certainly what they refer to. I don't want to make any hasty comments out of the top of my head

MRS ANDERSON: Thank you Mr President. I was going to make a comment on the tardiness of the provision of these documents but Mrs Cuthbertson has already answered those queries. I would like to just point out one item that causes concern to me and that's the amount for the provision of doubtful debts which is equal to, as I see it, 15% of the trade debtors figure and no business can afford to carry bad debts of that magnitude and I would like to ask the Minister if steps have been taken to rectify the situation

MRS LOZZI CUTHBERTSON: Mr President the bad debts situation certainly is of some concern and unfortunately it reflects the downturn in the Island economy. A great many people suffered as a result of it and found it difficult to meet their commitments. Unfortunately that situation has continued to the earlier part of

this year that I've observed. The Hospital Enterprise has made many efforts and continues to make regular efforts to collect on these outstanding debts but in some situations there is just no way you can collect. People just do not have the money. I'm glad to report that the situation is altering. That there seems to be more financial fluidity in the community at the moment and in fact the debtors are coming down quite nicely over the last few months. The Hospital Enterprise has been flowing extremely well and I think it's due to the fact that efforts are being made to collect and I will find further information if there's anything available quite simply reflects the situation in the community

MR BENNETT: Mr President, just one other question. The timing of getting these sorts of financial statements is quite important, obviously for a lot of reasons, nonetheless being to follow up on anything that looks wrong but given that the accounts of the Administration, including the Business Undertakings have been prepared for more than two months now in an unaudited form, are you able to say when you might expect the 1994 accounts from the Hospital

MRS LOZZI CUTHBERTSON: Thank you Mr President. In fact I have the 1994 accounts, sorry I did not think of presenting them today because I was waiting for the audited form. I didn't think unaudited accounts were submitted but I can circulate them to all members

MRS SAMPSON: Thank you Mr President. Could I just ask Mrs Cuthbertson, with the bad debts is the Hospital Enterprise callous enough shall I say, to issue summonses for the non payment of fees or does it work on an arrangement whereby they can pay them off by small pieces if necessary

MRS LOZZI CUTHBERTSON: Thank you Mr President. I think both systems apply, certainly a number of people pay off their debts as they can and they are reminded from time to time if they fall behind but certainly summonses have also been issued in the past and the Hospital Enterprise has an arrangement with the Deputy Crown Solicitor with the Legal Section of the Administration to take such action as is required

MR PRESIDENT: Further debate? No further debate Honourable Members? Then I will put the question. The question is that the House take note of the Paper

QUESTION PUT
AGREED

The ayes have it, we note that Paper thank you

NO 2 - STRATEGIC PLAN FOR THE HOSPITAL

We are resuming debate on the question that the House take note of that paper. Mr Adams you have the call

MR ADAMS: Thank you Mr President. I've read the document set out in the strategic plan. I believe the plan is very worthwhile. It is quite a lengthy document and I think it's goals and objectives are practical and at the same time they are quite achievable. I think it is one area where Norfolk can do more than the area of planning and programming of goals and objectives, short term, medium and long term. I'm of the view that plans such as the Hospital Strategic Plan goes a long way towards satisfying this demand. I have nothing more concrete to add at this time other than to wish the Hospital well in progressing the plan to finality

MRS ANDERSON: Thank you Mr President. I find that to the layman the Strategic Plan is an interesting overview of the Norfolk Island Hospital Enterprise, the

number of available beds, short term renovations etc. It includes a summary of the goals to be achieved but I felt that many of these would have been more appropriately couched in the Enterprises's terms of reference. Although the plan runs to eleven pages it's rather vague. It also covers a period of two years as I understand it, ending on the 30th June 1995 so it is already more than half over. Why has it taken so long to prepare. Goals are all very well but after all this time I would rather see a document which sets out specific plans and lists achievements. For example, the improvement of services to the aged, especially those in full time care at the Hospital, such as renovations to the wards and training in geriatric nursing for the hospital staff, what progress has been made in these areas thank you

MR BATES: Mr President I wasn't here when this plan was tabled last month but I do welcome the plan. It is required by legislation and it should have been lain before us quite some time ago. I understand this is the first attempt at it. It is a key to healthcare and I think it should receive more public exposure. I was very pleased when I read hansards of the last meeting, to see that the Minister had said that she had difficulties with the matter of the siting of the new Hospital and the acquisition of land next door was something that she though was unnecessary and certainly had no intention of pursuing and I would like to add my sentiments to that. As I said, I was pleased to hear the Minister say that. I'm sure that there is sufficient land on Norfolk Island that we can build a new hospital when the time comes without having to go to those extremes. As this is the first plan I think with more public exposure it can become a better document, or a more useful document in the future. It does comment on care for the aged and other issues, I was a little bit disappointed that although it mentioned a little bit about staff training it did not comment on the possibility of improving the conditions for the staff, or conditions of service for them. I think it would be appropriate that that was included in the plan but as I said, it is the first plan and I welcome it, thank you Mr President

MRS LOZZI CUTHBERTSON: First of all, thank you Mr President. If I may explain this is the Director's plan. According to the Act it should have been issued over twelve months ago but she was to consult with the Health Advisory Council before putting it to the House and before submitting it to the Minister. Unfortunately no Health Advisory Council was created until late May this year by this new Assembly. Since that time the Director, and I must explain, the Director had a draft plan ready at that time, since that time the Director has held consultation as required by the Act with both the Health Advisory Council and with myself. That is also required by the Act. I must say that although the draft plan was ready I had to keep a reminding the Director that there was this requirement to submit it and that I wanted it done as quickly as possible and in fact I got the final version of the plan after many reminders on the morning on which I tabled it. There are problems from time to time as everyone knows and many situations. Unfortunately the Strategic Plan as Mrs Anderson remarked, tends to be vague to the person reading it, to the outsider but unfortunately most Strategic Plans are vague and couched in these kinds of terms. They include generalities, directions, goals and so on. I particularly insisted that there should be a goal and referral to accountability. It's not much good having a plan of this kind unless we are accountable when it is implemented, that people can say that the goals are being achieved, that people are aware of the plan and what it says, and can in fact hold not just the Hospital, but myself accountable my making sure that it is implemented. In that respect I will endeavour to make sure that both the Hospital and I are accountable. With regard to progress in the renewal of facilities for the old people I'm glad to report that work is well on the way towards relocating the maternity ward to a new area of the Hospital so that the old maternity ward will provide extra accommodation for the geriatric patients. At the moment they are overcrowded in the two wards available to them. When the old maternity ward has been refurbished there will be much more space, including one individual room for people but the conditions will be greatly

improved. Under the previous Minister conditions were already improved insofar as the day room in which the geriatric patients spent a great deal of their time, was extended and the situation improved there, so work is ongoing at the hospital in that respect. A tender has been called to provide a fence around the new geriatric area because some elderly people do tend to wander and we would like them to be able to feel free to leave the ward and to wander about the garden but at the same time we must protect them from perhaps the possibility of any accident in the car park so a fence will be required. Some beautification of the fence with vines and flowers and so on will certainly also take place because we do not want to make the place look like a prison. All these things are going and I must say that progress is being made and I will monitor and report to my colleagues to all of you how it is all going, but you must feel free to go and call at the hospital and have a look at how the situation is progressing. I would also like to refer to the improvement in the staff conditions, and staff training. I think staff training is covered in the plan and is certainly a most important aspect of conditions in any large institution. Staff should be encouraged to go on being developed, to have opportunities, to gather new ideas, to have access to the ongoing new training and I think the staff at the hospital are certainly being encouraged to do this. In fact, one of the sisters has agreed recently to go overseas and have some training in new ways of dealing with fractures which I think is wonderful and commendable because it will certainly entail a separation from her family. Also there is a programme of lessons for the nurses from visiting specialists and exchange of information amongst them on a weekly basis. Apart from that, I feel the plan is a commendable effort in trying to focus on what the hospital is trying to do and is trying to achieve and I hope that many people in the community will take the time to read it. It certainly will be available at the library, at the Administration and from my office and I'm sure that the Hospital Director would happily make it available to anybody that wants to consult it and perhaps make suggestions for making future plans of this kind more effective and better. Thank you Mr President

MR PRESIDENT: Thank you Mrs Cuthbertson. Further debate? No further debate. The question is that the House take note of the Paper

QUESTION PUT
AGREED

The ayes have it. That Paper is noted, thank you Honourable Members

FIXING OF NEXT SITTING DAY

We've completed Orders now Honourable Members. Fixing of the next sitting day

MRS SAMPSON: Thank you Mr President. I move that the House at its rising adjourn until Wednesday 14 December 1994 at 10 am

MR PRESIDENT: Thank you Mrs Sampson. Any participation? No. Then I put the question that that motion be agreed to

QUESTION PUT
AGREED

The ayes have it thank you. That date is agreed

ADJOURNMENT

MR CHRISTIAN: Mr President I move that this House do now adjourn

MR PRESIDENT: The question is that this House do now adjourn. Any participation in the adjournment debate?

MR KING: Thank you Mr President. There has been some interesting debate take place today and some debate which perhaps would have been interesting which didn't take place and I think I will be best served by having two or three beers tonight and contemplating the days events. Perhaps by the end of the second or third beer things might become a little bit clearer. I had anticipated as a result of some expressions of concern that I had made to Members in informal forums that a personal statement would be made today by Mr Christian regarding his private activities with a view to Members ascertaining the perception or the opinion of members in the community as to whether any conflict has arisen or might arise as a result of Mr Christian's private business pursuits. So I remain a little bit disappointed that that statement hasn't been made so I felt compelled to say a few words on it. I shan't be saying any more on it Mr President but there's no doubt that as a result of my speaking these few words there will be some community talk and I regret to say that I need that community talk and discussion to enable me to understand what should happen in the future

MR BATES: Mr President

MR PRESIDENT: Mr Bates perhaps you might pause for a minute there. Mr Christian was endeavouring to get my call and if it was attached to the same matter I would give him the courtesy of getting the call forthwith. Mr Christian did you want to address that matter

MR CHRISTIAN: Yes thank you Mr President. Mr King was right, I was going to give a personal statement to the House today and I've been away from the Island ten days prior to this meeting and was in fact delayed in getting back here yesterday and was snowed under with Phillip Island phonecalls last night so I haven't been able to prepare one but I certainly will be doing one for the meeting on the 14th December which isn't a month away as some people seem to think it is, it's far closer than that and I think it's appropriate that I do it at that meeting

MR BATES: Thank you Mr President. Because Members of this Assembly debate issues in a more dignified manner without the personal attacks which have been a feature of some previous Assembly's. Members and especially executive members could be forgiven for thinking that they are less vulnerable, less accountable and perhaps able to get away with liberties which were not previously possible. For my part I am deeply concerned that some executive members may on occasions act either intentionally or through ignorance outside the powers and responsibilities vested in them by way of their executive authority. If such action is a bluff then it does not lead to good government or cordial relationships and if it is through ignorance and outside the legal powers invested in the Minister, again it does not lead to good government and could end up in being costly to the public purse and the individual effected, especially if litigation takes place. Most of our legislation has written into it, checks and balances designed to protect the individual against the attitudes which naturally change when Ministers change. It is only when a Minister steps outside the authority vested in them by an Act that the system breaks down and trouble develops. I see it as a grave concern that I recently had cause to question the attitudes or perhaps what I perceived to be heavy handed tactics of more than one Minister. I have felt compelled to do so to try to defuse or avoid the problems which I've spoken about. I have seen instances where Ministers have directly involved themselves in matters which are really the responsibility of others. I have seen situations develop where individuals have been threatened or felt threatened by the actions of Ministers who have acted outside the authority entrusted to them. I have listened to and spoken with other non-executives or backbenchers who have reason to feel they have not been properly consulted or kept informed on matters handled by executives. Recently Mr President

I initiated action which I hope will lead to a better understanding amongst the nine elected members of what the various roles of executive members, MLA's, the Public Service Board, the Chief Administrative Officer and the Public Service, and the Administrator really are and how they are intended to work for the benefit of the community as a whole. I hope that all Members will look upon this as a constructive initiative and get behind it as I believe this Assembly has the ability to go down in history as one which could not only conduct itself with dignity but one which could set an example that past Assembly's would envy and future Assembly's would want to achieve. Mr President I was also extremely disappointed to learn that an executive member who attended early discussions about the pros and cons of building a stern loading vessel, especially for the Norfolk Island trade, announced that he was no longer prepared to assist the government in its deliberations as he had commenced private negotiations with the same person and that a conflict of interest had developed. Mr President I was disappointed firstly because there is only room for one such vessel and monopolies are always treated with suspicion. On the other hand, if the vessel was controlled by the Assembly or the government it's finances are open to public scrutiny and the scrutiny of a constant flow of different Assembly members. I should point out that I'm suggesting the government should own and operate the vessel but not act as a freight or shipping agent. The benefits which would flow to the community by such an arrangement are countless. Briefly they include low profits or no profits, it could be run as a service only. It would give us the ability to recycle all recyclable forms of rubbish at minimum cost, it could give incentives to local industries by offering low outward freight rates for produce or manufactured goods.

Diversions northward if transshipments were cheaper than say Suva for Japanese goods, the ability to carry sand and metal and even fuel for the power house. Heavy equipment could be brought in temporarily to do a shop then shipped out at low cost where this was of a community benefit. These things will not be possible with a privately owned vessel and even Mr President a \$10.00 loading on the freight rate would net the operator \$150,000 clear profit in any twelve month period. Mr President, just a hint that an executive member may have used his position to gain a personal advantage leaves me stunned and more than a little disturbed. This is a world wide problem in politics and some countries are taking strong steps to try to reduce it. In some places the press and opposition members would not let a situation like this rest until they have received satisfaction. At a recent conference which I attended the Attorney-General of Botswana, the Honourable P T Skellermani said "...a high standard of probity was essential with a declaration of Members possessions so that the electorate could judge whether or not after five years in office they had enriched themselves" and the Honourable W St Claire Daniels, speaker of the House of the Assembly in St Lucia said "...some members do enrich themselves and this was sometimes hushed up by their colleagues for fear that the truth would effect the government or the feelings in that country. It was not just a matter of acquisition of property but also the other human weaknesses to which parliamentarians like everyone else, are liable". Also Carl Curtis in a document entitled 'The Public Standing in the Legislature' wrote "...any hint of scandal attached to one legislator tars the entire institution". I could go on Mr President, but those are examples in this world wide concern, however, I do accept that in this instance our executive member may not see that he may have betrayed the trust of the electorate which put him in this House to do a job for the benefit of the whole community but I must admit for my part that I remain very uneasy about this issue, whether his actions were honourable or not. In conclusion, as I alluded to earlier, this Assembly does have the makeup and the ability to serve the community well but I do urge all members to pause for a little self analysis in remembering it was the electorate who put them here and that they are in fact servants of the electorate and should not try to set themselves up as its peers or to make personal advantage from their position of trust, thank you Mr President

MR CHRISTIAN: Thank you Mr President. Mr Bates has made a few remarks there that could be pointed towards me and I will respond to them in detail on the

meeting of the 14th but I will say at this stage Mr President I've been involved in free enterprise in Norfolk Island here for a long time. I don't believe that when you put your name forward as a candidate for the Legislative Assembly that you sign away your right to earn an income. Neither when you put your name forward for election Mr President are you guaranteed of being an Executive Member. Mr President, Standing Orders at the moment is the only mechanism to guard against conflict of interest if you like, and that relates to voting and debating in the House mainly. Unfortunately in the Norfolk Island situation we do not have a Pecuniary Interests Register. Had there been one in existence all Members would be able to list their business interests and it's no secret Mr President among my colleagues or amongst the wider community for that matter that I've been involved in transport in Norfolk Island for eight years now, and that involves land transport and sea transport and I will respond in more detail to that but more importantly Mr President, I must make it quite clear to all Members of the House here today that I do not and will not embrace socialism and the communism that Mr Bates has come up with today should be considered and considered deeply by every person on Norfolk Island who is involved in a business in a private capacity. What's next. ANSETT, the Supermarket, the fuel company. Mark my words

MR BATES: Just one point Mr President. I have no ambition to take over ANSETT or the fuel company or the supermarket

MRS LOZZI CUTHBERTSON: Mr President, is it possible to make this issue an Order of the Day for discussion at the next meeting or whatever is the correct procedure?

MR PRESIDENT: Not drawing it out of the context in the Adjournment Debate but there are ways open to any member to initiate a matter on the Notice Paper and if that is desired there are machinery's that can be explained to individuals if they so desire

MRS LOZZI CUTHBERTSON: Right, thank you

MR PRESIDENT: Any further participation Honourable Members? Have we concluded Honourable Members? If we have concluded I put the question that the House do now adjourn

QUESTION PUT
AGREED

The House therefore Honourable Members, stands adjourned until Wednesday the 14th December 1994 at 10.00 o'clock in the morning.

--oo0oo--