

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, Amen

MR PRESIDENT Gentlemen, if you would feel comfortable without your coats this morning you should feel free to partially disrobe. Honourable Members are there any Condolences this morning

Condolences

MR PRESIDENT: We firstly call upon condolences

MRS ANDERSON Thank you Mr President. It is with regret that this House records the death of Margaret Mary McCowan, affectionately known to all as Prim, who passed away on the 9th March in Gympie whilst she and her husband Ian were visiting their eldest son David and his family. Prim was born in Norfolk Island, the daughter of Geoff and Lillian (Doodoo) Lecren. Prim had three brothers, George (Steggles), Norman (Goof) and Toby who predeceased her.

She attended the Norfolk Island Central School and at the completion of her education she worked on the Island as a dental nurse. During this time she met and married Ian who was a teacher at the School. David was born in the Island and after his birth Ian was transferred back to the mainland and during this phase of his teaching career they travelled extensively throughout the New South Wales Region. During the fifteen years they worked in Australia they had Bruce, Lyn and Leon, and in 1968 they returned to the Island where later Ian took up the post of principal at the school. Prim was involved in the Wives and Mothers Club and various other activities throughout the Island.

She was always an avid supporter of the Greens Football team. When Ian retired in 1986, and although they made their home in the Island, they frequently travelled between New South Wales and Norfolk. Prim and Ian also helped to build and operate with other family members the restaurant "Seaworld". Prim was a very creative and artistic person. She enjoyed working on crafts and in particular her garden, which was a delight to herself and to her many friends who enjoyed the colourful display. Prim was very family orientated and immensely proud of her children and her nine grandchildren. Their home at 100 acres was a haven to everyone who visited to enjoy the happy atmosphere. Prim was very proud of being a Norfolk Islander and loved the Island and her people. Mr President, to Ian, David, Bruce, Lyn and Leon, and their families, to Prim's many relatives and friends, this House extends its sincere sympathies. Thank you Mr President

MR PRESIDENT Honourable Members, as a mark of respect to Mrs McCowan, I would ask that Members stand in their places in silence. Thank you Honourable Members

Welcome

Honourable Members, this morning on your behalf I would like to acknowledge in the public gallery, Mr and Mrs Blaikie and Mr and Mrs Cunningham. Mr Blaikie is the Member for the electorate of Vass in the State of Western Australia. He is Chairman of the West Australia Bankbench Committee for Planning and the Environment. Mr Cunningham is the Member for Macmillan in the Federal House of Representatives and a former Administrator of the Cocos Keeling Islands. Welcome to our Parliamentary colleagues and your partners this morning. I do also note in the public gallery our recently appointed Legislative Draftsman, Mr Phil White. Welcome to you this morning, and to Mrs White and your family upon your commencing your term in Norfolk Island

Commonwealth Day

Honourable Members, last Monday the 13th March was Commonwealth Day and it is traditional in this House to convey the Commonwealth Day Message from Her Majesty the Queen, Head of the Commonwealth and I will read that message

Petitions

MR PRESIDENT: Petitions. Are there any Petitions this morning

Notices

MR PRESIDENT Notices?

Questions without Notice

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

MR BATES Thank you Mr President. My first question is to Mr Christian with responsibility for the Environment. At an earlier meeting of this House, a motion was passed recommending that the removal of hyacinth by mechanical means from the creeks in the KAVHA area cease, pending consideration of alternatives. Can the Minister advise the House of the outcome

MR CHRISTIAN Thank you Mr President. No alternative method has been devised at this time for the removal of hyacinth from the Kingston creek but the Project Supervisor at KAVHA is continuing to explore options, however in view of the drought conditions that have prevailed for the last few months, there's been no need to go down and remove hyacinth and at this stage there still isn't a pressing need and when I am more able or in a better position to come back before the House with a solution for the Kingston creek I will do so

MR BATES Thank you Mr President. A further question for Mr Christian. What is the present situation with regard to the fruit fly monitoring and the present prospects for establishing a guava industry

MR CHRISTIAN Thank you Mr President. The fruit fly monitoring continues as far as I am aware, the Island is fruit fly free. The prospects for the guava industry to a fair degree depends upon the ability of the Norfolk Island Growers Co-op to explore market potential overseas, one of them being the fresh fruit market and Members may recall that last year a trial shipment of fruit was sent away and subsequently spoiled by delays in having the fruit delivered to the merchants. That avenue is still open to people who want to pursue it at this stage. There is also the possibility of the processing of some of the guavas on Norfolk Island for pulp juices and things like that and exporting them as manufactured goods. Some people may consider going down that avenue. One of the problems that we've had here is dealing with the relevant authorities in both New Zealand and Australia. We've found that it's at times been quite difficult to get advise from them that is beyond doubt so that when someone sends a shipment of guavas away in whatever form that it will be released at the other end. As I say, only one shipment has been sent away so far and we did have problems but if Members of the Growers Co-op are willing to persevere I think there is some future there. The financial returns at this stage Mr President I can't hazard a guess

MR BATES Thank you Mr President. A question for Mr King, Minister for recreation. What is the present status regarding the proposed introduction of poker machines

MR KING Mr President I am no further advanced than I was on the occasion that I reported to the House last. Members may recall that I am still awaiting a report due to be tabled in the Queensland Parliament as I recall this month, and that is a report on the social impact of gaming machines in Queensland which was a document that we wanted to particularly have regard to when addressing the question of gaming machines for Norfolk Island. I have put in place a mechanism which will ensure that I will be advised and given a copy of that report as soon as it is available through either Queensland Cabinet or after it is tabled in the House and that will be the next step for me to take on that particular issue Mr President

MR BATES Thank you Mr President. A final question for Mr King with responsibility for foreshores. Has the Minister considered or seen any proposal to construct facilities at Ball Bay for the unloading of containers from a Stern Loading Vessel and if so, what if any, environmental protection measures have been considered

MR KING Mr President again there is little more than I can add to what I've said on previous occasions to the House but Members may recall that we have sought some advice from the proponents of the stern loaded vessel service regarding the specifications for onshore infrastructure for that operation. Once that information is known we and the Administrator's office or the Commonwealth will be more properly able to assess whether an environmental impact statement is necessary. Now as far as I'm aware, those specifications have not yet been provided to the Administrator's office, they certainly haven't been provided to me so I understand that they are nearing the Office of the Administrator if they are not there now. Members may also, those who have read the Report of the Joint Standing Committee will have noted as well that their Committee's recommendation was that an environmental impact assessment be prepared in respect of that proposed infrastructure in Ball Bay so it is certainly heading in that direction of an EIS Mr President

MRS ANDERSON Thank you Mr President. I have a question for Mrs Lozzi Cuthbertson as Minister for the Police. Is the Minister aware that the local Police force do not have the necessary equipment to lift fingerprints from areas where there may have been break and enters or the like

MRS LOZZI CUTHBERTSON No, I was not aware of that and it certainly comes as a bit of a shock. I shall certainly take it up with the police and find out why that is the case, and if the equipment costs so much money that it's never been considered before. I will certainly keep Mrs Anderson advised as to just what reasons are behind this lack

MRS ANDERSON Thank you Mr President. I have a question also Mr Christian as Minister for the Environment. Is the Minister aware of a rat plague currently on the Island and what measures can be taken to help the community to combat that

MR CHRISTIAN Thank you Mr President. I'm not aware that there is a rat plague at the present time, however Mr President the Administration has had a long standing policy of providing rat poison to the community at a fairly reasonable price and perhaps what I need to do at the moment Mr President is to refresh the public's memory that this is available and maybe mount a little bit of a public awareness campaign, if in fact rats are in plague proportions

MRS SAMPSON Thank you Mr President. I'll address this one to Mr King. It would appear that over \$40,000 has been spent in three years in hiring bobcats. Could the Minister give this House an indication as to whether he

intends to investigate the purchase of two secondhand ones that are being offered for sale for a reasonable price and if not, why not

MR KING Thank you Mr President. This is a subject that is dear to my heart. I am well versed and in a position to respond to it in detail because it keeps popping up almost every week. It pops up because certain people on the roads team I think keep lobbying to acquire their own bobcat and I can certainly understand that and I can say to Members that yes, we could in fact save money from the public purse if we were to acquire our own bobcat but the fact of the matter is we can get a greater economic impact by hiring a bobcat from the private sector and that is the reason why I have not pursued it any further and at this point in time I don't intend to pursue it any further

MRS SAMPSON Thank you Mr President. Another question to Mr King. Has the Minister any concrete replies from Ansett regarding the continual breakdown of F28 aircraft and if not, would the views of this Assembly, that the matter is of prime importance, be pursued

MR KING To answer that latter part of the question first Mr President I have and I will pass on the concerns of the Assembly. It is a matter about which I am concerned. I haven't had the most acceptable responses from Ansett Chief Management in the past on the issue, I am aware that minor problems continue to occur in respect of the F28 4000 series. I'm not sure that ultimately I can do anything about forcing Ansett to replace those aircraft or plant but nevertheless I can continue to communicate with Ansett and pass on those concerns

MRS SAMPSON Thank you Mr President. A couple of questions for Mr Bennett as Minister for Finance. Has there been any progress on the offshore finance company

MR BENNETT Mr President the matter is still progressing. Members will be aware that we sought advice on the question of whether we could mount an argument sufficient to persuade the Australian Authorities to co-operate with us in the examination of the establishment of an offshore finance centre industry here on the Island and that consultancy is progressing. When it was issued the advice was a report would be with us some time late in April. There has been interaction between the Consultant and the Members of the Public Service in the interim, but I've not been directly involved in those, I think it's been simply an exercise of gathering or seeking information from us to bolster up the argument. I'll keep Members informed. They are entitled to of course have a copy of the report when it comes and there is no suggestion at all that they were not going to get hold of that so as I said I'll keep Members informed

MRS SAMPSON Thank you Mr President. Another one to Mr Bennett . Is it a fact that a telephone subscriber now has to pay an additional amount, and a figure of \$200 has been mentioned, to have the ISD connected

MR BENNETT Generally speaking Mr President, the answer to that is no but in the case of temporary entry permit holders it is now policy that for such a permit holder, if they require an ISD facility a bond of \$200 is to be lodged with the Telephone Exchange. This was unfortunately necessary as a result of a number of unpaid accounts and a decision was taken following advice

MRS SAMPSON A supplementary question to that Mr Bennett. Is the \$200 per annum or is it a once only connection fee

MR BENNETT My understanding Mr President is that it's a bond so it's a

once only payment

MRS SAMPSON Thank you Mr President. The last one to Mr Bennett . As it appears that the demand to use Norfolk Island Foenkaads as collector items has dropped, did the Minister enthusiastically overestimate the number of Foenkaads that were going to be brought and how long does he now estimate the First Edition is going to run to get rid of the excess

MR BENNETT Mr President I'll take the last part first, the first issue which was issued and launched on the 7,8 or 9th October last in terms of the collector packs will be withdrawn from sale on Friday the 7th April at the close of business. That's in line with predetermined thoughts that we would run the first issue for around about six months and then close it down and issue a second series. And that in fact is happening, the artwork is at the printers now for the second series which Members might be interested to know, will feature the boobook owl, the world's rarest bird, and it will also feature on the other card two fledgling hybrid owls, the progeny of the lone surviving female boobook owl and two related cousins from New Zealand Mr President. I guess it's fair to say that when the concept of Foenkaads was around we had very little knowledge of just how many ought to be issued, where they ought to be launched and a whole range of things. We sought advise at fairly short notice and obtained some marketing advise from some people in Canberra and we followed that advise which also included the recommendation that there be 30,000 sets issued for the first launch. Now the object of that exercise was to endeavour to attract a much wider collecting market then had existed. We wanted to also attract those people who would be interested to begin collecting a new nations Foenkaads and be able to, with some degree of confidence collect it from the beginning. As I've mentioned on a number of occasions to Members, there are many countries where the ability to collect the whole nations issues has become very expensive, people are paying in excess of \$20,000 for some of the rarer cards so the advise that we got was that if we produced more than would be normally recommended then we may well attract some of that market. Well I think we've done reasonably well. My understanding is that sales to collectors has exceeded quarter of a million dollars, the New Zealand sales figures are yet to come in, there's been tens of thousands of dollars worth of cards sold at the telephone exchange and I think of interest to those people who have bought them by way of investment the moment that an issue is closed and there has been a finite number of the market, the market is advised of the number destroyed and market forces take over at that point and I'm not going to be silly enough to predict that they will double in value by Christmastime, but it is reasonable to expect with collectables that once you withdraw them from sales the limited number that are out there do appreciate in value. Mr President one of the other decisions taken was not to withdraw the loose cards and I should repeat what I said earlier. When the cards were printed there were thousands of sets that were marked on the reverse of the cards with the letters "SCC". These were special collector cards, the balance were not so marked and the object of that was that those cards would be available to telephone subscribers through the retail outlets for use in the Foenkaad machines on the Island. Now it is intended that those will be available from the first issue for at least another year. The second issue that I referred to earlier featuring the boobook owls which expects to be launched sometime late in April will comprise I think 6,000 sets only, quite a difference from the 30,000 and as members will note in a matter to come on later today, in the issuing policies of Foenkaads it recommends that the maximum in any one issue in the future be 10,000 sets anyway. So I suppose it was a bit of everything Mrs Sampson, it was somewhat like looking into a crystal ball and working out just how many of these things would sell, not wanting to under issue but not being too concerned about an overissue on the first one. We have now stabilized, we are

in the throes of finalising a strategic plan which will take the marketing of Foenkaads and other products in some sort of form before the year 2001 and once we've ironed that out, I think we can with a little bit more confidence, predict what we like to truly earn out of these cards. Mr President just one more point, the Norfolk Island cards have attracted attention around the world. Just the other day I received a magazine from the US which had a full page article about Norfolk Island in it and that's a fairly big task to get Norfolk Island's information into that magazine, but just one other point that I should make, there is a lot of interest by dealers in these cards, in fact when I was in Sydney a fortnight or so ago I went to call upon a dealer who had been writing and phoning frequently and this dealer wants to buy 10,000 of Norfolk Island cards each year but he wants to control one complete issue each year. He wants that issue to feature Bounty Day. Upon advise it was declined. Now it's very attractive to take 10,000 and the proceeds from that but the problem with that, it cuts across the general policy of making whatever collectables we issue, available in the wider sense. Now this approach came from the dealer who wanted to buy the whole lot, hold them and then issue them himself at his own time thus inflating the market. It is considered in some circles not to be good practise and whilst very attractive from the context of making a lot of money quickly it has the propensity of destroying the integrity of the general issuing policy, thank you

MR ADAMS Thank you Mr President. This question to Mr Christian as Minister for the Environment. Could the Minister inform the House of the progress of amendments to the Tree Preservation Act 1985 so as to allow harvestable plantations of local timber

MR CHRISTIAN Thank you, Mr President. The necessary amendments for that are with the Public Service now and at the next meeting I should be able to bring it forward the necessary amendments to allow a private forest

MR ADAMS Supplementary to that Mr President. Does the Minister intend to make the legislation amendments retrospective

MR CHRISTIAN Mr President, I hadn't considered that aspect but it's not too late for me to accept advise from Mr Adams, and if appropriate we can incorporate it

MR ADAMS Mr Christian again Mr President. As Minister for the Environment, is the Minister aware of the condition of the Headstone lower tip burning area

MR CHRISTIAN Yes Mr President I am aware of some of the problems we have out there and in fact just on the weekend past Mr President there was a man down there standing on the back of a truck when an aerosol can exploded and he had his macadamia singed. Later on in this meeting you will see that Mrs Sampson has a substantive motion in regard to waste management in Norfolk and the Headstone Tip is included in that

MR PRESIDENT I'm just looking for macadamia on the Agenda Mr Christian

MR ADAMS Supplementary to that Mr President. What does the Minister intend to do to make the tip safer for both operators and visitors alike

MR CHRISTIAN Thank you, Mr President. I don't intend to pre-empt anything that may come out of Mrs Sampson's motion but the thought amongst some of the Members at the moment is that a fully enclosed incinerator is the way to go

MR ADAMS Mr Christian again Mr President. As Minister for the

Environment, could the Minister please advise the House on the progress on the Philip Island issue

MR CHRISTIAN Mr President, regretfully I have to advise the House that progress on Philip Island has probably not been as fast as it should be but budgetary matters were considered in the review back in February I think and there is agreement there that additional staff resourcing in the next financial year will be provided

MR ADAMS A question for Mr King as Minister for the Public Service. Could the Minister please explain why a training nurseryman has not been employed at the Forestry Nursery when money apparently has already been allocated for such a purpose and there is a pressing need for such an appointment

MR KING Mr President thank you, I certainly haven't examined the need for that specific appointment but on the question generally of apprenticeships and traineeships that of course has been on the books as it were since we appropriated moneys in the budget last July. There has been some difficulty in putting together a plan or a strategy regarding apprenticeships and scholarships and the like. Some of the delay involved there relates to some degree of difficulty in getting information from the various colleges etc on the mainland, but in recent times I have been provided with a paper which is to be considered by the Public Service Board on the 24th March in relation to the matter generally and if as a result of that paper the specific position of forestry training is filled then it's really a matter for the Public Service Board but I understand it is fairly high in their consideration among a number of other areas which are also vying for suitable apprenticeships

MR ADAMS My last question Mr President is for Mrs Lozzi Cuthbertson as Minister for Employment. Would the Minister please advise the House as to the progress on the amendments to the Employment Act and when will the amended Act be brought before the House

MRS LOZZI CUTHBERTSON Thank you Mr President. As Mr Adams knows the instructions for the amendments were completed some little time ago. They have been handed to the Legislative Counsel, he has however only taken his position in mid January and he did face a rather large backlog. I believe he is catching up with some of that backlog and he will be able to tackle the amendments to the Employment Act in the near future. I do not have a date as to when they are likely to be brought before the House but I assure you I have indicated to the Legislative Draftsman that I consider the amendments urgent and they are being treated that way

MR PRESIDENT Thank you. Any further Questions Without Notice? There are no further Questions Without Notice this morning Honourable Members and there are no Questions on Notice so we move on

Presentation of Papers

MR PRESIDENT Presentation of papers. Are there any Papers to present this morning Honourable Members

MR CHRISTIAN Thank you Mr President. In accordance with paragraph 41(2)(a) of the Interpretation Ordinance 1979 I table the Bird Protection Amendment Regulations 1995

MR BENNETT Mr President, I have two papers to table. The first is the monthly financial indicators for the month of February 1995 and incorporating

the eight months of the financial year and I move that it be noted

MR PRESIDENT The question is that the financial paper be noted

MR BENNETT Mr President, Members have been circulated with this copy and they will have noted that the revenue in particular is ticking along quite nicely. It is down a little bit in some of the areas, in the area particularly of customs duty for this month but overall the revenue flow is running at 99% of budget at this time. It is interesting to note that at the same time, or comparing the total revenue received to the end of February against the corresponding period from the previous year, there are approximately a million and a bit in excess of that last period so in volume it is coming in but of course we also had a fairly extensive expenditure programme as well so it is not all going to be cream at the top of the milk can. In terms of expenditure I can report that it is running at 90% of budget. Now some caution should be taken about whether that is where it is going to finish at the end of the year. Expenditure is not a matter of each month being one twelfth of that budgeted and some of the expenditure items occur later in the year, some earlier but I'm more than satisfied that we are moving along steadily thank you

MRS SAMPSON Thank you Mr President. Perhaps Mr Bennett could expand slightly on the difference in the health expenditure, there seems to be a dramatic difference of -27%

MR BENNETT Mr President, it's probably due to a lot of things and Mrs Cuthbertson might be able to give you more detail but I think that it is being better managed, I think there is a greater control over debtors and other things. I think in terms the hospital finances are in a much more healthy position than they were a year or two ago and that has meant that there's been less of a draw on the amount that we made available by way of subsidy and so I think that it's a very pleasing result to see that health is running at 77% of budget. Now that doesn't mean as some subscribers may have suggested, that I've got my fingers into the health purse and are causing Mrs Cuthbertson not to spend the money that she thinks she is required to spend. It's moving along quite nicely

MRS SAMPSON Thank you Mr President. A further comment on that, does that amount reflect that there have been no serious medical cases which have necessitated a lot of overseas expense

MR BENNETT Mr President, those incidents wouldn't be reflected in the health votes in the revenue fund, any changes in that would impact on the Healthcare Fund which is a Government Business Enterprise and I don't have those figures to show you, other than that you may care just to have a look back at the reports of the GBE's for the six months ending December and you will see that there's still be a fair amount of claims but it's fairly well balanced with its revenue

MRS LOZZI CUTHBERTSON Just an ancillary comment to some of the replies that Mr Bennett has given. The most significant difference in the health budget has been the inflow of accounts. People have been paying their accounts so much better than they were able to pay in the course of the last financial year. It is a reflection on the improved state of the economy that people can afford to pay the bills, so that we have had a cash flow of over \$70,000 that we did not have the year before and that has made a difference but we've also had a large payment from the Department of Veteran Affairs for services we delivered to some of their veterans in the past which they had questioned whether they were supposed to have paid for and all of that money, some

\$44,000 stayed with the hospital in order to complete the refurbishment programme which had been started previously but that is why the health budget is as healthy as it is

MR PRESIDENT Any further debate on the question that this Paper be noted? Then I put the question which is that that Paper be noted

QUESTION PUT
QUESTION AGREED

Thank you. That Paper is noted

MR BENNETT Mr President, I am required to table details of funds that have been viremented from one vote to the other and I table a document which outlines that. It's in two parts, the major part relates to the changes that we made at budget review time and the top one relates to two small virements that occurred in recent weeks

MR KING Mr President I would move that those Papers be noted

MR PRESIDENT The question is that the paper be noted

MR KING Mr President I have an interest in the final accounting entries which arise from our review of where the budget stands as at the six monthly mark. I haven't had an opportunity to look at those viremented amounts. I get a little oversensitive about the amounts of money in the votes in my particular areas and how they are attractive in some particular manner to Mr Bennett and I would like the opportunity to have a look at those virements and at an appropriate time I would move an adjournment of the debate

MR BENNETT By way of response perhaps I could turn the page over and show that the first virement was authorised in fact by Mr King, it was the biggest amount that occurred and Mr King I might say authorised that virement while I was off the Island, however, I would have so authorised it, I think it was a worthy one. I'm happy to have the matter adjourned and Mr King to peruse them

MR PRESIDENT: Is there any other debate before the adjournment is formally proposed

MR KING I so move the adjournment Mr President

MR PRESIDENT The question is that that Paper be adjourned and made an Order of the Day for a subsequent day of Sitting

QUESTION PUT
QUESTION AGREED

MR CHRISTIAN VOTED NO

Thank you. That matter is adjourned for a subsequent day of Sitting thank you

MR KING Thank you Mr President. I table the inbound passenger Statistics for February 1995 and move that the Paper be noted

MR PRESIDENT The question is that that Paper be noted thank you

MR KING Mr President these monthly statistics have been circulated among Members. They have been summarised in the local newspaper and I make a

few comments which may be of interest to those who are listening and perhaps to Members of the House. The overall improvement compared to February last year has been 13.6% made up largely of an increase of 20% out of Australia and regretfully a decline of that 9 1/2 % out of New Zealand. Just pausing a moment to look at the Australian areas and a few comments on market performance. I've been very impressed over the past few months and I've made mention from time to time of the performance of the Victorian and Queensland markets which on this occasion improved by respectively 66% and 31% which is a tremendous improvement and in fact Members will also note from the information that's been circulated that there has been unfortunately a substantial decline in the market contribution from New Zealand and what may not be apparent from the figures that have been circulated is that the yearly average for New Zealand is around 25% and you will note that in February it reduced to 17% and that concerns me a little bit. Perhaps I'll say a few more words in just a moment but if it were not for compensating increases out of Australia and particularly the Victorian Queensland markets, we may be in some sort of peril. What we have with the New Zealand situation is an up and down pattern.

I should say that it remains relatively flat throughout the year, there's only been about four months over the past twelve where the New Zealand performance has been down on that of the previous year but the end result is that it remains very very flat and it is that aspect which is dragging down our overall performance, for example, we are about 27% up out of Australia and if it were not for the fact that New Zealand remained relatively flat we would be in a far better position than we are but I'm not crying or moaning Mr President, I'm quite happy that the overall result is 13.6% for the month and I have no fear in relation to the short and medium term futures for tourism on Norfolk Island. I remain very confident, thank you very much

MR BATES Thank you Mr President. Just two brief issues. The New Zealand dollar as we all know is getting alot closer to the value of the Australian dollar and that in itself should make Norfolk a more attractive destination to people of New Zealand and I think we should be exploiting that point at this stage but I just wanted to mention to the House that when I was in Lord Howe Island in February the people down there were showing alot of concern about their tourist industry and they were very keen to promote the twin Island concept of holiday which we enjoyed for some years when Air Norfolk was operating the King Air service through Lord Howe to here. Seaview still do operate some Navaho Chieftans which come through here but there are fears on Lord Howe Island at the loss of their commander aircraft that maybe the Chieftans won't be coming for much longer. It was just a fear down there and I promised to come back and endeavour to create some communication link between the Tourist Committee on Lord Howe and our Tourist Bureau here and I've endeavoured to do that. The thing that puzzles me alot is that it is said that the Dash 8 which would be an ideal aircraft to come here, can't come here because it's about eight minutes out of flying time or something yet these twin engine Navaho's can come here, the King Air's used to be able to come here and the Dash 8 can't, so it's quite a confusing issue but I think until we can find a suitable aircraft aviation will allow to come here then I think we probably will have a problem in promoting the twin Island concept but I just mention that

MRS ANDERSON Thank you Mr President. I wanted to comment along the lines of what Mr Bates' has just said about the New Zealand dollar. Yesterday it was 1.1384 to the Australian dollar which is possibly the highest it's been in a long time. I would like to ask Mr King as he is Minister for Tourism, what he is doing to try and capitalise on this excellent exchange rate. It must be very advantageous

MR KING The first I've heard about it Mr President. I imagine that

it must make the price reasonably attractive I guess. I don't know. If it's something that you want me to take up and I guess it is, then the New Zealand market needs some special massaging and stimulation and I hope to be able to give it that over the next few months. Members might recall that we appropriated a small amount of additional moneys for the Bureau at budget review time to take advantage of the special offer in relation to an advertising programme in New Zealand and we are quite confident that that will enable further market penetration but that coupled with my visit and the visit of the our General Manager Marketing in April next month when we are scheduled to call on wholesalers and Air New Zealand, among other things, and I hope that that will have some desired effect on the New Zealand market, but all those things, hopefully will assist

MR BATES Thank you Mr President I'm sure the Chairman of the Tourist Bureau will forgive me if I mention that this matter was discussed at a recent Tourist Bureau meeting and that the manager of the local office Mr Garraway was going to speak to Mr Bryce Henderson who is our New Zealand representative in New Zealand about this issue and just alert him to the fact and have a bit of a chat about what could be done about it, so it is alive and the Minister may not have been aware of that because the meeting of the Bureau was only yesterday and that information may not have filtered through to him so I just draw it to the House attention

MR BENNETT Thank you Mr President I've had a few comments made to me about the statistics for February and they relate to two parts, one is the decline from New Zealand as Mr King has endeavoured to explain and I think their concern was this, that if it continues to decline then we would be seen to be having too many of our eggs in the one basket, that is the Australian basket and we know just how we can be affected by things, either industrial disputes or recessed economies, and it's most unwise to let happen for too long the too many eggs in the one basket syndrome and I'm interested in what the Bureau or the Minister is going to be doing in that respect but the comments that related to that, came to me quite as a surprise was that the feeling in the marketing in that there is a disproportionate amount of spending in Australia as to New Zealand and I don't know anything about that, I've not seen a marketing plan or an advertising schedule, but this was feeling that was expressed and I think that tourism is a funny thing, you can find one market that is responding very strongly to the stage where there is no longer any need to keep pouring money into advertising and you can redirect your funds to other places that are running a little soft but the same people were suggesting that there are alot of quick fixes, for example, in any advertising schedule or marketing strategy if it is not working then there are snap decisions that can be taken to target a wide audience by using either the multi media facilities or give greater encouragement to the trade so that interests me and the second point that is a concern and obviously, this is of greater concern I think to people in the accommodation industry then perhaps to shop people who might have a different view but the number of days stay is still declining so therefore while the total numbers are up the number of bed nights per person is declining and I guess my own interest is, just what reaction the Bureau or in fact the Minister takes when he sees advertisements appearing in the papers advertising five days for x amount of dollars when clearly the Norfolk Island Government's Tourism Policy suggests that people should be encouraged to stay ten days or longer. Now whilst that policy doesn't say you can't advertise five days my view is that it ought to be discouraged so that you are trying to concentrate a little bit more on the yield. Those were comments made in recent times. I think people generally are happy that overall the numbers are up quite pleasingly, a little bit of concern about what's going to happen in March and April but overall we've had a pretty good twelve months and I think we shouldn't overlook that

MRS SAMPSON Thank you Mr President. I was interested in Mr Bates' remarks about Lord Howe and the type of aircraft used. I realise that Mr King has aviation in his portfolio but perhaps I could ask Mr Christian as the Member around the table who has a licence and does fly, as to his comments on why the Dash aircraft is only eight minutes out of flying time

MR CHRISTIAN I'm not aware Mr President in a conclusive manner but it's probably something to do with the category that the aircraft is registered in or licensed in

MR KING I appreciate the words that Mr Bennett has said and I also appreciate that there are many different views about tourism in the community and how it might be pursued and what steps ought to be taken in the tourism effort. Now I guess perhaps I know it all too well after three years in the hot seat and I hear some of the concerns that were expressed to Mr Bennett, but apparently those people who expressed those concerns don't really understand that for the size of the market in New Zealand, its performance is excellent. On per capita basis it's better than Australia and I would have to say that the amount of money you put into a market place is directly proportionate to the size of the market and on that basis, on a per capita basis we probably put too much money into New Zealand on a per head basis it costs more to get a tourist out of New Zealand than it does to get a tourist out of Australia so there are those aspects to consider and they haven't been overlooked. Let me say also that whilst we are down to round about 17%, the average is a bit higher as last month was 17% contribution out of New Zealand, but some years gone by as Mr Bennett will recall, was that the position was reversed. We had around about 70% of our tourists come out of New Zealand and about 30% come out of Australia. Now things that were said at that time include that our marketing effort ought to be redirected to Australia because the kiwis are too miserable and they don't spend too much in the community. Those are the sorts of pressures which emerged at that time and whether what is happening now was a direct response to criticism I don't know but that's the situation we are at now and I want to stress that on a per capita basis it costs more for us to get tourists out of New Zealand than it does out of Australia and on a per capita basis we are probably too much money into New Zealand but I admit that in times like the pilots dispute when the Australian market crashed thank heavens for the kiwi market. We've got to maintain some sort of relationship with them and hopefully get a little bit more than 20% out of it. The question of yield of course is an important one. Sometimes it is expressed as being directly proportionate to the amount of money people have got to spend, other times its expressed as being directly proportionate with the length of time they stay in the Island. Now on this occasion Mr Bennett has chosen to say the latter rather than the former and of course there are two arguments about that. There was a very strong argument put many years ago when the present Policies were developed which said that the amount of disposable money that a person has to spend in their pocket when they come here is not proportionate to how long they stay, they are going to have a set amount to spend whether they are going to be here five days or seven or eight days. Now I don't know what is true but I do know that the longer a person stays the better it is certainly for the accommodation proprietor but maybe not necessarily for the retailer. I don't know what the answer to that is but what I am saying is that it is not the mere fact that the capacity, that is, the number of tourists by their average length of stay is a relevant figure to consider in itself but it is not in my view a reflection of yield, not by itself. I appreciate that the policy says that we ought to encourage people to stay ten days or longer but I simply can't come to grips with worldwide trends which suggest that people are taking holidays twice a year and shorter breaks rather than as it were in previous years, one

holiday per year but we can work towards that

MR PRESIDENT Further debate on this matter Honourable Members. The question is the paper on inbound passenger statistics be noted

QUESTION PUT

QUESTION AGREED

The ayes have it thank you. Any further papers to present?

MRS LOZZI CUTHBERTSON Thank you Mr President. In accordance with paragraph 41(2)(a) of the Interpretation Ordinance 1979 I table the Domestic Violence Regulation 1995 and the Education Amendment Regulation 1995. The Education Amendment Regulation allow for the appointment of an independent person to the Committee that considers applications for bursaries and scholarships and I have pleasure in advising that Mrs Elaine Hughes has agreed to sit on that Committee. They also provide for an applicant's financial needs to be considered in the awarding of bursaries, training scholarships or tertiary education scholarships and the Domestic Violence Regulations are simply setting out the format for the notice of proceedings and the interim protection order. Those are the two regulations I table thank you Mr President

MR KING Thank you. Mr President in accordance with subsection 18(8) of the Norfolk Island Government Tourist Bureau Act I table the audit report for the financial year ended 30 June 1994

MR PRESIDENT Thank you. Any further Papers

MR KING Mr President I table the Report of the Joint Standing Committee on the National, Capitol and External Territories entitled "Delivering the Goods" and dated February 1995 and move that it be noted

MR PRESIDENT The question is that that Paper be noted

MR KING Mr President I table this basically for the purposes of discussion. I understand that there may be one or two Members who may want to say one or two words about the contents of the report but I would emphasise to the House that I believe there is a need for us to make a substantive response to the Report in due course. What I'm about to say are a few words of summary or introduction to any debate that might take place shouldn't be construed as being a formal response to the Report and they are my own views and not the views of the government or of the Assembly. Mr President if one carefully things through the shipping issue and the constitutional relationship between the Commonwealth of Australia and Norfolk Island they would be entitled to be somewhat unsurprised about the recommendations of the Joint Standing Committee and its report. Unlike the Indian Ocean Territories or any other of Australia's external territories Norfolk Island of course is self governing and doesn't fall within the scope of operations of the Capital Grants Commission. Without going through the recommendations word by word Mr President I think the report as far as Norfolk Island and sea freight handling is concerned can probably be summarised in this way. Basically the Committee expressed grave concern that Norfolk Island had procrastinated for decades on the shipping issue and was now faced with "the imminent cessation of established shipping services". The Committee expressed the view that deep water harbour construction in Norfolk Island was inappropriate on the basis that the indicative costs of that exercise were not commensurate with the small volumes of freight that come into Norfolk Island, somewhere around about twelve or thirteen tonnes per year. The Committee went on to say that the proposals put to it for alternative or improved methods of handling sea

freight, the proposal for a stern loaded vessel operation at Ball Bay appeared to it to be the most attractive and preferred. The Committee recommended to its Parliament that a substantial grant be made to any private operator who might purchase a ship to be used principally for the Norfolk Island freight trade. The Committee rejected the proposition that the Norfolk Island Administration might own and operate its own vessel and recommended not only that no loans or grants be made by the Commonwealth for these purposes but also that no approval be given under the Norfolk Island Act for the Norfolk Island Administration to borrow funds from any commercial source thereby reinforcing the Committee's view that government ownership or operation of a service would be undesirable. The Committee accepted evidence that the volumes of sea freight to Norfolk Island would only support one shipping line and has encouraged the Norfolk Island Government to grant an exclusive licence to a shipping line which will provide a dedicated service to Norfolk Island. The Committee stressed, quite rightly in my view, that working the ship at Cascade is unsafe, because of the condition of the cliff, and no-one would argue with that Mr President and the Joint Standing Committee urged some action to make the cliff safe. The Committee also urged the Norfolk Island Government to reconsider its position on the issue of taking responsibility for loss or damage to lightered cargo and on the issue of the minimum 300 tonne rule. I'm not sure Mr President that there is much in the report with which I can take issue. There has of course been procrastination over the years, the Cascade cliff face is unsafe, it is a fact that we don't contribute to the Australian tax coffers and one finds it very hard to argue with the implicit motion in the report that we ought not drag a dividend from the Australian tax coffers. It is also probably fair to say that the harbour or breakwater development is way beyond our means and as I said before not commensurate with the small volumes of freight. I appreciate that in due course we have to do that substantial response as I mentioned before and I reiterate Mr President that these are my own personal views and not views that have been gathered by either the working group or the other Members of the Assembly. Mr President, having said that there is little in the report that I take issue with, there are some points and findings that quite frankly I find somewhat disappointing. The Committee appears to have been driven by a belief that shipping services will be discontinued towards the end of the year and this has led at least in part to their support of a stern loaded vessel operation because that was the only proposal for which infrastructure could be built within the short period which they thought was available to find some alternative. The Committee appears to have completely disregarded my evidence that union purchase rigged vessels will continue to be available for some time. In point of fact, my evidence to that effect is not even mentioned in the report. As far as the SLV operation itself is concerned, Mr President I've also indicated that such a service is probably the most attractive of those alternatives which have been suggested over recent times. The Committee went on to share my concern about the ability of a stern loaded vessel to unload in Ball Bay without the protection of a breakwater but went on to satisfy its concerns without having any data on wave action in Ball Bay and without calling for any expert advice which might have been readily available to that Committee. Again, my concerns although referred to in the report appear to have been dismissed for reasons which are certainly not clear from within the report. Mr President, I wanted to make it reasonably clear that despite what the Joint Standing Committee urges, I will not support an exclusive shipping licence for anyone unless I'm convinced that a particular service will work and will continue to work. I have no difficulty with the concept of exclusivity but how could I possibly risk other shipping lines not coming to our aid if an untried operation like an SLV fails to work out after an exclusive licence was granted. That to me is a dreadful, one which I may be satisfied on in due course but at this point in time certainly I remain unsatisfied. Mr President there is very little in the report for Norfolk

Island. It certainly doesn't take us anywhere near where some Members would have like it to take us, and to a large extent as I mentioned earlier that's understandable. What it means is not very clear and it is certainly open to being misconstrued. It doesn't in my view close any doors tightly, simply put we are probably no further advanced on the question of shipping than we were before the enquiry commenced some eighteen months ago, and that is disappointing. In hindsight Mr President, it was probably foolish for the Norfolk Island Government to slow down on its consideration of the question pending the Joint Standing Committee's report. Clearly what we need to do now, is to get on with the job locally. I know that there are other aspects covered in the report regarding the postal issue and matters of air transport, I don't feel inclined to make any comments on those now Mr President and I'll leave it at that for the time being

MR BATES Thank you Mr President. I support most of the things mentioned by Mr King but I do think that we have to put in a response to these people. These are recommendations and I think some of the recommendations are ill researched or ill conceived or just a complete lack of understanding of what the situation might be. In saying that the Government should keep out of shipping it has not considered the obvious community benefits that such a vessel would bring to the Island and if it's a waste disposal, and if it's a freight rate at cost without a profit margin, and others things that I've alluded to. The ability to bring in sand or metal if we needed it at low rates, the ability to encourage exporters, the ability to bring in heavy equipment for short periods of time if it's needed for major upgrades, at low cost to the community. All these benefits that would flow on to the community by a properly run vessel of the government have completely been ignored in the report. I'm amazed that they would recommend that the Australian government spend \$400,000 by way of a grant on an untried operation, and as Mr King said, what if it doesn't work. I think it's got a great chance of working but what if it doesn't work. Who's face is going to be red if there is a \$400,000 grant from the Australian coffers for an operation that doesn't work? I was extremely disappointed in the attitude they had about the postal services. I think that was completely out of context and out of order and I'm sure Mr Bennett would be jumping up and down, as a matter of fact, I'm surprised that he's even steady in his chair after reading that statement, but I think we must prepare some response to this document and that's all I'd like to say at the moment Mr President

MRS ANDERSON Thank you Mr President. Yes, I agree with Mr King and Mr Bates that we definitely must prepare a response to this document. There are several areas which to my mind are not correct in the findings of the JSC and they seem to be labouring under a false apprehension that the Australian Government is required to spend \$76,000 per year to supply 2,000 documents of identity for people to come to Norfolk Island. Those documents of identity are not required for people to come to Norfolk Island, they are required for those people to get back into Australia and if it costs \$76,000 for those documents to be issued, then I don't think that's our problem

MR BENNETT Thank you Mr President. The report didn't surprise me at all Mr President. I think that very early on in the piece the Committee had foreshadowed certain things which I think dented the credibility of the whole enquiry. I refer to two things in particular, one is that they advised early in the piece that they would not be accepting or taking expert advice on the technical matters, and so what we were left with then was a group of well meaning junketeers who picked the best out of the submissions and say to us, here is the best submission that we think is there and it might be the most inappropriate or the most expensive or whatever. Now that was the first point I think that that was really disappointing. There was an opportunity for the

shipping issue to be resolved to some sort of finality and I think as Mr King said, we are still a little bit up in the air about it. The second thing that was foreshadowed very early was their refusal to disregard out of hand the T R McCoy letter which we all know was bodgy and issues that were raised in that quite unrelated to the terms of reference were then investigated and I think that those two points on their own destroyed my confidence that the enquiry would deliver us anything that was absolutely meaningful. The tragedy to it all is that this very finely bound report will gather its own importance in time, it will sit on the shelves of the Australian Parliament and unless our rebuttal of some of the things that are wrong in it is attached to the inside cover, this report we are going to find will be referred to in subsequent reports by a lot of people who investigate things about Norfolk Island. There are numerous examples of reports like the Distribution of Powers Committee, many years ago, and the Islands in the Sun Report, both of which I think were less than honest expressions of what things were happening on the Island but both of those reports have been referred to on numerous occasions since so any attempt by us to rebut suggestions in those reports have fallen on deaf ears as well so that's a disappointment that flows out of the Report and we've got to learn to live with that. I still agree that we ought to be responding and detailing our quite deep concerns about some of the points made in the report.

Mr Bates referred to the surprise recommendation about the Australian Postal Corporation and indeed that came to me as quite some surprise. I couldn't fathom for one moment after reading the notes to the evidence in the report and having seen the transcript of the actual evidence being taken in Brisbane, how they could have arrived at that particular standpoint. The issue from the standpoint of Australia Post, is the high cost of freighting their mail to Norfolk Island and secondly the routing of some of the categories of mail by people posting motor car tyres and the like and thirdly and lastly the one dollar per kilo imbalance payments. Now quite some evidence was given to the Tribunal, in fact about that, but they seemed to have given it less import than they ought to have and have turned around and made a suggestion that perhaps the Australian Postal Corporation Route is the way to go. That means that Australia Post will run the Post Office in Norfolk Island. Now if they are worried about a few bob on the one side now, wait til they get the bill for running the whole lot. I mean, it would be \$3-400,000. I just simply can't fathom the wisdom of the Committee drawing that conclusion out of the evidence that was given. Mr President in relation to the Australia Post's biggest concern, which is the cost of freighting the mail, we have over a month ago written to the Chairman of the Australian Postal Corporation and offered to negotiate with the Ansett Airline organisation on their behalf in order to obtain a better freight rate because we strongly believe that the freight rate that they have been charged for mail is excessive and that is a thorn in the side of Australia Post understandably but I think we might be able to assist them. Mr President, there were a number of omissions as Mr King and Mr Bates have said. The notion that shipping services are to be withdrawn I thought was a gross oversight. They obviously did not listen to some of the other evidence given by shipping companies to them. They, I thought surprisingly, put a fair amount of weight on the evidence given to the submission by the Department of Tourism, the Commonwealth Department. I would have thought that they might come to Norfolk Island to ask a little bit about questions of landing charges and departure fees. Their statements about it weren't qualified enough. We know that the airport landing charges are high but we know that it was tied to a major resurfacing cost that was anticipated in the future when the formula was put together. I think the Assemblies at the time regretted having to charge so much but we were the new owners of the airport and we had to make those judgements and I think to be criticised without the report containing fair evidence of why it was so, really is a little mischievous. The report went on to say and I think Mr King also said that because we don't tickle the tax coffers and there is little chance of

getting any assistance from the Commonwealth, well I don't think we were chasing the Commonwealth for assistance in that respect, but what they did overlook is that by their own admission the Department of Finance, the Canberra bureaucracy admit that over \$1m of tax is paid by Norfolk Island people and corporations to the tax coffers so it's absolute nonsense to say that we don't contribute in that respect. Mr President I won't say any more I think it was disappointing but certainly I was not at all surprised with the nature of it. I think we've been set back in time in making the hard decisions of the exclusivity of a shipping licence and the report doesn't further us along that track, thank you

MRS LOZZI CUTHBERTSON Thank you Mr President. I see no point in reiterating what my colleagues have said because I totally agree but I think the most significant thing that hits me is that this is the second report generated by the Commonwealth since I've been in this Assembly which has treated the evidence submitted by the Norfolk Island Government as in some way being substandard to other evidence submitted by other people. As you may remember the report of the Law Reform Commission on the Status of Women did that and now this report and certainly I've seen reports that have been prepared by Commonwealth bodies before that have treated the evidence given by the Norfolk Island Government in the same manner and I think we should make really strong representations to the Commonwealth that this is not good enough and that unless they start taking what Norfolk Island Government says seriously and giving it due weight, we will not take part in any of their further investigations. Unless we do something drastic like this, this is going to go on happening. Reports like this are going to sit on shelves and be quoted as other people have said and we are going to go on being treated as some sort of a joke and it really is not acceptable. No other government in Australia would accept it and I do not see why the Norfolk Island Assembly should accept it

MR ADAMS Thank you Mr President. I prefix my remarks by apologising to Members. I haven't yet had time to fully peruse the full report so at the appropriate time Mr President I'll be moving to adjourn the debate to the next sitting. I think as has been stated correctly, that alot of the information in the report, from what I have seen, is based on incorrect information, particularly where one has mentioned the ships going off line, that is simply not correct and the bigger issue of union purchase ships becoming unavailable, that is clearly not a correct assumption. I think it is also unusual for the Committee to recommend that the Norfolk Island Government be effectively stymied from operating a ship as in closing the door regarding grants, aid any sort of assistance and yet at the same time, recommend a monopoly be given to a private operator. In other words Mr President, it appears to me that they are saying, let private enterprise principles be upheld but at the same time grant a monopoly, to me that's a major contradiction and it seems to me from what I've seen of the report, the most useful part of the report is the last page from Senator Coates. I certainly will not support any monopoly to any company for shipping. I think it's sticking our necks into the noose, it reduced alot of options but reduces any options if it is unworkable. It would also mean that the present infrastructure will be unusable in five years and at the same time there is no guarantee to the community that any freight savings will be passed on so it will be an exercise that will in effect cost the community rather than save it income, and added to that, a point that I find interesting is that the Committee has recommended that as long as our ability to pay as regards aid and any sort of assistance is in question, then no assistance should be given. I wonder Mr President, does the same criteria apply to Papua New Guinea or Vietnam or the Cook Islands. So from my point of view Mr President, I'm generally disappointed with the report as I've seen it.

I would also like the time to further examine the report and at the right

time, as I've said I would like to adjourn the debate

MR BENNETT Just a point. It is interesting for perhaps Members of the Seventh Assembly that there was the Sixth Assembly who responded to a request by Minister Roz Kelly who during a visit to Norfolk Island, was looking for some work for one of the Committees and so she asked us if we had anything that we wanted to investigate, and that came to me as a bit of a novel approach to the whole thing, but I now understand it all a little bit better.

We at that time were struggling with, I think the lighterage issue, so it seemed to make good sense. Now perhaps we were a bit naive at that time and didn't take notice of what our grandmothers used to tell us about taking candy from a stranger, but we in good faith put up the transportation question and look what's happened to us at the moment. I mean, there is no way that I would ever support a Minister coming to us saying look I've got a spare Committee that's worrying me, I want to get them out of the system can you find something for them to do and we'll ship them all over here for a couple of weeks. It is important for the Members of the Seventh Assembly to realise this because it happened in the Sixth Assembly and we were asked to nominate what things we would like a Committee to assist us with. Well. I don't see that that's assistance in any way, shape or form, thank you

MR KING I appreciate what Mr Bennett has said but I think we've got to be careful of that little recollection of history there. I'm not sure if Minister Kelly actually said listen I've got this loose cannon rolling around on the boards, can you secure them on your Island for a couple of weeks and give them something to do

MR BENNETT You've got to be able to read them

MR KING Yes, indeed the approach was made to the Norfolk Island Government about a suggestion regarding the reference for the Committee, but it is true also to say that they were going to be given a reference in any event and it was far better for us to have some input as to what that reference might be then not, that's all thank you

MR PRESIDENT Any further contributions? No. Before we come to the prospective matter of adjournment, did you want to formally put that on the table Mr King

MR KING Have I not done that?

MR PRESIDENT I don't recall your doing that

MR KING I thought I did, but I'll do it again Mr President, I table that Paper

MR PRESIDENT That is formally tabled thank you

MR ADAMS Mr President I would like to move that the debate be adjourned on this matter until the next Sitting

MR PRESIDENT The question before us now is that this matter be adjourned and be made an Order of the Day for a subsequent day of Sitting

QUESTION PUT

QUESTION AGREED

The ayes have it thank you. That matter is adjourned. Are there any further papers to present?

Statement

MRS LOZZI CUTHBERTSON I seek leave under Standing Order Number 55 to make a personal explanation

MR PRESIDENT Thank you, leave is granted

MRS LOZZI CUTHBERTSON Thank you Mr President. Recently there have been two letters published in the Norfolk Islander, written by the same correspondent, which allege that I have misled the House in relation to the conditions of service of the new Director of the Hospital Enterprise. These allegations have no foundation and I reject them totally. The facts of the matter are that on 13th February 1994 I made a short statement to the House advising of the selection of Mr David McCowan as the new Hospital director. I explained that the Director was chosen after public advertisement and interviews by a panel consisting of the Chairman of the Health Advisory Council, the Chief Administrative Officer and the executive member. I note this is the first occasion when the director's position has been advertised and interviews held.

I advised the House of the calibre of the applicants and the unanimous selection of Mr McCowan. Because of rumours which needed to be scotched I then detailed the new Director's salary package. Mr President, I quote directly from Hansard: "I would like everyone to know that, after negotiations, Mr McCowan accepted a salary package of \$34,000 per year, not \$10,000 above the advertised salary as has been claimed. He is also going to receive the usual removal expenses, the rent of a car for one week when he first arrives, rent subsidies and air fares which are paid to all staff which are recruited from overseas. These are normal conditions and there is nothing special about what Mr McCowan is being offered." Mr President, I did not mention that the new Director will receive a 5% per annum gratuity because that was detailed in the advertisement for the position and it applied to the present Director as well. And just to lay to rest one last misconception, the new Director of the Hospital will not get a Government car. I am disappointed that one particular correspondent to the local newspaper did not check the Hansard before committing herself to paper. If she had done so she would have seen that I never compared the cost of the current Director's salary against that of the replacement. She will also have seen that I made crystal clear what the new Director's terms and conditions are. I do not intend to deal with the other allegations about my political stand on integration with Australia, barring someone from the hospital etc, because anyone sufficiently interested can check the public record and find those statements were also completely wrong. I thank the House for its patience

MRS LOZZI CUTHBERTSON Mr President, I would like to make a short statement about the Director of the Hospital Enterprise. Honourable Members will know that the new appointee, Mr David McCowan, recently suffered a health setback which will delay his return to Norfolk Island to assume his new post. I am advised Mr McCowan is progressing well but will need some weeks to recuperate before he is able to resume full-time work. At present that is expected to be in mid to late April. Accordingly, I propose to recommend to the Administrator that the Chief Administrative Officer, Mr Roy Mitchell, be appointed Director in Mr McCowan's absence. Mr. Mitchell's appointment will be for three months and will be on the basis that he receives no additional remuneration above that he already receives as CAO. Mr President, this will be a watching brief. To assist Mr Mitchell in this interim period the enterprise will engage Mr John Cumming, a recent arrival on the Island with extensive related management experience. Mr Cumming has agreed to be Acting Manager of the Hospital on a weekly basis. Mr President, these are interim arrangements and I thank both Mr Mitchell and Mr Cumming for stepping into the

breach. I am sure all Members will join me in wishing David McCowan a speedy recovery and all the McCowan family our support in this difficult time

MR PRESIDENT: Hear Hear. Thank you Mrs Cuthbertson. Are there any further Statements this morning. Then Statements are concluded this morning Honourable Members

Messages from the Office of the Administrator

Then I report a message from the Office of the Administrator. I have received the following message from the Office of the Administrator, message No. 77. On the 21st February 1995 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the Domestic Violence Act 1995, which was Act No 1 of 1995. Dated the 21st February 1995, Alan Kerr, Administrator

Reports from Standing and Select Committees

Are there any Reports from Standing and Select Committees this morning. No Reports, thank you

NOTICES

MR PRESIDENT: Thank you. We move to Notices Honourable Members

NO 1 - WASTE MINIMISATION STRATEGIES FOR NORFOLK ISLAND

MRS SAMPSON Thank you Mr President. Mr President, I move that this House, having regard to - (1) the contents of the report titled "Waste Minimisation Strategies, Norfolk Island" produced by UniMelb Ltd which was distributed in August 1994; and (2) the need to protect and improve the Norfolk Island environment, instructs the responsible executive member to take whatever steps and means are necessary to complete the following within 6 months:

(a) Instigate a community awareness campaign for the necessity of waste minimisation that includes information dissemination, public education and instruction and guidance where necessary;

(b) Arrange for the design and purchase of a suitable high temperature batch incinerator for use at Headstone;

(c) Investigate the purchase price and operating costs of a glass crusher and of a suitable shredder capable of handling tyres, mattresses, furniture and similar waste;

(d) Implement arrangements for the return of lead acid batteries to the country of export; and

(e) Set up a control system for the collection and disposal of hazardous wastes such as solvents, paint, chemicals etc. Mr President the Unimelb report arose out of a commission by the Australian Department of Environment, Sport and Territories in association with the Norfolk Island Government and aim of the study was to draft an agreed waste management strategy can be implemented by the Administrator and provide a clear framework for the decision making on waste issue which are in line insofar as our physical and financial restraints, with National Strategies. I will not dwell too long on paragraph (a) as many community awareness campaigns have been conducted in the past and the ability to reach the majority of the people in a very short time with mostly modest costs has been well proven. Already much has been done with easily re-usable and recyclable containers, the school, in conjunction with businesses and organisation, makes sure the pupils are constantly aware of the problems involved and many individuals are most diligent in their efforts across a wide range of issues. The report acknowledges these efforts that have already been made and to quote their words "there was good evidence of a

high level of community motivation". However, the most compelling need seemed to be more accurate information, followed up by an Island wide co-ordinated programme that targets the most pressing problems. There already exist community groups which have taken action and their ongoing efforts are to be commended and perhaps a starting point would be for these groups activities be encouraged expanded and publicised.

Paragraph a), the importance of replacing the burning cage at Headstone has been with us now for some years and it is imperative that immediate steps are taken to do this especially in light of recent awareness with exploding pressure packs. I will quote some comments from the report.

"In order to control burning to a greater extent than in an open pit and to confirm with the intermittent supply of combustible on island, we would suggest replacing the cage at Headstone with a batch incinerator.

The isolated nature of Norfolk Island, combined with the prevailing winds and a location at or near Headstone provide an opportunity for installation of a simple, robust, batch incinerator with a capacity of approximately 2 tonnes per day. The operation of this plant will be superior to the present system from both a waste disposal point of view and for operator occupational health and safety.

The incinerator will replace the Headstone Lower burning cage operation and the Headstone Top Tip burning operation.

The necessity to provide a covered installation for the operation, plus access for continued public dumping of domestic waste means that the most likely site for the new facility would be at the headstone Top Tip where more space is available."

The report goes on to detail of plant and operation costs and states that it is possible for the whole operation to be carried out by one operator.

This type of incinerator would be able to handle paper, cardboard, timber, plastics, oil, tyres and domestic waste. Of course, the more sophisticated the incinerator the higher the cost but examination and decision on this should be made now.

Paragraph c) of the report states only that glass crushers and shredders are available and give contact names and addresses but not much detail. As regards a glass crusher a simple one operates on Lord Howe that consists of a stationary petrol engine connected to a hammer mill into which bottles and jars are fed. This crusher is quite portable, rests on the top of a 44 gallon drum and when the drum is full, the crusher is picked up by two men and moved to the next one. A wine bottle will be broken into a couple of hundred uneven pieces and flagons up to a 2 gallon size can be handled. These full drums are then returned to Australia but here the contents can be used as fill, mixed with cement and aggregate in appropriate foundations or crushed further to disappear in other ways. Once again, the more sophisticated the equipment the higher the cost but more efficient are the results.

Paragraph d), and I read from the report. "Excellent technology exists in Australia and New Zealand for complete recovery of all components of lead acid batteries and some 97% of Australian batteries are recycled. Recyclers pay currently \$140 per tonne for the batteries and smelters are available in Wellington, New Zealand and in Sydney.

A small surcharge on battery sales to cover their disposal by returning them to Australia would cover the difference between recovery price and the freight cost.

It is recommended that such a duty be levied on the batteries at importation to fund processing and export of batteries by the administration".

I am aware that the batteries are no longer disposed of at Headstone but are collected. It is the return to the mainland that needs to be implemented.

Paragraph e), and I quote "Hazardous wastes in general, should not be disposed on island nor by sea at Headstone. The technology available for safe disposal on island is minimal and there is ample opportunity to return containers, residual pesticides and herbicides, chemicals etc to Australia for disposal in

a secure landfill, sealed and monitored. The quantities involved are not great and the cost of disposal can be recovered in the purchase price by varying the import duty rate on declared goods.

There is currently no adequate waste management system for many of the hazardous chemicals, and their containers and there is an accumulation of these because of this.

Paint tins can be incinerated and disposed as per steel cans. Some solvents might be safely evaporated and the residue incinerated. Others would need careful disposal as for chemicals.

If the NIG does not take the initiative to gather these materials, make out a manifest of what is required for disposal, and arrange a backload operation to Sydney for disposal, there is an increasing risk of these materials escaping into the environment. This could occur by leaking from the corroded containers these chemicals are presented stored in or by undetected disposal at Headstone for want of better options.

There are many other issues that have to be looked at. Disposal of hospital and quarantine waste, garden and household refuse, landfill options, asbestos, whole goods, ferrous materials but above all, a start must be made and I consider the above six points to be that start.

However, the Norfolk Island community is strongly against any form of waste management and disposal which might compromise its groundwater resource. Accordingly, solutions proffered in developing a waste management strategy are on the basis that they will minimise the dangers to the groundwater resource.

As outlined throughout this report, waste minimisation is the most effective means to reduce the problems of ultimate disposal. Because of the unique constraints on disposal on Norfolk Island, the efforts and specific directions for waste minimisation should be mindful of the most appropriate disposal solutions. Mr President I wish to table the Unimelb report, thank you

MR PRESIDENT

Thank you Mrs Sampson. Debate Honourable Members

MR CHRISTIAN Thank you. Mr President, I wish to commend Helen Sampson on her work on the Waste Management Report. It has been around for some time and progress on it has been a bit slow, but I suppose I'm unfortunate being the executive member with responsibility for areas that non executive members can sink their teeth into. This has happened in the Waste Management area, and in the Alpaca proposal that we will deal with later and I believe this is a way forward, it's good when a number of people can sit down around a table and talk informally and thrash things out and then leave the Public Service to come up with the more substantive parts of it and we refer it back to our colleagues around the table in there and thrash it out and eventually come back to the House with recommendations and as you can see, Madam Deputy Chair, the motion directs the executive member to try and achieve some of these things within a six month time frame. The timing is perfect in that regard because it falls squarely within the budgetary considerations for the next financial year and I certainly look forward to being able to deliver something substantive in a responsible way within the time frame, thank you

MRS LOZZI CUTHBERTSON I also would like to congratulate Mrs Sampson on bringing this motion forward. Like her I've been concerned that the report has been around for some time and that we were really not dealing with the recommendations that it had brought to our notice. I'm delighted that Mr Christian is pleased to get moving on it and that he has accepted the six month time frame. I am particularly keen to see a batch incinerator take its place at the Headstone tip, it will certainly minimise all the accidents that have happened over the last few years to people visiting that area and will certainly minimise some of the damage that I'm sure some of the people working in that area, must be suffering to their health. I think it's one of the most constructive things that this Island will do towards cleaning up its

environment and disposing of waste in a safe and cleaner fashion. The other recommendations are just as important and once the government takes the lead I'm sure that the rest of the Island and the community will follow in a much more organised and a much more constructive way

MR ADAMS Thank you Madam Deputy President. I consider that these directions needs to be formalised as regards waste minimisation. I believe that this motion moved today by Helen substantially satisfies this need. This motion's been put by Helen having regard as she stated to the Unimelb study produced last year. This study is far reaching and considers many options and alternatives. Whilst not being able to at this stage anyway, fully implement the Unimelb study because of the cost and resources therein involved I think that this motion is a required step in the right direction in the area of waste minimisation for Norfolk. The idea of simply hurling incombustible waste into the sea sits uncomfortably with environmental concerns and I believe whether we like it or not, Norfolk will be required to provide a better alternative to this system sooner or later. I believe the sooner we start forward planning along the lines put forward by this motion, the better. I commend Helen on this motion and I'll be supporting the motion

MR BATES Thank you Madam Deputy President. I certainly appreciate the sentiments behind the motion and commend Mrs Sampson for bringing it forward, but I have a slight reservation in the wording of the motion with regard to having the work done without any costs placed before the House. Part of it reads that they complete, design and purchase the high temperature incinerator, well I have no idea how much that would cost and I think the proper channels of funding for this must be done in accordance with the provisions of the Public Moneys Ordinance and I wouldn't want anybody to think that this motion approves the funding for this. I think the funding must come forward in a proper manner and be approved by the House. I will support the motion but I make that point quite clear in supporting it I don't believe that this is giving the Minister for Environment an open cheque or a blank cheque. Money has to be further considered before he proceeds with the various components of the motion. Apart from that, I'll give it my support, thank you Madam Deputy President

MR BENNETT Just a quick point following on from Mr Bates Madam Deputy President, at the appropriate time, it would be at next months meeting, I would be encouraging Mrs Sampson to make a slight amendment to Point B, in this motion and for the words to say "arrange for the preparation of the design and proposals to purchase". Words to that effect to overcome the difficulty that I share with Mr Bates about this motion committing expenditure when we've really no idea what it is. I mean, it does cut across the way we are supposed to deal with Public Money and in any of the other sections that might be so affected by such a motion. It is simply to put that qualification in so that when the deeds are done by the Minister for the Environment he has the plans and proposals for all of these things and they can be costed and we can deal with those in the normal budgetary process, that's my comment

MR BUFFETT Thank you Madam Deputy President. If really we had been able to observe the scene in Norfolk Island, say about fifty years ago, we would have found maybe this, a population of something like 950 people, some 330 dwellings, a limited number of motorised vehicles, probably a fortnightly air service, may a six weekly shipping service, some small annual tonnage imported of consumer products, hardly any visitors in the tourist sense as we see it today, and that limited population would have produced human waste in a volume which would have allowed nature to cope with it. The disposable household refuse would have probably been of organic fibre or as its base, such as paper wrapping, cloth covering, wooden cases. Use of plastics, aluminium and the

like would have been minimal in that sort of time frame. The registration of motor vehicles would have been minimal and the rejects of those vehicles, such as car batteries, bodies, tyres, waste oils etc would equally have been minimal. Should we go back a further fifty years, really we are talking about the beginning of the century those waste products would have been even entirely less than that that I've just endeavoured to describe. So the scene or the scenes then would have demonstrated that in all the circumstances of those times, nature was really able to cope with the waste that the Island produced. Today, just to make some comparisons, we sustain a population of about 1912, in other words, it's more than doubled then that fifty year benchmark that I've endeavoured to describe to you. There are some 793 dwellings at the last census, that is again more than double than that earlier figure, tourist dwellings we have now, which accommodate up to 1300 people and they in the same context did not exist in that earlier time that I endeavoured to describe. We have about 2,271 registered vehicles. Compare that with the less than 214 of that earlier benchmark. We have an annual tourist population of 30,000 which again, did not exist in the same way. We have a significant increase in annual tonnage of imports. We have a society today which thrives on the use of plastics or its equivalents. We have a build up of refuse that comes from a whole host of things that were not in use before, car battery acids for example, to garden sprays and the like. And so today's picture clearly shows that nature which so wonderfully accommodated us in the years past is really no longer able to cope with the waste that we in Norfolk Island are producing and just as a short time ago we had to take action to assist the process of nature by introducing a sewerage scheme in the high density area of the island, we now do really, as Mrs Helen Sampson has proposed to us today, to be active, active is her prime word I think, in another scheme to cope with other waste products that the community is now producing. The report that she has tabled and referred to and drawn much information from is voluminous and it is probably not that easy to read if I might say that, but nevertheless, it does have a whole host of information that allows us to move forward in this matter and I know that Mr Christian as the appropriate Minister has been going through a process of endeavouring to draw that detail together so it too might move forward in a way that Mrs Sampson is now proposing to us. I support this move and I just like to say in supporting it that there are some things about items a. to e. that have been mentioned in the motion. Item e. is about community awareness and I would like to endorse some words which have already been said about community groups that exist in the Island because whilst Mr Average may be a little complacent about waste minimisation, there have been some very active and good groups and individuals in the community who have been trying to make people aware of this for a long time. It deserves our support. It has reached the stage where it is well past deserving our support and this motion brings that forward in a supportive way. Item b. This is the item about a high temperature batch incinerator. I have a query about this at this moment along the lines that Mr Bates has mentioned, in that it is saying we need it but it hasn't identified a cost. Now I think we need something to do this job but I think in looking at it we need to have options and know about the costs before we give it the final nod but the general thrust I support. But let's see those costs so that we know where we stand. We're not really able to write a blank cheque on the matter. We need to continue to be careful but we need to move in that direction. Item c. talks about a glass crusher and shredder and items of that nature. I think in that process we need to see what is recyclable as far as the refuse component of the community is concerned and if that will provide a component that would assist that there are good points about that. Item d. is the lead acid batteries and I do know that there have been some moves to almost achieve that but it needs to be given substance and encouraged and reinforced so that is a much supportable part of the motion and the final item is a control system for the collection and disposal of hazardous wastes such

solvents, paints, chemicals and the like. We all will know that a collection point has been commenced in part at the Headstone Tip or in that vicinity where some of these items can be brought but we also know that a lot of people still have them sitting home in their shed and they are hesitant and they don't really know in a total and conclusive sense how it might best be handled and how it might be brought forward to a central point to be well looked after and responding to this motion will bring something forward to allow that point to be covered. I commend Mrs Sampson on this in it being brought forward. If it is designed that we have an opportunity now to consider the points that all of us have raised and to come to grips with that fairly voluminous report that is in front of us, I would support moving in that direction. Thank you Madam Deputy President

MR KING Thank you Madam Deputy President. Do I interpret correctly that Mr Buffett's closing remarks meant that he would welcome an adjournment on this

MR BUFFETT I would be willing to move that, if that's in accordance with where we are at

MR KING Well I wanted to talk on that just for a brief moment. I'm quite comfortable if this thing moved ahead today. I reflect on Mrs Sampson's foreshadowing the other day that her absence at the next meeting of the House and I wouldn't want that to slow this motion down. I understand Mr Bennett's desire to have some clarification or perhaps change to part b. of this motion regarding the expenditure of funds but I think it is safe for us to say that this motion assumes that funds will be available to do each of these things, in fact there's expenditure involved in all of them, a. to e., none of which has been specifically appropriated at this time but there is an understanding, an acceptance I'm sure by all Members that if the funds aren't available, then these things simply can't be done, so it assumes that moneys will be available in due course so I don't see the need to focus as others have done on this need to be more specific about how much we are going to spend. That part of the process would come at the time we would consider appropriating moneys or virementing moneys and those processes are available for us to take. I don't have any difficulty with the motion at all. Like everyone else I commend Mrs Sampson for bringing it forward. I see it as being a direction motion, I see it as being necessary at a later stage to appropriate funds and I accept that if those funds aren't appropriated in the normal manner then these things simply can't be done but it lends direction to the matter and other matters will be considered in due course. Funding specifically, so I would welcome the matter being finalised today actually

MRS SAMPSON The fact is Madam Deputy President, I would like to move an adjournment on it because the Members have gratefully put forward the meeting for next month in April to the 12th to accommodate the fact that I was going to be away on the 19th so I will be here at the next meeting and the Unimelb report as Mr Buffett has said, is voluminous as having tabled it I would like a copy to go to the Library because I think the wider public who have had a lot of input into waste minimisation should have the opportunity to read and perhaps come back to me with suggestions thank you

DEPUTY PRESIDENT Thank you. Further participation? The question is then the debate be adjourned and the resumption of debate made an Order for the next day of Sitting. Do you so move Mrs Sampson

MRS SAMPSON Yes, I do so move

QUESTION PUT

AGREED

The ayes have it thank you

NO 2 - NORFOLK ISLAND ACT 1979 - RESCISON OF MOTION OF THE HOUSE OF 15 DECEMBER 1993 CONCERNING THE CHANGE OF NOMENCLATURE OF THE PRESIDENT AND DEPUTY PRESIDENT

Members, we move now to Notice No 2

MR BUFFETT Thank you Madam Deputy President, I move that this House rescinds the motion of the Legislative Assembly of 15th December 1993 concerning nomenclature of the President and Deputy President; and requests the Minister to vigorously convey to the Administrator, appropriate Australian authorities and elected representatives, the view of this House that Australian legislation should not be made to change the existing statutory nomenclature of these office holders of the Norfolk Island Legislative Assembly

DEPUTY PRESIDENT Thank you Mr Buffett

MR BUFFETT Thank you Madam Deputy President. The substance of this matter has already been debated by us. It was done so on the 13th December 1994, that is amongst this group that are assembled here today. I really don't plan to be repetitive about it and I regret really that there is a need to trouble the House by revisiting the subject matter, however, two matters have arisen which have really dictated this course to us and before I detail those two matters that have arisen. Let me just remind you Madam Deputy President and Members of the two occasions of really major debate on this subject. On the 15th December of 1993, that is in the Sixth Legislative Assembly, not this one, but the previous Legislative Assembly, a motion on that occasion was promoted by Mr Ric Robinson to change the names of President and Deputy President to Speaker and Deputy Speaker. Whilst I didn't support the motion, that motion was passed five to four. That decision was squarely conveyed to the Commonwealth as it had to be to be effective. The Commonwealth needed to pass an amendment to the Norfolk Island Act to give effect to that. Now the second substantive time that this matter was debated was on the 13th December 1994, that is, in this Assembly, the Seventh Assembly. Legislation on this this occasion was promoted by Mr King to make some amendments to the Norfolk Island legislation that would change names as I've earlier described and this would be companion legislation to the Commonwealth legislation that again I have just referred to. That bill was defeated. It did not pass. The question of whether there should be such a change of nomenclature, was widely debated when we talked about that Bill in the House and the result by majority decision was no change. For my part Madam Deputy President I entirely expected as a result, that the Commonwealth would be advised of this Legislative Assembly current attitude, that is, a change from the previous Assembly, the Sixth Assembly that the earlier request for change in legislation indeed would be cancelled. Resulting in, that the Commonwealth would make no change as we on the same basis, had determined, there would be no change. That was really background to bring us up to date, now let me mention the two matters that have arisen which have really compelled this matter to come again before us. Firstly, there is a difference of opinion amongst Members as to whether the motion of the Legislative Assembly in the Sixth Legislative Assembly on the 13th December that I've endeavoured to describe, continues to have substance, notwithstanding our debate on the 13th December 1994 last, some Members remain of the view that the earlier motion of the Sixth Assembly continues to carry weight. Now we've got to clear the point up, that's the point I'm

endeavouring to make in bringing it forward. Secondly, there has been some hesitancy in really vigorously conveying to the Commonwealth, no doubt because of that confusion in the first instance as I've described, the current prevailing attitude of this Seventh Assembly on this subject. The point needs to be made clear so that the Assembly's wishes, whatever they turn out to be, are acted upon and with all practical speed and in a thorough and a determined manner. As I've already said, I don't really plan to revisit the arguments except to identify that there is a difference in interpretation as to where we stand and to say simply let's clear up the point and record a decision in categorical terms so that we might move ahead in accordance with whatever the decision turns out to be. My proposal before you is this, state categorically that we put aside the earlier motion of the previous Sixth Assembly, clearly state that we wish to retain our time honoured nomenclature and advise the Commonwealth authorities with vigour because they presently are still heeding earlier and I would say superseded, but there is a difference of view about that, advise on this subject, and that endeavours to put it in a nutshell Madam Deputy President and I make that proposal to the House

MR KING Thank you Madam Deputy President. I suppose it was inevitable that this debate move fairly quickly away from the substance of the motion to the peripheral issues or side issues as it were and I don't have difficulty with that, I guess it was rather inevitable that that happen but I need to reflect, unlike Mr Buffett, that the arguments of the merits of the situation and perhaps turn a little later in the debate to the side issues and the differences of opinion that perhaps led us to this situation. But I make my comments very brief in respect to the merits of the motion. Not wanting, like Mr Buffett, to repeat oneself on the arguments that were raised on earlier occasion in this House on the question but I was reflecting just last evening on a number of things, and among those were the nature of the debate as it took place here in the House on the 13th December 1994 on the consequential bill which was voted down by the House and some of the comments made by at least two of the Members on that occasion who ultimately voted against that bill referred to their impressions that there was no confusion in the community regarding the titles of President and Speaker. That has simply not been my experience over the past few years, as I have occupied an executive officer in the Assembly and I can't say that strong enough. I can recall a recent occasion where a senior minister of the Government, which happens to be me at the present time, not that that has great bearing on this particular issue, and the President, Mr Buffett, were introduced by a prominent member of the Norfolk Island community to a visiting person and Mr Buffett was introduced as the Leader of the Government and I was introduced as the Head of the Government. That left me a little stunned I'm afraid to think that that was the type of confusion that was in the community and I just can't quite recall the look on the persons face or how he felt about meeting both the Leader of the Government and the Head of the Government and what it all meant because I quickly turned away with some embarrassment. I noticed in the Joint Standing Committee report which you spoke about earlier on, a factor which took the Committee to some of its recommendations and that was their findings or conclusions that leadership in Norfolk Island appeared to be somewhat lacking and they made the reference to a company or organisation called I think Bethcab, or something or other, who had complained to the Joint Standing Committee or gave evidence to the effect that they didn't know who to talk to in Norfolk Island, as there didn't appear to be any leadership. Personally, as Minister for Shipping, I've never heard of these people and they didn't attempt to contact me but that's the kind of confusion which exists on the question of leadership. I can't quite come to terms with the fact that the Assembly establishes a line of executive authority and then appears to obscure that line of authority by continuing with, what to me, is an inappropriate title for the office of Speaker, or the person who chairs the

meetings of the Legislative Assembly, so I wanted to say those few words by way of my introduction to the debate Madam Deputy President. I'm sure that I will rejoining the debate a little later on

MR BATES Thank you Madam Deputy President. Just on the point made by Mr King about confusion in leadership. I think its a fact that the Government has no identifiable leader of government is the confusing point rather than whether the leader of the Assembly or the person leading the Assembly is called a Speaker or a President. I think simply because the Government has no identifiable head doesn't mean that we should further confuse the issue by not having an identifiable leader of the House and I think everybody understands the title of the President as being the leader of the House. If they don't understand the difference between the House and the Government then I think the leader of the Government should have some more prominent title which will identify him as the leader of the Government and I think that's where the confusion lies, thank you Madam Deputy President

MR BENNETT Madam Deputy President, this motion is very much at the eleventh hour. It's about reversing a decision taken fifteen months ago in this House. It's about now, reversing a complex procedure of the federal government to halt the progress of the amendment to the Norfolk Island Act contained in an omnibus bill presently before the House of Reps. This particular omnibus bill has already been to the House of Reps and passed and to the Senate where it was apparently passed subject to some minor amendments to parts of the omnibus bill which don't concern us here on Norfolk Island, I think they were environmental matters, it would appear that subject only to the agreement of the House of Reps to the amendments, the Bill will most certainly pass through the final stages perhaps even next week. The current drama which arose last Thursday upon the receipt of a press release from Senator Grant Tambling took its initial focus upon the letter to the Administrator which was subsequently tabled in the Federal Senate by Senator Tambling and which formed part of the press release. The first reaction, or at least the first reaction that I was on the end of, was assertions along the lines that there was a conspiracy to hide the facts of this matter and I became quite troubled by that and angry. I reject any assertion or allegation of a conspiracy out of hand. The assertions were apparently made on the basis of Mr President apparently expressing a view that the contents of the document in question had never been seen or the contents made known to him. Now if that had been the case then there would have been I think, perhaps some cause of concern or questions to be asked. Later, this view was changed to an acknowledgement that one paragraph had been made known only and after confirming this position at a meeting of all MLA's this view was later changed to an acknowledgement that whilst a copy of the letter had not been passed to him, Mr Buffett was made aware of the contents. Madam Deputy President this occurred on February 13th last, following the adjournment of the Legislative Assembly that date. It occurred I'm told as a result of an article which appeared in the Norfolk Islander on the 11th February which was in fact a press release by the National Party Member Tim Fischer who had been to the Island some time previously and in the article by Mr Fischer, which would have been of interest to all Members because Members I understand had lunch with him, and so it was not as though he had arrived here and left and put a press release in, so I find it hard to accept that it went un-noticed as its also been suggested, importantly, to those who would have been most effected by the change this press release would have made absolute sense. Mr President for example, would have been aware of what it meant having been briefed on it as well as the contents of the letter now being objected to. As I mentioned earlier, the briefing occurred on the 13th February. Earlier advise had been provided prior to this by letters and by memorandum, the two that I'm aware of happened in November and December. The matter was also explained to all

members present at an MLA's meeting on the 5th December 1994 and in the meeting in this House on the 21st November 1994 in the introductory remarks made when the Legislative Assembly Amendment Bill or whatever it was, was put into the House. Mr President is the longest serving Member of the Legislative Assembly and having served in the highest positions during the time, is undoubtedly the most astute and the most experienced politician serving this Island. In addition, the Clerk to the Assembly upon whose shoulders befall many responsibilities is in herself a most experienced officer of the Parliament having served as well for more than fifteen years. It seems somewhat inconceivable that with all this advise to hand that no mention of concern was raised at any of the subsequent meetings of the MLA's since that time. To what extent other Members of this Assembly have relied upon his counsel in this matter I have no way of knowing, but it seems fairly evident that many have relied quite heavily on the obvious and unfortunate misinformation that came forward. Madam Deputy President, I don't support the motion, I'm a little bit concerned about it arriving quite suddenly and can't make up my mind whether it represents a last ditch protest to the events of December 1993 and 1994 or whether there might be some other motivation

MR KING I gave in Madam Deputy President, I see everyone eyeing me waiting for someone else to take the call. I'm sure there is more to come after my further participation. It's all a matter of strategy Madam Deputy President. I mentioned before that it was inevitable that the issue had become somewhat clouded by all the side issues and differences of opinions and questions of if I had done my job more properly or properly or better or whether Mr Buffett or someone else perhaps had been more astute or more alert and taken earlier steps then we wouldn't be here today talking about this motion. But I would like to just make a small examination Madam Deputy President of those side issues just to clear up hopefully one or two points and it is probably in the nature of a defence of myself to the extent that it is necessary. It would appear although I hope that it is not seen as a David Buffett/Mike King argument or issue, certainly it would appear that we are the two key players in this particular issue but to the extent that the side issues may have altered some of the views which have been earlier expressed on the central question I make some further comment. I want to say again that at the time of the second reading of the local consequential amendment bill in December last that Bill to amend the Norfolk Island Act had in fact already commenced its passage through the Federal Parliament. You will recall Madam Deputy President that up to that point there had been no hint at all of any opposition within the Assembly to the changes which were taking place. Mr Buffett has made mention of a difference of opinion about whether the motion of December 1993, that is of the Sixth Assembly, had any - I can't recall his words - but whether it meant anything basically, come the election of the Seventh Assembly in April 1994 last year. I just simply can't accept that there can be any expressed difference of opinion at this point in time since immediately after the election, and you recall again the matter which was passed by the Sixth Assembly in December as Mr Buffett said, was conveyed to the Commonwealth which began the process of change within the Commonwealth's sphere at that time. April 1994, the Seventh Legislative Assembly, May 1994, myself canvassing out of an abundance of caution, canvassing the opinions of Members on the question of whether it should proceed, the very clear indications given to me, yes the majority supported it, and the matter kept on progressing through the Australian Parliament. Now, at that point in time in May 1994 there were some concerns expressed to me that the change had been requested in the Sixth Assembly because of personalities, that it was a personal attack on Mr Buffett. Members also expressed a concern that Mr Buffett's position as the elected presiding officer, that is, in the Seventh Assembly, should not be affected by any change in titles, those concerns were expressed to me and I took those concerns on board in May 1994 and I

instructed officers to contact the Deputy Administrator asking that any change in the Commonwealth sphere include provisions to protect the positions of the then President and yourself, as the Deputy President. Now at that time, and with the full knowledge of Mr Buffett, instructions were given to the then Legislative Counsel to prepare local legislation to change references to President to the word Speaker, and consequential type amendments. As indicated by I think Mr Bennett in his debate, a number of things have happened since that point in time, there were a considerable number of MLA's meetings on an informal basis, there were a considerable number of formal meetings of this House. On none of those occasions was any hint made or given to me that there was any opposition to the Bill. Now you will recall again, I think it was at the informal meeting of Members next door in November, that I again indicated to Members that I was proceeding with the Consequential Amendment Bill, again no opposition, so I cannot, Madam Deputy President, with due respect to Mr Buffett, accept that there was any difference of opinion about what was happening during the term of the Seventh Assembly as a result of that motion that was passed in the Sixth Assembly. I cannot in any way, shape or form. In my debate on the local Bill in December which was the very first time that I became aware of any opposition in December, recalling again the Federal Bill had begun its passage through Federal Parliament, I stressed the need to let Commonwealth authorities know of the fate of our Bill as soon as possible because the processes had gone on for so long in the Commonwealth, and Madam Deputy President, I have to say, why should I have expressed those reservations if I was confident that a simple voting down of our Consequential Amendment Bill was enough to halt the Commonwealth processes. I understand, some Members did have that view but I remained uncertain. In fact, Madam Deputy President, it was not until mid February of this year when Federal Parliament resumed that I, and indeed Mr Buffett became aware that the changes were proceeding through both Federal Houses and I think that Mr Bennett has made mention of the press release made by the Leader of the National Party which appeared in the local press. Madam Deputy President I can't say why Mr Buffett did not take earlier positive steps in the matter but that is in his mind and that is a matter for him. I can say that as he was the incumbent President I felt it was particularly important to keep him informed on what was happening and I asked, in fact, I stressed very importantly that he be copied with any correspondence on the matter. Now there is a whole host of correspondence which I'm happy to table but I don't feel it necessary Madam Deputy President which refers to letters sent in November and December which make patently clear what was happening in the Commonwealth process, because I felt it important to keep the President informed on what was happening. I would have thought that in all that leading up to November or December or even up to this meeting of the House that there were a number of trigger points, as it were, which would or should have triggered someone who wanted to mount some opposition to what was happening in the Federal sphere. A host of them, a host of trigger points, particularly with the correspondence and anyone who had any desire to oppose what was the substance of the correspondence with which that person had been copied, should I would have thought, serve to trigger an immediate reaction, I'de better do something about it. I just simply can't accept it. I tried Madam Deputy President to do all that was expected of me, admittedly, I could have called the House, I could have put a motion of rescision to the House immediately after the formation of the Seventh Assembly, I could have taken steps by even simply writing, talking to Members on an informal basis and writing to the Commonwealth and saying, stop the process early on in the piece, but I didn't do that, simply because I supported the change that was taking place. There was no obligation on my part to put that process to a close. The upshot Madam Deputy President, is that we are here addressing the motion today and it's unavoidable I guess that we need to go further behind the motion to judge on another point and that is whether that which is sought to be achieved by the motion is in fact capable

of being achieved, and perhaps to assess whether there might be some undesirable side effects arise from the passage of this motion if it were to go through the House. My understanding right up until this morning was as I have described to Members. My uncertainty regarding whether the motion of December 1994 was in itself sufficient to knock out the Commonwealth process and the fact that I next became aware after Federal Parliament resumed that it was proceeding on through the Federal sphere. This morning I received a copy of a letter addressed to the Administrator from the Parliamentary Secretary Warren Snowdon, and I would like to read that letter Madam Deputy President and then table it.

Madam Deputy President I quote the letter to the Administrator from Mr Warren Snowdon. "Dear Mr Kerr, The Territories Office has drawn my attention to the motion relating to the nomenclature of the presiding officers of the Norfolk Island Legislative Assembly to be debated by the Assembly at its meeting on 15 March 1995. I am conscious of the fact that the Norfolk Island government Minister for Tourism and Works, the Hon M W King MLA, wrote to you on 14 December 1994 about the issue and I have not provided you with advice of progress. The current position is that the Commonwealth's amendments to the Norfolk Island Act 1979 to effect the change in nomenclature to Speaker and Deputy Speaker have now been agreed by both Houses of the Parliament. The changes were included in a Portfolio Bill which was introduced into the House of Representatives on 8 December 1994. That Bill, which deals with several crucial portfolio issues, was passed by the House on 27 February 1995. After debate, including mention of the differing views of Members of the Assembly over the changes, the Bill was passed by the Senate on 8 March, unchanged in respect of the amendments relating to Norfolk Island. Senate amendments to those provision of the Portfolio Bill relating to the Great Barrier Reef Marine Park Act 1975 have been accepted by the Government. As a formality those amendments are expected to complete passage through the House when Parliament resumes on 27 March. We can anticipate that the Bill will receive Royal Assent shortly thereafter. Several elements of the Portfolio Bill require urgent passage. Amendments to the Bill which may have resulted in delays and possible loss of the Bill's position in the legislative queue, other than those which were absolutely essential and unavoidable, had to be strenuously resisted. While I am aware that there has been some controversy on-Island about these changes I see them as reflecting the more mature relationship which we are developing between the Commonwealth and Norfolk Island governments. "President" and "Deputy President" are titles associated with local governments. "Speaker" and "Deputy Speaker" are more consistent with the self-governing status of Norfolk Island which as you know the Commonwealth sees as akin to self government of the ACT/NT/State type. Further, these changes will help remove the confusion on and off the Island about the roles of these positions. I have asked the Territories Office to let you know when the Portfolio Bill completes passage through the House and receives Royal Assent. I would be grateful if you would provide Mr King with a copy of this letter." Signed Warren Snowdon and I table that Madam Deputy President. It appears to me that where we are at now is a situation which if this motion which is before us now passes by majority that that majority will be in a lingering state of conflict or strain with the Commonwealth. Most definately I feel that such a residual conflict or strain would not be healthy in the relationship between us and the Commonwealth of Australia. Madam Deputy President I am sure that the debate hasn't concluded at this point in time but I hope that some of the things that I've mentioned today will cause at least some people some pause in this matter, particularly as we approach the time to vote on the matter. It is quite possible that I will rejoin the debate shortly.

MR ADAMS

Thank you Madam Deputy President. This subject I thought I had already voted on, but apparently not sufficiently. I must confess Madam

Deputy Chair that voting on December 13th I thought that was the end of the matter. Apparently not. On coming back from my trip overseas, I was most surprised to see a letter, the letter's wording of December 14th saying in effect, this is regarding the Legislative Assembly's Speaker Amendment Bill saying in effect, they've voted against it but don't worry about it, it doesn't change anything. Further in that letter Madam Deputy Chair, the last paragraph states that "the Government will understand if the omnibus bill because of cost, a settled legislative programme and the late stage cannot at this stage be altered." Madam Deputy Chair to me, inherent in this paragraph is at least some recognition that some obligation is waived toward changing the legislation's wording back to President. Now this is completely at odds with a statement earlier in the same letter saying that the House voting in a majority against the Legislative Assembly Speaker Amendment Bill 1994 didn't reverse the 1993 request. Madam Deputy Chair, one point I would like to have cleared up at this stage, is that why the relevant Minister, who had explained to the Commonwealth that in his opinion the majority vote against the Speakers Amendment Bill did not reverse the 1993 motion requesting a change in the title of presiding officers, upon doing that why did he not adequately pass to this House that his believe was that it didn't change it and to other Members at the formal sitting in December afterwards indeed as he had, through portfolio, carriage of the Speakers Amendment Bill and brought it to the House, why, with the majority voting against it, did Mr King not bring this motion in front of us today? It seems a little unusual that somebody else has to bring this motion forward when in fact the Minister should have had carriage of this one as well, thank you

MRS SAMPSON Thank you Madam Deputy President. I'm not going to weigh in too much about this. I've read the Hansard from December very carefully, quite a few times. I take Mr King to task on telling us how often he had reminded us from May 1994 onwards and all the trigger points about this particular problem. I know I'm getting old and my memory's failing but I really can't remember much of it coming up until the motion turned up in the House in December last year. I felt that if the executive members had probably been a little more open in what was going on and had perhaps told the non executive members and perhaps explained to the newer members who were probably somewhat naive that this problem would have never, well, it probably would have surfaced but probably we would have had more understanding of the way which we were voting in December and I also notice with interest that right through the debate in December 1994, Mr Bennett who is usually most vocal on subjects, never entered into it

MR BUFFETT Thank you Madam Deputy President. Really, since I commenced the debate in introducing the motion another dimension has really entered the debate. My thrust was, settle the areas of different interpretation and to move forward. Really, what we have now is really a rekindling of a number of areas most of which we have talked about before and I'm not too sure that I really do want to revisit them, but let me just make a couple of points in response to some of them. Confusion in titles for example, it has been mentioned that maybe there is a lack in leadership. I think it is fair to say that amongst the executive area there might be some better identification and if that is desired I'm sure that could be done, but I'm not too sure that it is a sound argument to visit that adjustment upon the office of President. I just don't think that that is an essential or necessary part of getting another part of the machinery in order. The processes that led us up to the 13th December 1994 debate, there was some correspondence to and fro which the appropriate Minister, who had continued the processes, that is, Mr King, had kept me up to date with and I valued that but it is interesting to know that after that date there was a deathly silence and hush in respect of any correspondence. I received no copies of correspondence after that particular

discussion.

MR KING

MR BUFFETT Well there was Mr King, because I now find when we look at Hansard, there is a copy of that letter that you wrote to the Administrator

MR KING Well, that was as a result of what happened in this House

MR BUFFETT: Yes and I make the point

MR KING

MR BUFFETT Madam Deputy President I've listened patiently to what Mr King has said when he was talking although I didn't necessarily agree with all of the things that he was saying, but I listened patiently and I expected other members would give others an equal opportunity to speak in this House.

So. That particular letter which is - I'll have to look it up, because I've now got a copy but I didn't then - is dated the 14th December. That letter certainly was not shown to me nor seen by me until I read it in the Commonwealth Hansard when a copy came to us from the Tambling machinery that has been earlier referred to. What I have acknowledged is that when I enquired whether a communication had been made to the Commonwealth, conveying the decision of the Assembly on the 13th December of last year, the answer was that yes, that had been done, but no letter was forthcoming and there was comment, about this earlier motion, that is, the motion of the 14th or 15th December of the year before, the first motion about this. I think, I've got to say in hindsight Madam Deputy President that if I had not been less trusting that the House's wishes had been carried out, it probably would have rung warning bells to me and maybe I should have gone a bit more and I should have been showing a bit more thrust in seeking where-ever this letter was, it to be so produced but you see my interpretation was, as a number of others interpreted, that when we talked about this in December last that the matter was clearly defined and settled and I in faith acted upon that assumption. Regrettably, that was not how it was, so it means that we've got to come back and either work out one way or another as to how we go from here, but I think it needs to be pointed out because that is at odds with some of the earlier indicators to this House here this morning. You see, I am really not able to accept, and I'm sure that you will understand and agree with this, that this motion to adjust was commenced in the last Assembly in December 1993. I opposed it then and made my position quite clear. It was brought forward again, the substance of the matter but in a different way, in December of last year, 1994. I equally opposed it then and made my situation quite clear. On both those occasions the appropriate Minister in the House had responsibility to respond to those particular results in the House and I'm assuming that as in the first instance that happened, that the wishes of the House would be carried out in the second instance. It seems particularly strange that when it didn't happen as I interpreted the House would want it in the second instance, that somebody is now turning around and saying, and you Buffett are to blame. Now that just doesn't sit correctly at all. It can be clearly seen that there were ministerial responsibilities to carry out the wishes of the House. If indeed the House had wanted me to do that I could have done it but it rested in the ministerial area so let me just make that point clear. It has been mentioned, Mr King used these words, that he at one stage remained uncertain about that earlier motion as to whether it continued to have substance. If he was uncertain then I'm sure he should have consulted with the Members as to how the matter should stand. That's what I'm trying to do now I might say, is to settle the matter if there is any uncertainty and I have not endeavoured to try and do it in a way to try and rake the old matter

again. Let me now just refer to Mr Snowdon's letter to us. Now this is quite an alarming letter I might say. It's an alarming letter for a number of reasons. The first is that he is really saying to the Norfolk Island Assembly how we should work our affairs and that is quite a paternalistic and unacceptable attitude in my view that the Australian Minister should say how we should order our affairs. It's equally paternalistic in my view that the Commonwealth should continue to pursue a course if we say it is not a course that we desire here in Norfolk Island, especially of course, if it relates to our own Legislative Assembly. I would not have interpreted that it is too late to arrest the Australian process if we decided today that that's what we want to do. Notwithstanding what Mr Snowdon has said, because you see, the state of the Bill as I understand it in the Australian Parliament is quite accurately that it went to one house on the 22nd February, that is the Reprs, and passed there and it went to the Senate. The Senate made some amendments, not amendments that relate to Norfolk Island, which means that it must revisit the House of Representatives to be heard again and on that basis there is an opportunity if we so wish to promote these processes to withdraw the Norfolk Island factor there is that quite legitimate and proper process to be gone through. Now to be quite frank, even if in that process it was too late, if it is something that we desire for our own Assembly, there is no reason why we shouldn't continue to go ahead and achieve it, whether in fact it appears to be inconvenient for them or not because it is what is happening in our House that is being effected by this process. Now, I can understand that the Commonwealth authorities may find it inconvenient and I could understand that they would want to say words to us that would want to let us put it aside so that it didn't cause them inconvenience but if in fact we feel that it is what needs to be done for us then inconvenience in those terms for the parliamentary process there, not impossible but maybe inconvenient, should not be a deterrent to achieving what we desire. My goodness, we've gone ahead and done other things in Norfolk Island that we have thought appropriate whether or not the authorities elsewhere shared the view or not, so I don't think it is too late. I don't think it is too late and I think it is somewhat paternalistic that the Parliamentary Secretary should try and tell us that we need to do things in a certain manner and I think indeed some of the detail that he has quoted to us has some element of inaccuracy about it as well. I would continue to urge Members to pursue the course that I'm proposing to you and that's let's say what we meant when we last talked about this in December and let's say that equally clearly to the Commonwealth

MR BATES Thank you Madam Deputy President. I was a little surprised, even astounded that Mr Bennett tried to lay the blame for the situation we find ourselves in here solely - well he didn't try to lay it solely on Mr Buffett's shoulders, he even tried to lay some of it on our Clerk's shoulders - and I think that was completely inappropriate. Possible some of the blame is mine too because I've been around a couple of Assembly's and I've found that I've been a little bit naive about probably my trust in executive action I guess. I think this is a matter that has been brought forward by myself and other backbenchers, our concerns about executive action on more than one occasion and I certainly considered when we debated this issue in December on this Bill that we clearly said, we in this House wish to retain the title of President in our doings, that we don't wish to change to Speaker. Now I'm sure Mr King got that impression too, but he did say earlier that he was under no obligation to tell the Australian Government anything else, and I think to put in perspective what I am trying to see, he felt no obligation and he made no attempt to convey to the Administrator the feelings of this House and I think, in case I'm going to have an argument about that, I would like to quote the letter he wrote to the Administrator on the 14th December as a result of that Bill failing in the House. It needs to be quoted so that it can appear in Hansard and everybody who wishes to take sides on this can see clearly the

sort of message that was conveyed to the Administrator on the 14th December. The letter is addressed to -

"His Honour, AG Kerr, Administrator of Norfolk Island, Kingston. Your Honour, Legislative Assembly Speaker Amendment Bill 1994. I am writing to formally let you know the above Bill was not agreed to in principle at the Assembly meeting this day. Members gave various views but felt so far as the Assembly law making power is concerned, the Bill should not be proceeded with. I undertook to draw this to the attention of the Commonwealth Government. (He goes on to say) I am aware that the Environment, Sport and Territories Legislation Amendment Bill No 2 of 1994 has already commenced passage through the Federal Parliament. I am also aware that that Bill is a collection of amendments of several Acts within the portfolio area. I am advised any change to the Bill will be expensive and may lead to the Bill losing its place in the Legislative queue. Accordingly, I ask you to note today's action in the Legislative Assembly. This does not reverse the 1993 request by substantive motion for a change in the titles of the presiding officers as mentioned in the Norfolk Island Act 1979. Indeed, legal advice the Norfolk Island Government has received is that consequential amendments to the Legislative Assembly Ordinance 1979 to reflect a change in the title from President to Speaker can in no way affect the position of President/Speaker. (Final paragraph) The Government will understand if the omnibus bill because of cost and the Federal Parliament's settled legislative programme cannot at this stage be altered. Yours sincerely, Mr King, Minister for Tourism and Works."

Now, I think the backbenchers have got every reason to feel let down by that method of conveying what most of us felt was an opinion of the House and clearly saying that the House wished to retain the title President. Now Mr King said that if this motion does go forward those that support it will be in a lingering state of strain and conflict with the Australian government. Now if we do find ourselves in that case I think a lot of the blame has to go back to the contents of that letter which I've just read out. The contents of that letter have contributed greatly to us finding us in the situation in which we are today. If it hasn't well then I don't really want to say that the letter was deceptive, I won't say that, but I think one could be forgiven for thinking that it was deceptive. Thank you Madam Deputy President

MRS LOZZI CUTHBERTSON Thank you Madam Deputy President. I've listened to Mr Bates here now for some time, not just today but on other days and I am most unhappy myself that the letter was worded in those terms, but at the same time, because that letter continues some of the conflict that was going on in previous Assembly's but at the same time I'm also conscious that Mr Buffett is the most experienced and the longest serving person in this Assembly. I'm also conscious that he should have given us leadership into the procedures of getting this changed. He knew, right from the start of this Assembly that there was a decision by the previous Assembly to change the name of the Speaker. I recall very clearly Mr King mentioning at various meetings that legislation to go hand in hand with the changes being made by the Commonwealth, would be coming forward. Not a single person spoke against it except Mr Buffett once said, I will have something to say at that time. Now then, Mr Buffett allowed the process of drafting legislation, costly as it is to take place, never debating or discussing or raising the issue, why do we want to bring about this change as suggested by the previous Assembly. I happen to agree with the idea that the title President/Deputy President are not entirely appropriate because they do not reflect the responsibilities carried by usually those titles. A President in an Assembly, a Legislative Assembly has a very definite role and it is clear in most people's minds that he has a position of responsibility, a position of leadership. We also have a leader of the House, a senior Minister who doesn't want to be called a Chief Minister because on this Island such a title would cause problems as we know. It caused problems with a previous person holding that title. I'm unhappy

about the fact that Mr Buffett allowed all this to go on and never tested the feelings of this House until I'm sure he was fairly sure he would have support because of this that changed but to save money, to save this conflict, it should have been brought to the House before or within the meetings of the Members. I'm unhappy that the letter was written in the terms that it was written and that a copy was not handed to Mr Buffett right away, but at the same time he does have a responsibility of asking about a matter that he cares what is being done. Give me copies of the correspondence. Mr King had made it obvious that he didn't support Mr Buffett's stand and in any political situation if you know the other person doesn't support you then you have to follow the matters through yourself otherwise you are being exceedingly naive and I think in this situation Mr Buffett has failed to take leadership in a matter that mattered to him and he has failed to follow it up as he should have and now here we are in a situation of looking indecisive and looking incompetent and it really is not a very happy situation to be in. I'm not happy with the situation that once this Parliament has decided on something we should be overridden by the Commonwealth, but if anybody in this House understood that the Norfolk Island Act and changes to that Act would override anything we decided, Mr Buffett should have understood it and should have made it clear and should have done something about it. When that Bill was defeated on the 15th December he should have brought the rescision motion forward then, then there would have been no question as to just where this House sat and he failed and this leaves us all with egg on our face. I still support the fact that the title should be changed but I'm not happy that this House should be overridden just so easily and I'll leave it at that

MRS ANDERSON The Sixth Assembly in December 1993 voted to have the titles of President and Deputy President of the Legislative Assembly amended to Speaker and Deputy Speaker and the necessary wheels were set in motion to have this change reflected in the Norfolk Island Act. At the November 1994 sitting of the House Mr King introduced the Legislative Assembly Speaker Amendment Bill to have the titles of President and Deputy President where they appear in the Legislative Assembly Ordinance amended to Speaker and Deputy Speaker. This Bill was debated at length at the December sitting of the House. During the debate Mr King drew our attention to the fact that the amendment to the Norfolk Island Act had been made part of an omnibus bill which had been introduced to the House of Representatives on the 8th December. Mr King wished to give as much notice as possible to the Commonwealth people who are dealing with this thing - referring to the amendment - if that turned out to be necessary. In closing he stated, and I quote, I will obviously respect the outcome of the debate today and take whatever steps are necessary to short cut those processes which have gone on for so long. The Bill was defeated by a majority vote indicating that the Members of the Seventh Assembly no longer wished these amendments to proceed. I, and I believe others of my colleagues, assumed that Mr King would therefore take the necessary steps to "shortcut those processes" as he had said, and have the amendments stopped. Having now seen the letter he sent to the Administrator it would appear that technically he did do this, but not in the spirit in which it was intended. One of the necessary steps which had to be taken was the rescision of the motion of the Sixth Assembly. This was not done by Mr King, by Mr Buffett or by anyone of us until today when the Bill before the House of Representatives is on the brink of being passed. I support Mr Buffett in what he is trying to do but I feel regretfully that he has left it too late and unfortunately I will not be able to support the motion

ACTING DEPUTY PRESIDENT Any further debate? No further debate. Honourable Members I put the question. The question is that the motion be agreed to

QUESTION PUT

Could the Clerk please call the House

MR BUFFETT	AYE
MRS ANDERSON	NO
MR BATES	AYE
MRS LOZZI CUTHBERTSON	NO
MR BENNETT	NO
MRS SAMPSON	AYE
MR ADAMS	AYE
MR KING	NO
MR CHRISTIAN	AYE

The ayes five the noes four the motion is passed. We move to Notice No 3 but before we do Members will realise that it is 1.00 o'clock and we have quite a bit more business. I also draw to their attention that some members may wish to attend the funeral at 4.00 o'clock this afternoon but if it is the wish of the House that we adjourn for lunch. The Clerk has just that the word is suspend, so this House - would you like to come back at 2.00 or 2.30? Very well. The House stands suspended until 2.00 o'clock

HOUSE SUSPENDS FOR LUNCH

HOUSE RESUMES SITTING AT 2.00 PM

NO 3 - PHILATELIC AND OTHER COLLECTABLE PRODUCTS, APPROVED ISSUING POLICY

MR BENNETT Mr President I move that this House endorses the document entitled "The Approved Issuing Policy Relating to Philatelic and other Collectable Products" and requests the executive member to apply the policy contained therein to the relevant operations of the Norfolk Island Postal Service, Norfolk Telecom and any other part of the Administration responsible for the production of collectable items Mr President the decision to bring policies relative to Philatelic and collectable products to the House for endorsement follows discussions about the draft marketing strategy/strategic plan for all collectable products which is in the throes of being developed. At an early stage there was the realisation that with a proper marketing strategy the Government or the Administration could maximise its opportunities with collectable products and thus enhance very much the revenue base. Along with that came the risk that if it went too quickly without policy there is a possibility that it might get off the rails inadvertently. Earlier this morning I mentioned one such possibility and that is the chap who wanted to buy 10,000 Foenkaad sets at a time and a decision to go along that path in future would have to be taken after considering policies and if it didn't fit the policies then a conscious decision by perhaps this House would allow it to happen or not happen. I think that that's the way it should go. It's all about ensuring the integrity of the product and the government in this collectable area. In the report which is in its draft stage it highlighted that the Government has several different roles in the collectable market. First of all it is the instigator and provider of the product, the role of the Postoffice and other agencies such as Norfolk Island Telecom are part of the government sphere. Secondly, the government receives income from the product and therefore sees the industry as a revenue earner. This would be the perspective of the treasurer obviously. Thirdly, some government instrumentalities are part of the support mechanism such as the Philatelic Bureau and fourthly, the government may be involved in one of the allied industries, for example, Telecom and Tourism. It is therefore necessary for all these various government interests to be aware of their role and for

mechanisms to be in place to ensure maximum efficiency in delivering the collectable product to the customer. Finally, it should be remembered that the government is the safeguarder of the integrity of the product. Without the government imprimatur the value of the product and its authenticity could be compromised and the market would then diminish considerably. They were the words that gave rise to the discussion about whether policies which were going to be developed anyway ought to have the endorsement of the House and so any major departure from it would require the House to say, okay well we are prepared to risk the integrity or go this way or that or whatever. Mr President, as part of the motion I will table the document entitled "The approved issuing policy relating to Philatelic and Other Collectable Products". I don't propose to read it all. It has been distributed to Members. I certainly will make copies available to interested people and as I mentioned informally, I would be seeking to adjourn the motion today so that I might send copies of these, draft policies to people who are involved in the industry here in the Island either by way of avid collectors or dealers. Just to have their counsel about some of the aspects of it. There are three parts to it, the issuing policy relating to stamps and other collectable products is the broad heading, there is a special section headed Issuing Policy for Foenkaads and Issuing Policy relating to Fiscal Cards and I'll talk about Fiscal Cards in a little while. Each of those three parts have three principals governing them and these are important and I will read these. Firstly the integrity of the stamps and other collectable products issued, and through that approach the integrity of the Norfolk Island Government will not be compromised. Secondly the development, production and distribution of stamps and other collectables will be done on Norfolk Island to the greatest extent practicable and thirdly and importantly, generally the issue or otherwise of particular products will not take place if it is not commercially viable. That way we relieve ourselves of having to produce things for the sake of doing it, it really needs to have some commercial viability to it. Mr President, obviously the policies that relate to Foenkaads and Fiscal Cards are different to stamps but I think I have a fairly similar thread through them. For example, the design of all products shall be the best design possible and shall have a relationship to Norfolk Island. I don't want to just issue products with any old theme that we dream up. The policy talks about the maximum number of issues in each of the categories per year and in the case of stamps currently used, there are six issues of stamps per annum, that is what we've been running with for a while. The face value of all stamp and postal stationery issues will be appropriate to current postage rates and that's important. There is a section that talks about the maximum value of products issued in a category in a year and that's to avoid the temptation of overproducing in terms of value and turning away collectors who sometimes get concerned when you have issues which have quite high denominations to them and therefore the set is quite high value. The policy talks about definitives and these are the issues that were produced in the last two or three years as opposed to the commemoratives which are issued and closed at a predetermined time. It talks about the maximum number of stamps in each of the issue of definitives, it talks about the maximum number of commemorative stamps to be issued in any one year, and for example, if the policy says there should be no more than six issued per year and there is a definitive issue due then there would be no more than five commemoratives thus we don't exceed the policy. The document goes on to talk about overprinted specimen stamps, it talks about postal stationery and it also makes mention of the fact that a variety of cancellations will be used as appropriate but the cancellations will be applied in accordance with the Universal Postal Union Regulations and not otherwise. When we talk about products in the philatelic area other than stamps we are talking particularly about miniature sheets, the policies recommend that there be no more than two miniature sheets issued in any one year except if there is a notable historical event that requires special

commemoration but if such event occurred the total value of philatelic products issued in one year, that policy still remains so it has to fit in with that. It talks about stamp booklets, stamp packs and other products, for example, what is referred to in the industry as maximum cards which simply are postcards. To give an example, if you had a stamp issue on owls the postcards would have a picture of the owl on, the stamp itself would also have an owl on and the cancellation would have an imprint of an owl. That's what they call maximum cards. They really are a postcard but a prepaid postal item and in various places they are very popular. I'm not sure to what extent it's been tried in Norfolk Island but there certainly is an opportunity for us. I think when we are depicting an issues event of some significant nature or again, if it was a stamp issue about owls which we can now claim to have the worlds rarest bird, I think that would warrant something like that, it's certainly special. It goes on about surcharge stamps, unused stamps, the destroying policy and the certification necessary for that and lastly talks about the ownership of the designs will remain the property of Norfolk Island and therein lies another opportunity. What has become fairly fashionable today and worth a fair amount of money to philatelic bureaus is what they call stamp art, some philatelic bureaus actually sell their stamp art, others have prints taken off it and have them framed and they are sold in a limited series for a fair amount of dollars but those are opportunities that apply in the section that talks about products, other than stamps. In the area of phonecards, the same principals apply, there'll be in the policy area a maximum of four issues per annum and it will also have a total face value by way of policy for the issue of cards in any one year. It talks about the issuing policies relating to future issues and how long they should be on sale and when they should be withdrawn. It limits the future issues of Foenkaads to 10,000 sets as I mentioned this morning, it goes on to talk about the policy of destroying and certification of destroying cards. Again it also deals with specimens which are a fairly, not a new concept but there is a growing interest in specimen cards in the industry and lastly it too talks about the ownership of designs.

Fiscal Cards is something new and it is very much in the development stage and this is producing collectables out of such things as gun licences, departure fee receipts and a whole host of things. Now to many who aren't in the collecting industry this might sound quite odd but it is a booming industry now and at some stage in future years when we get around to a bird issue that has ducks on it the gun licences and ducks go hand in hand and gun shooters everywhere just flock to buy these things. Now don't ask me what motivates people in their decision of what to collect and what not to collect, so the issuing policy on Fiscal Cards follows the general principals that flows through each of the three parts but obviously the policies are a little bit different. The face value of Fiscal Cards would have a greater annual limit, in this case \$100, the numbers issued would be relevant to the service provided like no more then 10,000 of any such being issued at the time. Again the same cancelling, withdrawing and destroying policies that would apply to Foenkaads and stamps and again the ownership question remains. Mr President I'm not aware that there has been formal policy blessed by this House or perhaps even in Council times over our philatelic area, and I think it is timely given as I mentioned in the opening few words, there are possibilities out there for Norfolk Island to more greatly maximise its opportunities and I think it is important that we step down that path and make sure that we are doing it within policy that we all understand and that we not allow the thing to get away. I also mention at the conclusion of any words that others might care to add to it I would be seeking to adjourn it

MR PRESIDENT Thank you Mr Bennett. Any further contributions

MR KING Mr President someone ought to say a few words of support for Mr Bennett's endeavours and I'm happy to do that. It is clear that some

direction is needed and indeed some guidance and I think this is one of Mr Bennett's objectives, that when this Assembly moves out of office and another Assembly comes to office that there will be some document on which that government and that assembly can base their issuing policy and I think that's a good move to take. I'm just sitting here thinking about back in the past when the occasional arguments that have arisen about the issuing policies that various Ministers for Finance have pursued in issuing of cards, I think Brian might have been involved in it at one stage and I certainly recall other Ministers for Finance that copped some criticism about some policies that they pursued in stamp issues and the like and I think that would be a step towards removing those sort of conflicts that might arise

MR BENNETT Mr President before moving the adjournment I should also add that one of the consultants that the Administration retains who visits the Island regularly, on his last visit made comment about how the Norfolk Island Philatelic Bureau is seen in other Pacific Islands and if I get the story right they see the Norfolk Island Philatelic Bureau as being a model on which they would want to operate their Philatelic Bureau. In the course of the discussion with the Postal Services Manager it became evident that many small Pacific Nations have great difficulty with their production of postal and philatelic material and many of them have been the prey of businessmen who fly around and offer them the world and take the production over and destroy their credibility altogether and it is seen there is an opening for Norfolk Island to assist many of these small nations by even going so far as to producing their issuing policies, producing their stamps, managing their whole operation from here. It's an adjunct to the Philatelic Bureau but would earn revenue for them in a management sense and I think it speaks very highly of how some of the Pacific see the integrity of our Philatelic Bureau. Without further ado I move that the debate be adjourned and made an Order of the Day for the next Sitting

MR PRESIDENT Thank you. The question is that the debate be adjourned and resumption of debate be made an Order of the Day for the next day of Sitting

QUESTION PUT
AGREED

The ayes have it thank you, that matter is so adjourned thank you

NO 4 - PUBLIC SERVICE ORDINANCE 1979 - APPOINTMENT OF MEMBERS

MR KING Thank you Mr President, I move that this House - (a) for the purposes of section 13BA of the Public Service Ordinance 1979, resolves to appoint Robert Maurice Elvey to be a member of the Public Service Board for the period 16 March 1995 to 15 March 1997; and (b) for the purposes of subsection 13A(1) of the Public Service Ordinance 1979, recommends to the Administrator that Spencer Steele Saunders be appointed to be a member of the Public Service Board for the period 16 March 1995 to 15 March 1997. Thank you Mr President I've mentioned on previous occasions that it is very difficult sometimes to fill positions on statutory boards and committees, certainly in the area of vacancies in the Public Service Board, that has proved somewhat difficult over recent months and I would like to publicly thank both Mr Elvey and Mr Saunders for agreeing to accept these nominations and I wish them a term of enjoyment on the Public Service Board

MRS LOZZI CUTHBERTSON I would like to support Mr King's choices for members of the Public Service Board. In spite of the fact that he's been looking for a long time as he said, he has certainly found two very competent people who should perform well in a not too easy situation and I wish them good luck and

good work

MR PRESIDENT Thank you. Any further contributions to the debate? Then I will put the question. The question is that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it thank you, that motion is agreed to

NO 5 - QUARANTINE FACILITY FOR ALPACAS

MR CHRISTIAN Thank you Mr President, I move that this House agrees in principle to the establishment in Norfolk Island of a livestock quarantine facility for alpacas, subject to the following conditions being met:

(a) that performance standards to a level acceptable to the Norfolk Island Administration be observed by the operator of the facility;

(b) that the Administration is satisfactorily indemnified against loss, damage or injury to any person or property through any cause which is attributable to the operation of the facility;

(c) that there is a direct financial benefit to the Administration by way of a statutory licence fee of \$2,500 per animal entering the facility or \$1 million per annum (whichever is the greater);

(d) that significant indirect financial benefits to the Norfolk Island community be assured;

(e) that legislation establishing a licence to operate the facility shall require approval by the Administration of an operator and shall prohibit transfer of the licence to another operator without reassessment and re-approval;

(f) that any expenses incurred in the maintenance of the prescribed performance standards shall be met by the operator of the facility; and

(g) that the expenses incurred by the Administration in evaluating the adequacy or otherwise of proposals for the operation of a facility shall be met by the applicants. Mr President I will just foreshadow that if this motion is successful today I will be seeking leave to move a further motion which seeks the views of this House as to whether a referendum or not is required prior to giving approval for a quarantine station if it complies with the conditions set out in this motion that is before the House now. Mr President I think Members have sat around the table and people in the community for a long time have said that Norfolk needs something in addition to tourism. We need to provide a supplement for tourism, not a replacement. Something that is possibly complimentary. An alternative source of income for people in the community that aren't directly involved in tourism, and Mr President I believe if the working group that's been working on this and the Assembly can satisfy themselves that the risks are minimal, that the benefits are there, that the proposed quarantine facility is one way, in fact it is the only proposal of substance around at this present time in any form that has the ability to direct or deliver some benefits to the community other than the benefits derived from tourism. Mr President, I personally favour the establishment of a quarantine livestock facility here in Norfolk Island, I recall when the one was proposed in the early 70's and subsequently lost through referendum that for many years alot of people with the benefit of hindsight, said we shouldn't have let that slip through our fingers and we now have another opportunity where people are proposing to build a facility at their own expense and admittedly they would reap probably the bulk of the benefits but there should be a substantial beneficial flow on to the community as a whole. Mr President, it can be quite an emotive issue and this is why me, personally and the working group is anxious that we acquire as much

community input as possible in this so that emotions can hopefully be kept in check and decisions taken on the basis of fact and we try and proceed forward in that manner, and at this time Mr President I won't say too much more but I will listen to what other Members have to say

MR KING: Mr President I wanted to talk early to say to Members that I'm looking forward to some assistance. I have been a vocal proponent as it were of economic or industry diversification in Norfolk Island and I very early in the piece jumped on the side of supporting a quarantine facility in Norfolk Island. I did so after much reading on the debate that took place in the community back in, oh twenty odd years ago, after reading all the material that was given to me on this particular matter I'm quite comfortable that the protocols that would be put in place on this will give Norfolk Island the greatest degree of protection from the introduction of disease etc as can possibly be obtained. In fact, I could be probably bold enough to say that the protocols to be established in this particular case are better protocols that are in place in an effort to protect us from introduction of other types of diseases relating to agriculture. The importation of potatoes etc, onions, other products, the checks and measures that are in place in an attempt to prevent the introduction or the entry to Norfolk Island of prohibited fruits.

I say prevent because we all sit around this table knowing full well that those measures are not 100% successful so I've been quite happy with those. I've been quite happy that there would be benefits to the public purse and I've been quite happy that there would be flow on benefits or ancillary benefits to the wider community but the difficulty that I've had in recent times has been that I'm not quite sure of the ability of a quarantine facility and a tourism industry to successfully co-exist in a small place. I probably wouldn't have that difficulty if tourism was not our only industry, but the fact remains Mr President that it is our only industry and I am particularly after three years of dabbling in tourism from this level, that I recognise it's fragility. I recognise that a 1% downturn or 1% swing in the area of tourism represents a reduction in the economic impact of \$1m to the Island. 5% downturn represents a reduction in the economic impact of \$5m so I don't know. I'm looking for some help on that particular score. If I'm called to vote on this particular matter now I'm going to vote against the motion but I would look for some words of wisdom from some of the other members in the debate to perhaps ease my concerns if they are looking for my support on this matter.

MR BATES Thank you Mr President. I think it is no secret that my policy in the last couple of elections has been that I would consider any project that I thought would benefit the community or the economy and that was not detrimental to tourism. I have to say that basically I'm in favour of this project. I think the risk factor is something that this project is not going to make us much more vulnerable than we already are. I think our tourist industry does have risks already. We saw what happened to Lord Howe Island when Seaview lost an aircraft. Several years ago when I was on an earlier Assembly, the threat of disease coming from our underground water was very real and that was one of the reasons why we started on the sewerage scheme, we saw what the pilot strike did to our industry, we can see what a downturn in the economy in our neighbouring countries does to it, we saw what the dengue fever did to it, and humans can virtually travel the world without any real quarantine facilities, they can be in countries that have animal diseases and arrive on our doorstep within hours and the types of animal diseases that could happen or where the risk might be wouldn't effect humans. I think the fears are more emotional than real. I do think that I have my doubts at c. in this proposal that we look for a million dollars or \$2,500 per animal, I think that could be the crunch line on whether this thing goes ahead or not, I have some doubts that it will go ahead as a million dollars per annum revenue to

the Island but I support Mr King. I think it would be a shame to lose this motion and lose the opportunity to proceed further down the track. I know we can't put it off much longer and move around much longer but I really don't think that I've had enough public input. It might be very well to say this issue has been around for some time but I've been saying to the people, yes the government is looking to get all the facts together before they go public, before they tell you what they think about it and what the benefits for the Island are and what the risks are and the government or the Assembly is not saying much until they get all those facts before them. Now we have this motion that says let's go ahead, and we have a following one that says that maybe we should go ahead without a referendum and I'm very uneasy about that.

I know it's emotional. I don't agree that we should have government by referendum when people do vote on their emotions and not facts but this is an issue that concerns us all. I think it is an issue that must have a lot more public input and I would certainly be happy for it to go to referendum because I think that's the only way and if we lose it through the emotional effect, well people's emotions are very important and if we lose an opportunity to better our economy through people's emotions well so be it, but I do think that I would like to see a way forward I wouldn't like to just lose it but I would like to see more public input into it thank you

MR ADAMS Thank you Mr President. Firstly I'll kick off by saying that I believe this is an issue of significant enough importance to the whole community to be decided by a referendum. I think the issue is actually wider than the nine people who sit around the table here. In the past as it has been said, this is an emotive issue with lobby groups attempting to sway the decision one way or the other. Mr President, I believe that the decision at this time should be made by an informed community, a community that has all the information available to it. I urge the Minister to make widely available all information at the earliest opportunity. The advantages of such a facility as being proposed can I think be generally summarised as spreading the Island's income base. This includes a public sector both directly and indirectly, and also the private sector in both matters directly and indirectly. A facility such as this will be a heavy consumer of local services, office, administrative and field services, including the provision of fodder and grain. What I believe the community has to weigh up is are they satisfied that the disease checks and balances are up to a satisfactory level, again which is why distribution of all material pertaining to this issue is imperative. Mr President disease wise it appears that the major difference between this facility and the one of twenty odd years ago is that the facility of the past was a cattle based quarantine station. Cattle as we know are good carriers and developers of the foot and mouth virus. However, the indications are regarding camelids, of which the alpaca is a type, is that FMD is uncommon in them. If contracted however, the incubation period for the virus is between one to four weeks. The alpacas are quarantined in Peru for three months prior to shipment with regular veterinary checks at all stages. This seems to me to be a whole different scenario to the one of twenty odd years ago. Mr President my earlier concerns regarding the possibility of disease spread by the importation of camelids have been somewhat reduced by the strict animal health procedures that would be put in place if alpaca shipments were to commence to Norfolk Island. Mr President research in this alpaca issue, one of the things that became resoundingly clear is that if an alpaca station was operational on Norfolk Island that barring any other changes the outbreak of exotic livestock diseases is far more likely from another source presently on the Island rather than camelids. That source Mr President is the feeding of local pigs on imported uncooked foodscraps. These uncooked food scraps have the definite possibility indeed, probability of transferring an exotic disease to Norfolk Island. Exotic diseases Mr President up to and including foot and mouth disease so Mr President, I think there would be an element of double

standards involved to vote against this motion involving an animal which has been in quarantine prior to shipping for around three months, and yet accept as does the rest of the community the import of raw uncooked food products which daily find their way to Norfolk Island livestock. Recent events in South Australia and other Australian States have tragically illustrated the health risks that can be associated with raw meat products. Mr President I understand that this motion in fact shapes the requirement list or perhaps more correctly, a protocol for any future alpaca quarantine facility here. I also understand that if this motion is supported by a majority then a motion for a referendum is to be moved. I would prefer Mr President that an amendment is actually made to this motion to include a call for a referendum.

Mr President, in closing I would like to add that if a decision in the affirmative is reached at a referendum it is imperative that an adequate level of remuneration is to be obtained. The way I see it, if we are to accept a risk no matter how small or negligible, remuneration at proper insurance levels must reflect this fact. To have it any other way I think puts the wisdom of the decision in question. Thank you Mr President

MRS LOZZI CUTHBERTSON I would like to support the various speakers who have called for a referendum already. I think this is too important an issue for just the nine of us to decide. It touches on the future of every person alive now on Norfolk Island and in the future and therefore the people should have a chance to express what they feel and as Mr Bates said, feelings are important but its up to us to ensure that people are provided with the widest and the most informative details of just what a quarantine station would entail, what are the risks and just how significant the risks are. Again, if there's any risk at all we certainly demand significant revenue and compensation and having done the figures on a very very general basis for the kind of profits that are involved in this operation and the kind of costs in the most generous terms that would be involved in setting up the facility, bringing the animals here, maintaining them for the required period and then taking them to a market in Australia or elsewhere, the profits are incredibly high. Certainly, \$1m to expect to come to Norfolk Island per annum is within reasonable requirements and if people are not prepared to share some of that high profit with the people who are taking the risks then we should not consider it. I would like to also flag that I hope that if in fact this facility and the profits come to Norfolk Island hopefully, that profit will be put to doing away with unpalatable taxes like FIL which I think have done a tremendous amount of damage to the way our community's economy works. I look forward to a vote on the question of the referendum. I think that is really essential before this motion moves forward. I also note that the motion itself is in principle so we are not agreeing that the quarantine will move ahead if we vote for it but without agreeing to this motion in principle, there's not much point in voting on a referendum

MRS ANDERSON Thank you Mr President. I intend to support the motion as Mr Christian has outlined. It is important that we look for supplementary sources of income for Norfolk Island. While I don't support the idea of a quarantine station with no checks and balances I think the motion before us today to agree in principle to the establishment of a quarantine station subject to all these checks and balances as outlined, I think is a motion that we can agree to and should go ahead on. I would like to see this matter proceeded with but I would like to make sure that we do have the checks and balances in place which I think we do. On the matter of the referendum, I agree with Mrs Cuthbertson that the community should be sufficiently informed so that they can make an informed judgement rather than just voting no to be on the safe side because they don't know any better. I think if the community has as much information as we can get to them then they can make a valued judgement and I think will possibly see that this could be in the interests of

all

MRS SAMPSON Thank you Mr President. I wholeheartedly agree with Mrs Anderson as a fellow member on the Working Party with Mr Christian, myself and Mrs Anderson. I intend to support the motion. We have spent anguished hours going over the information that has been available to us. There's still alot more that we are asking for and I intend to support the motion as it is in principle but once again will be looking for a referendum if necessary. I'll leave it there thanks

MR BENNETT Mr President, I don't support the motion I don't support the introduction of a quarantine facility here. I think members are aware of that. The constituency that speaks to me most often have been wearing my ear out on this issue. Mr President I think the issue is about risk and whether money can buy appeasement. Is a million dollars sufficient to say, well yes, we are prepared to take the risk. I question that approach. The three concerns that have been brought to me time and time again are the general quarantine risk and the question that follows that is if it supposedly is that safe, why isn't it located on an Island adjacent to the Australian coast. An outlying Island. The second concern is the unknown. I think Mr King mentioned it or somebody else did, the impact on tourism, that big question mark. We recently had a visitor from Cocos Island here who was talking about the quarantine station there but their tourism industry is in very much a fledgling state and there's no way that you can really measure the impact. I know that the impact on tourism was one of the huge issues back twenty years ago when it was suggested that local people returning from overseas would have to have a footbath as they returned. That one statement on its own whether it had any basis in truth or not was one of the emotive issues that no-one could shake off but I think over the top of it all, irrespective of the views of some that it might be an abrogation of executive responsibility to go to referendum, I'm a great supporter of the referendum process. I supported its amendment that brought it into being to allow the people of the Island to call for referendums fairly easily, I think as Mr Adams said, it's an issue beyond the nine, it is a matter that will impact on the lives of everyone and it is the very kind of issue that ought to go to referendum. My view is that it ought to go to referendum before we deal with the in principle objectives there. Perhaps they can be incorporated into the question to be asked. That's the position. I see the groupings as interesting, there are some who are in favour of the quarantine facility and want to make the decision now and don't want a referendum, there are some who feel that it has merit and maybe the referendum might be the way the issue is determined and then there are those who are against it, a very difficult situation for Mr Christian to try and deal with when you have that sort of diversity of views, but I'll say again, I think that the element of risk, albeit that we are told by experts that it has diminished since the proposal some twenty years ago, there must still be risk otherwise they would have it either in the Australian mainland or on an Island off shore and for that reason whilst it's attractive and whilst I'm a supporter of alternative industry I think this one has too much risk attached to it. On previous occasions we've heard people talk, I think in the other room and certainly through the newspaper about the odd sort of animal diseases that can pop up without people being aware of them, the horse incident in Queensland was one, where they are still scratching their heads wondering where it all came from, there's still the problem here of birds flying in and out, you can contain the animals but you can't contain birds or other insects flying in and out of a quarantine centre. I mean, sure, they may all be the emotive issues that Mr Christian referred to before but nonetheless they are very real issues out there, thank you

MR CHRISTIAN Thank you Mr President. I'll just respond to a couple of

the points. This motion today seeks to be a way forward. It's not attempting to pre-empt anything but the Assembly did form a Working Group to consider a couple of proposals for quarantine facilities that had been put before the Assembly and the Group's interim report recommended that I seek approval in principle to the establishment of the livestock quarantine facility provided that certain criteria could be met. This in principle support that I'm seeking today does not guarantee at the end of the process that there will be a quarantine facility. What it says is, get on and do a bit more research, send a clear message to the people who have proposed it that yes, we are considering it, we haven't forgotten about it but bear in mind that it is not an open and shut situation and this is the process that we need to go through and Mr President, at this stage it is probably appropriate that I table the working groups' recommendations for anybody that wants to get hold of it. Mr President, on the referendum question I deliberately left that out of this motion before the House because I believe that a referendum is not an issue in considering this. In 1970 or 72 when the previous one was considered Norfolk Island had no self government. We really had no authority. This situation we have elected representatives of the people but I acknowledge that there are some who don't want a referendum and I fall into that category and there are some that do want a referendum so I've deliberately left the referendum issue out of this motion so as not to force people to be voting for or against this motion on the basis of whether a referendum was required or not and what I've said is that if this is successful today, I will seek leave to move another motion relative to the requirement or not of a referendum but if this gets defeated in the House here today, there is no need for the second one. It's just a way of facilitating things Mr President with an economic approach in resources terms

MR BATES It's a question I guess. The motion that Mr Christian intends to move by leave if this motion goes through reads if I may, that this House in the interests of widening Norfolk Island's economic base agrees in principle to the establishment of an alpaca quarantine facility without recourse to a referendum subject to satisfaction with the conditions in the previous motion passed this day. My question is, if that motion fails does that really say that we are saying we want a referendum because it doesn't quite read that way to me

MR CHRISTIAN That's right. The motion that I've foreshadowed that I would move if the one before the House is successful now, and the second one fails, then the automatic consequence of that is a referendum

MR BATES You're certain of that. If it fails that would be your guarantee that we would have a referendum

MR CHRISTIAN That's right. That's how I see it. I'm happy for the referendum motion to be more positive. I can put a motion before the House now in the positive sense after we've dealt with this one

MR BENNETT Mr President I know that one of the thrusts of this approach by Mr Christian is to try and short circuit or take some time from it but I think it's fairly inevitable that there will be a referendum and if this House doesn't call one the community out there will petition for one so we're not going to gain anything, and we're not going to be able to build the hopes up of prospective operators of it until there's been a referendum. I think we ought to be heading straight for referendum and the attachment to it can be these conditions, that if these conditions can be satisfied then the quarantine station is agreed. That's the sort of question for a referendum. I think we're not going to save any time at all, the people will surely petition. I just remind you of the 1972 Council of the time that only one

member of that council was opposed to the quarantine station at that time and all others, seven or eight of them, I can't remember the number in those days, were in favour of it and yet it got resoundingly defeated at referendum. Now the debates are interesting, I just happen to have the collection of papers from that era and it's very interesting to follow. The very positive approaches taken by the Council all the way up, it was initially a referendum petitioned for, they had 285 signatures and it was rejected by Council because two people had signed twice and there were insufficient numbers or whatever but ultimately there was a referendum and it defeated the issue resoundingly and I think that's the process that we can expect. I don't think that there's that much support out there for the quarantine facility that would negate the ability of the others to petition for a referendum. That process might delay a bit further, I mean we might be proceeding down the line having won the vote on this motion which says no referendum and then six, eight, ten weeks, two months, three months down the track, a referendum be called and flip it over.

Now at that point, you may well have caused enormous expense to be incurred by the promoters of the scheme and I think that needs to be taken into account. They need to be quite aware of the possibility one way or the other

MR KING Thank you very much. Just a few brief words. No-one has yet offered me any comfort on my concerns and perhaps I didn't express them clearly enough. My concerns about the interaction or the relationship between an alpaca facility and tourism are these, not so much the outbreak of disease but more the question of how many potential visitors are out there who might not come to Norfolk Island because they see it as being a quarantine facility and therefore it is something that they don't feel is compatible with tourism or they find it unattractive and so they don't come. Those are my concerns so I mean, I'm really at this stage still seeking some comfort on that particular point. On the referendum question, I think Mr Christian would lose that issue anyway, but I don't believe that there ought to be a referendum. I ask myself what is the expectation of the community as far as their elected representatives are concerned and I hear from a lot of people that we are down here to make these kinds of decisions. If it were otherwise there is indeed a facility for the electors to petition the government to have a referendum on a particular question. My recollection is that there has been an attempt made to gather enough signatures to call for a referendum. Now I don't see that before us now and I no longer see it at the points where it was put on display for those people in the community who want to sign it, to sign it. It seems to have faded somewhere and that suggests to me that maybe there is not as strong support out there for a referendum. I get also a very clear impression from those who have expressed to me a desire to have a referendum that they are the ones who have already made up their minds and they have not have a proper and fully regard for the facts of the situation. They have already voted with their emotions. I do not get an impression from out in the community from those who have not yet made up their minds or from those who are in favour of it that they want a referendum. Those are my views on the referendum question. I think it is a little bit unfair that it be put in this particular fashion. They are only going to have a say. If we are to give them a say, then give them a say. I mean. What this process is saying to them is that you are only going to have a say if we support it here. If we don't support it we are not going to give you a say. Now either the issue is wide enough for them to have a complete say or it is not. Those are my words today.

MR BUFFETT Thank you Madam Deputy President. Firstly, on the general issue of the alpaca project in Norfolk Island. Without a doubt there is a need to widen the financial base within the Norfolk Island community. That has already been said amongst us here this afternoon. I agree with that. I think we do need to recognise that although the industry of tourism is a good

one and it has served us now for something like thirty odd years, it has its fickleness attached to it and we've experienced that over the years and we must continue whether this is a successful project or not, we should continue to endeavour to widen our financial base in bringing dollars into the Norfolk Island community. This is such an opportunity and I think we should pursue it with some vigour. In doing that there are obviously three main factors for us to consider. One is the risk factor and the risk factor is in the animal area, the plant area and the human area. They are all areas of risk that we need to look at and this motion says that we should equally do that, it says that we should test these areas out and see how we stand after that has been done, and if the performance prospect is insufficient then it's not a goer. So there is a risk factor. The other is what I term the business deal. This is a prospect for Norfolk Island to work out a business arrangement so that it gains maximum dollars for the Norfolk Island community if the Norfolk Island community is going to offer the facility in its place and we need to examine that in a very serious form. Item c, in this particular motion specifically addresses that. In mentioning that I should also point out to Members that a letter yesterday was received from McIntyres, who is the solicitor representing the people who are proposing this project in Norfolk Island and it addresses that particular part. That letter has gone to all members and I just wanted to make mention so that it would be seen in the context of being viewed by all members but it appears to me that of course, that highlights that there is an element of negotiation that might need to process in that particular course and I think that is too, part of the arrangement but in the negotiating process a best deal needs to be struck, but a fair deal which is mentioned in this letter for all of the participants, but Norfolk Island's community should not miss out on that process. In general terms, I will come to the third matter in a motion which is the decision taking process and that really talks about whether there should be a referendum or not. In general terms in respect to this motion that is in front of us, I do think that it's a way to go. Now Mike has said, although he is not here in the Chamber at this moment, Mike has said that he is trying to seek some comfort about the relationship between quarantine and the tourism industry and I suppose my response to that would be to say that if we are able to meet the conditions that are laid down here, there may well be sufficient comfort in knowing that if there are difficulties in those areas and they manifest themselves then that's not a goer for us, it is only a goer if in fact the difficulties should not manifest themselves in those particular areas, and I think that is something that should be of great comfort, not only to Mr King who is the Minister who has responsibility for the area of tourism but those who are active in the industry and the Norfolk Island community at large because I'm not on about promoting a project that will cause us harm, I am on about promoting a project that will gain benefits for the Norfolk Island community.

I think it must be said also that that doesn't mean that there is totally no risk in our present situation, to think there is totally no risk is a misconception. We are at present subject to risks but we can't handle it any better than we are handling it now. We handle it well. I'm not confident that moving in this direction will give us additional risks, if we ensure that the conditions are met so what I am saying is, that I am comfortable with the motion that is in front of us. I recognise that there may be some negotiation in ensuring the Norfolk Island's community gets the best deal and that's the McIntyre letter and item c on this. That is an element of negotiation but in general terms I think that is a good way to go. Let's now talk about the decision taking process which is the third bit in what I was endeavouring to say are the three areas that we need to consider. If you had done your sums while the people were talking, you would know that the majority of members in this House want a referendum. I don't think however, that that's the major matter that we have to think about. I think if it were put to a vote that's probably how it would go, even judging on the members who have spoken before

me. My difficulty at this moment is to know whether we are going to have more than one because there is a referendum petition out there in the Norfolk Island Community. Are we going to say that we want another one. Now I think there needs to be some co-ordination about that particular factor at this moment and I just don't know sufficiently about the intricacies off the cuff to be able to make some words that might just solve all of that, but certainly it would appear to me that we wouldn't want two and it is being said of course, I think Geoff Bennett mentioned this, that if we said no, there may be one generated in another way. Well that may be it that we say yes and there is another one generated in the community anyhow and I think that has got to be co-ordinated in some particular way. Having seen that scene evolve to date it may well be explained in this way, because there have been some question marks as to whether we should decide it if in fact we are going to ask the community to decide upon it. I would see that it has a logical progression along these lines. We should say that we think the scheme is good, if that is what we want to say, it is what I want to say, I think it is good, and we may well say to the community, that's how we view it at this stage of the proceedings. We may well then want to say, given how members have indicated their willingness in this matter, we may well then want to say, and you the Norfolk Island community are being asked to participate in the next stage of the project to see whether our endorsement in turn receives your endorsement. Now you may well say that that is a two phased arrangement, you may well say it's doubling up in some way, but I think the facts are listening around the table that the numbers may well crunch in that direction and if it is going to move in that direction let's be positive about it and go out and do those things that will allow people to have factual and objective assessment so that when they do decide the matter they will do it based upon the facts of the matter and not the emotions of the matter because we have experienced that the emotions of the matter may well come into it and we should ensure that they are factual factors that are best considered. In respect of the motion I support it. We will come to the next bit when we come to it

MRS LOZZI CUTHBERTSON I wanted to just pass a few words of support to Mr King in reference to his fears about the possibility that a quarantine station might affect tourism. No-one of course can be 100% positive but surely we can get some comfort by the fact that tours of national parts with quite exotic animals such as in Africa, are exceedingly popular. People go to them without taking any precautions that they would be afraid to pick up diseases in such situations and certainly I've not heard of anyone not visiting South America because they are afraid to pick up certain diseases from the animals in South America. This does not mean we should not take all the precautions possible, to be very strict in the control of the quarantine station and so on, but quite frankly I think, and this is only my opinion, that if the quarantine station was set up to house camelids on Norfolk Island it could quickly become a real tourism attraction rather than detraction. And as regard to the birds, although again I have some little fears about this, I believe that the veterinary expert that presented his reports, mentioned that all known diseases that he could think of at that stage would not cross the birds to animals barrier, but again that's just a vague recollection I have of his comments, thank you

MR CHRISTIAN Thank you Madam Deputy President. The potential problem addressed by Mr Bennett of the cross species problems of disease being transferred from one species to another is of concern and one of the recommendations that the working group has made is that when AQUIS developed its draft protocols for off shore quarantine facilities that we in fact submit them to a recognised independent party for assessment. We will then have unbiased information upon which to make decisions, but this motion here still

seeks to be a way forward and I concede now that it will be a referendum issue on the matter, but its very important when you do go to referendum that the people out there in the community clearly know what their elected representatives think and by supporting this motion today, or not supporting it, will give an indication to the wider community because alot of them will be guided by what their elected representatives think of the thing and that's why I think we should proceed today as I've got it laid out now and as we deal with this motion that's before us now, I have a second motion with me now that calls for a referendum in the formal sense and I think that should put everybody's mind at rest. We have our say here today, the community has their say by referendum as Mr Bennett has said before, strange things have happened.

In 1970 or 72 the Council supported it all and the referendum rolled it, well exactly the same can happen in this instance or the reverse can happen. I'm prepared to accept it whatever the outcome but let's just get on and do something about it

MR BUFFETT Madam Deputy President. I would just like to confirm what I understand Mr Christian has been saying because it may help members in addressing the first motion. I understand that Mr Christian is saying that if this first motion is agreed, he will be putting forward forthwith a proposal to have a referendum and seek the community's view on the matter

MR CHRISTIAN Yes

MR BATES Madam Deputy President I just want to say a few words, basically to comfit Mr King and to support what Mrs Cuthbertson said. The word quarantine does have a stigma. There's no doubt about that. It's been suggested that we should go away from that, but the Committee looked at it and I believe they recommended that we didn't try to deceive by going away from that. I agree that if this is handled properly with the proper promotion it could become a curiosity or something that people would want to see. Alpacas are quite an attractive animal, it's a little bit different to what most of us have seen. I'm sure some people would come to see them. There's the other side of it too, I'm sure that people in Australia who are wanting to buy these animals to start breeding them, I'm sure some of those people are quite wealthy and I'm sure if the animals they were thinking of buying were in quarantine over here on Norfolk Island and they had an opportunity, some of them would bring their families over here for a holiday and have a look at the animals and see how closely they could get to them and maybe if they were going to buy half a dozen of them when they were available to them. Now I'm sure there would be spin offs in that area and I think it's got to have the right publicity, if people say Norfolk Island is a place where the quarantine station for alpacas is, yuk, or something, well we've got to overcome that. We've got to agree that Norfolk's got the quarantine station but it's got all these other things too. Things that people come to see now. It's got its shopping, it's got its KAVHA area, it's got its national parks and it just happens to have a quarantine station too but that's all publicity as far as I'm concerned and I think that the two can work together.

MRS SAMPSON Thank you Madam Deputy President. I have deliberately stayed out of this debate because as a member of the Working Party I have been privileged, or hit over the head shall we say, with all the documentation that came with it, including great heaps on the transmittable diseases, the risk factor. I think it will work, I'll be quite honest. I think it will work. I think the risk is minimal. I think the alpacas have probably got far greater problems of catching diseases from us then we've got from catching diseases from camelids. I entirely support Mr Christian. I've let him make the running on this because I don't feel that having been privileged to all this information I should try and influence other members with information that

they haven't yet already seen, but I am just reaffirming my support for Mr Christian

MR KING Thank you Madam Deputy President, I want to say thank you to those who offered me those words of comfort I have listened to and I think it was important. I was sitting on the fence with my legs thrown over in the direction of opposition and now I've swung my leg back the other way and regretfully leaving Mr Bennett out there in the cold by himself I think. I did hear Mr President's words or Mr Buffett's words on my trusty tranni even though I wasn't in the Chamber

MADAM DEPUTY PRESIDENT Thank you Mr King. Any further participation? No further debate. Then the question is that the motion be agreed to

QUESTION PUT
AGREED

MR BENNETT VOTED NO AGAINST THE MOTION

The ayes have it thank you, that motion is agreed members.

Mr Christian, you have foreshadowed that you wish to seek leave to move another motion

MR CHRISTIAN Yes Madam Deputy President I so seek your leave

MADAM DEPUTY PRESIDENT Is leave granted Honourable Members. Leave is granted

MR CHRISTIAN Thank you Madam Deputy President. I move that this House recommends to the President under the provisions of the Referendum Ordinance 1964 that he direct a referendum to ascertain the opinions of the electors of Norfolk Island as to whether a quarantine facility for alpacas should be established in Norfolk Island. Thank you Madam Deputy President I don't think we need to enter too much debate on this. It's a foregone conclusion. The actual question that will be put to the electors hasn't been determined yet but that's not a matter that needs to be determined around the table today and I'm happy with the way things have gone so I'll leave it at that for now

MR BATES Thank you Madam Deputy President. I welcome this motion but I would like to just mention that I think I alluded to Members

spellchecked to here

at the informal meeting on Monday that there is another issue around which is also emotional and that is the one of the introduction of poker machines to Norfolk Island and I think that is also an issue that should go to referendum and I think when the time comes to get around to this referendum, if we can get our act into gear and include a second question as to whether people are for or against the poker machines that the two should go hand in hand at the same time so that we have one day of polling and the people only need to stop to vote once on two very emotional issues rather than two separate referendums on those issues, but I just mention that that I would like to see it happen that way and if other members have got views perhaps I would support that or not support it

DEPUTY PRESIDENT Are you seeking an amendment to Mr Christian's motion along those lines?

MR BATES If it is okay to talk about it while this motion stands then I would just like to hear Members views at this stage

MR BENNETT Madam Deputy President, I support the thrust of what Mr Bates is saying. I don't think it is appropriate to add it to the motion that's before us but if the object is to have both referendums should there be the numbers for a referendum on gaming machines to have that referendum on the same day then you probably would be needing to seek leave to move a motion to that effect today because I think if this referendum motion is passed as I understand it, it instructs you to get on with it and the process starts more or less from tomorrow

MR KING poker machines

MR BENNETT ... at the quarantine station. I say again, I support the thrust of what has been said

MR ADAMS Thank you Madam Deputy President. I personally don't think the poker machine issue has been to my mind, given any green light to the extent that we should be taking it to the public and saying listen, do you want to say yes or no to this thing. I was of the opinion that at this stage we are still waiting for a report to examine the social impact, good or otherwise of gaming machines in Queensland as I understand. I don't think it would be appropriate at this time to simply tack it onto another referendum issue just because it's convenient to have it that day. I think it is something we need to actually decide upon ourselves first

MRS LOZZI CUTHBERTSON I agree with Mr Adams point that at this moment to even thing of a referendum on gaming machines is premature and quite frankly I would be astounded if the report on the social effects of gaming machines in Queensland is at all positive. My own experience is that they are exceedingly destructive on the social fabric. I really wonder just how many people around this table favour bringing gaming machines to Norfolk Island even if the report that will soon be tabled in the Queensland Parliament is not as damning as I expect it to be.

MR CHRISTIAN Thank you Madam Deputy President. I think what Brian is trying to say I agree with. The introduction of gaming machines could eventually very well be a referendum issue but I would hate to lose the quarantine facility because people were cheated off with poker machines and were voting on the same day. I would like a months separation if we could

MRS SAMPSON I was under the impression that the combined clubs had had a meeting and had discussed this matter and I was just wondering whether Mr Bates or perhaps Mr King from the clubs would enlighten us on the subject

MR KING Madam Deputy President forgive me for having a bit of a chuckle but I'm not quite sure how we are discussing the poker machine issue. We're talking about alpacas. I could perhaps raise a point of order on the question of relevancy. Perhaps I should have done that earlier on but maybe it's gone too far. I don't know where we are. I'm not going to enter into the debate on poker machines. I'm sorry. Not at this point in time

MR BATES Madam Deputy President it was an idea that I thought might save some money and inconvenience to people but I see that we are probably not ready to further the issue of poker machines and I'm quite happy not to talk about them any more at this meeting

DEPUTY PRESIDENT Thank you. Further participation. The question then is that the motion be agreed to

QUESTION PUT
AGREED

MR KING VOTED NO AGAINST THE MOTION

Thank you, the ayes have it, this motion is agreed to

NO 6 - POLICE AMENDMENT BILL 1995

MRS LOZZI CUTHBERTSON Thank you Madam Deputy President, I present the Police Amendment Bill 1995 and move that the Bill be agreed to in principle

DEPUTY PRESIDENT The question is that the Bill be agreed to in principle

MRS LOZZI CUTHBERTSON Madam Deputy President, I present the Police Amendment Bill 1995. This Bill amends the Police Ordinance 1931 to allow for a claim lost property to be disposed of other than by public auction in certain circumstances. The present Ordinance provides lost property must go to a public auction of which seven days notice is given in the gazette. Members will know that general auctions have been rarely held in Norfolk Island in recent years therefore the Internal Auditor of the Administration recommended the law be changed to allow for alternative methods of disposal. In many cases the lost property has little or no commercial value. This amendment will allow for such items which commonly include articles of clothing, sunglasses, footwear etc to be given to charity for sale at a white elephant stall. More valuable items such as watches or cameras will be able to be disposed of by tender or dutch auction. Madam Deputy President, this is only a minor bill but it will remove an impediment to dispose of some lost property some of which has been languishing unclaimed for long periods. I commend the bill to the House

DEPUTY PRESIDENT Any participation Honourable Members? There being no participation I put the question that the Bill be agreed to. Mrs Cuthbertson you wish to move a motion

MRS LOZZI CUTHBERTSON Yes, Madam Deputy President I move that the debate be adjourned and the resumption of the debate be made an Order of the Day for the next Sitting

DEPUTY PRESIDENT Thank you. The question is that debate be adjourned and resumption of debate be made an Order of the Day for the next Sitting

QUESTION PUT
AGREED

The ayes have it, thank you

NO 7 - AIRPORT AMENDMENT BILL 1995

We move then to the next Bill, Mr Bennett you have the call

MR BENNETT Madam Deputy President I present the Airport Amendment Act 1995 and move that the Bill be agreed to in principle

DEPUTY PRESIDENT The question is that the Bill be agreed to in principle

MR BENNETT Madam Deputy President I present the Airport Amendment Bill and table it and the explanatory memorandum. This short Bill amends the Airport Act 1991 to provide that regulations made under the Act prescribing landing charges can prescribe a charge that is the higher of a per passenger fee or an amount calculated by reference to the maximum take off weight of an aircraft. The Bill repeals schedule 2 to the Airport Act and replaces it with another schedule. Let me emphasise Madam Deputy President that no airline operator need get alarmed by the prospect of the Bill. The effect will not be to alter the current landing fee per passenger and its passage will actually allow a greater flexibility in the regulations in regard to freight aircraft or passenger aircraft leaving Norfolk Island without a passenger load. At present an aircraft might land in Norfolk Island full of passengers and leave with no passengers. If it is a regular public transport aircraft on charter the government takes the view that it should not necessarily require that airline to pay the hefty MTOW charges for the return empty leg. Let me explain that a little bit. The thrust of the Airport Act in 1991 was to arrive at a passenger charge or a set of charges that the airlines could be made aware of with some degree of certainty for them to be able to calculate into their charges or ticket charges to recover the cost component. As it turned out there is some concern that the Act in fact allows us to do something else which is to charge an aeroplane going back, an RPT aircraft going back without passengers a maximum take off weight charge which they wouldn't be able to recover because there's no passengers to go with it and I think that that's one component. That's what I was meaning by that last comment. It provides the flexibility now. The Bill also provides for its provisions to have a retrospective effect to 18th April 1991 which is the day the principle act commenced. Whilst I generally do not favour retrospectivity I have received legal advise that to preserve the integrity of the landing and take off charging regime and to ensure that there is no doubt moneys were collected within the law, it is desirable that this bill is retrospective. Members will be aware that on the 1st March under a covering memo from the Secretary to Government there was a letter containing advise from the Crown Solicitor and I think you will agree that there was a questionmark as to the validity in some certain parts of it. As the effect of the retrospectivity places no liability on airline operators for additional payments but merely allows a more flexible charging regime I am prepared to introduce this legislation with such a clause, that is a retrospective clause. I re-emphasise that no additional money is being sought by this amendment but it will allow a flexibility in regulations which will advantage regular and charter operators using our airport. Madam Deputy President I commend the bill to the House

DEPUTY PRESIDENT Thank you Mr Bennett. Any participation

MR BENNETT In that case Madam Deputy President I move that debate be adjourned and resumption of debate be made an order of the day for the next day of sitting

DEPUTY PRESIDENT Honourable Members, the question is that debate be adjourned and resumption of debate be made an Order of the Day for the next Sitting

QUESTION PUT
AGREED

The ayes have it, thank you

NO 8 - NORFOLK ISLAND HOSPITAL AMENDMENT BILL 1995

We move now to the Norfolk Island Hospital Amendment Bill 1995 and Mrs Lozzi Cuthbertson you have the call

MRS LOZZI CUTHBERTSON Thank you Madam Deputy President, I present the Norfolk Island Hospital Amendment Bill 1995 and move that the Bill be agreed to in principle

DEPUTY PRESIDENT The question is that the Bill be agreed to in principle

MRS LOZZI CUTHBERTSON Madam Deputy President, I present the Bill and explanatory memorandum and table them. This Bill amends the Hospital Act to revise the management structure of the Hospital Enterprise by restoring the Board of Management of the Hospital. If I may use an analogy Madam Deputy President I invite the House to consider the Enterprise as a company. The Board of Management will become the Board of Directors and the Hospital Director will be akin to the Managing Director. To continue the analogy the Executive Member may then be regarded as the majority shareholder who can influence the actions of the enterprise at arms length but who generally leaves the management of the hospital to the Board and the Director. The Bill abolishes the Health Advisory council which is really a paper tiger and restores the position of Medical Superintendant who is responsible for the medical, paramedical, pharmacy and nursing services. I think this lack has been quite seriously felt over the recent period. The Bill removes the statutory provisions relating to the strategic plan which has been proven unworkable. I must emphasise to the House however that this does not remove the obligation on the Hospital to prepare strategic plans for the future health needs of Norfolk Island but makes the execution of such plans more flexible at an administrative level, I see them in fact as becoming part of the annual report which will be produced by the board and which will be made public so that everybody will have access to both the future planning and what has happened in the past. The bill also makes minor amendments to the principle act in relation to financial records and audit. The new Board of Management under the Bill will be appointed by the Executive Member following a resolution of the Assembly. The Board will comprise six members and the Director as an ex official member. It is my belief that effective business practice favours the manager of the enterprise being a member of its management team. The bill also provides the medical superintendant while not a member of the Board shall attend meetings unless otherwise directed, and shall not have a vote. The bill removes from the Administrator the power to appoint the enterprise director and places that task in the hands of the executive member on the recommendation of the Board. Madam Deputy President it has proven inappropriate for the executive council to appoint a Director and it is my view that this patronage should be taken out of the hands of the

Minister of the day and placed effectively in the hands of the board. The bill provides that the director is responsible for the day to day administration of the hospital and that he or she must act in accordance with the written policies or directions if any of the board of management. The bill observes the current power of the executive member to make directions but also to ensure as is now the case that they are written and must be tabled in the Legislative Assembly. The bill also makes clear that the Public Sector Remuneration has exclusive power to determine whether general wage adjustments are to be made for enterprise employees. The bill also removes the accounting standard of AAS27 which I am advised by the Norfolk Island Government Auditor is a local government standard and is inappropriate for the Hospital Enterprise. Madam Deputy President, the removal of the Board of Management in creation of the position of Director with very broad powers was an interesting experiment. I, however, considered it was inappropriate in an enterprise which is funded out of the public account. We have an obligation to ensure a tight management regime which is fully accountable to this House and the community. I consider the best way to do this is to restore the roles of the Board in the management of the Hospital and provide a legislative framework for the board and the director to manage the enterprise without political interference but with ultimate accountability to the Assembly and through the Assembly to the community. I propose this Bill should lie on the table of the House for a month and I will be pleased to hear comments from any interested people on its contents. I commend the Bill to the House

DEPUTY PRESIDENT Thank you Mrs Cuthbertson. Any participation Honourable Members?

MR BENNETT Madam Deputy President, my comments will be confined to three principal areas or parts of the amendments to the Act. I refer to three things, reporting function, composition and functions of the board and the third one would be the financial and accounting regime. Firstly, let me refer to the Salmon Report which was the report that came to the Sixth Assembly, written by George Salmon, an eminent person providing a blueprint for change to the health sector and it was as a result of that report that the substantial changes to the Hospital Act occurred in 1992 which gave rise then to the current regime that Mrs Cuthbertson is about to change. Now the report makes very interesting reading. It says all the things that I think we probably expect to hear, that is, today people are becoming more and more critical about health sector performance and more demanding about the delivery of service. management structures and information systems are now being reformed with the aim of improving all aspects of health sector performance, there's a drive to improve efficiency, many countries are seeking to introduce more competition, more market mechanisms, I don't think that applies greatly here, and lastly that the informal arrangements and networks of influence which worked reasonably well in the past cannot cope with the equity, effectiveness, efficiency and accountability demands of the new environment. It is time for change. Now the Assembly at the time recognised that fact. The recommendations of that Salmon report were quite interesting but I think monolithic in a way. For example, in relation to the structure, it proposed a number of things, seven things. A Department of Health over in the Administration, a Chief Executive Officer of health in that Department, it then required a trained and experienced Health Sector Manager to be appointed to manage the treatment services, that's the hospital, a Manager should be appointed to operate the Healthcare Scheme, a Public Health Manager should be appointed and a public health unit established, that is public health as opposed to health at the hospital, and the Hospital Board should be disbanded and all those structures should be established to enable the Health Minister and the Department to obtain community input and to help policy development and the delivery of services. Well, you can see that if the Assembly of the

day had followed that we would have had a monolithic enterprise. People running around everywhere, and what happened as a result or my judgement of it, is that some parts of it were taken out, for example, they endeavoured to put somebody in as hospital director but the report called for a trained and experienced health sector manager and perhaps that didn't occur, it required also for that system to work, an advisory council because it had a role in both the reporting function and also to provide the community input and lastly as a result of not appointing a Department of Health or having an officer for health in the Administration there was no policy developing cell available to the health area so I think it was deemed a failure at that point, I mean, a system derived where I think there was far too much unintended power in the Director, I say unintended because had the system as described or recommended by George Salmon been put into place then the powers of the director would have been read in conjunction with what was slowing down from the other end. I think that was important just to mention. Turning now to the reporting functions, the Act contemplated that a strategic plan would be developed and received on a continuous basis. In the amendments that Mrs Cuthbertson has laid before us today, she proposes to delete all those references to the strategic plan and in its place to put in an arrangement where the executive member may notify the enterprise of policy and give directions. Mrs Cuthbertson said that there was still a reporting function but my reading of it, and perhaps you might clarify that is that the reporting under the new section 17(1) of this amendment act talks about reporting after the even, or at the end of the financial year saying what has happened. The strategic plan as it was laid out in the original act was looking forwards. I'm concerned that by taking out the strategic plan or the sections that relate to the strategic plan we are no longer prepared to look forward and say what health issues for the future should we be addressing now, what direction should we take. Now that's a point that we might talk about a bit more. As I mentioned the objectives should not be just thrown away lightly, despite the problems in getting any sort of plan. Members will recall that it was eighteen months or so before we got a plan because there simply wasn't an advisory council. I don't think we should throw the baby out with the bathwater. I think it is possible that under the new arrangement with the Board of Management that you could get such strategic plans developed. Secondly, Madam Deputy President, the composition and function of the board. As to the composition, I am strongly opposed to the director of health being a member of the Hospital Board. I think I hold the same view for the Medical Superintendent and or the Matron being part of the Board. I believe that these people should be in some way ex officio with a formal reporting role to the Board so that they report to the board each month and then the board deliberates on those reports and makes decisions. Sometimes in their presence, sometimes without depending on the nature of the task. I just feel that it is too easy for a board to be fettered by a very powerful director in that sense and I'll say more about that. I know Mrs Cuthbertson doesn't really agree with me there. I secondly, don't agree with the notion that the Chairperson of the Board should have both a deliberate and a casting vote. I think that that goes against the grain at any time. I don't at any time like to see a person with two votes. I think in the event of an issue that is that divided it should go back and be deliberated on again in the hope of getting some consensus. Finally Madam Deputy President, the financial accounting regime. My quick overview of it, I see that the accounting standard has been replaced with the words accounting practice but the practices have not been defined and I think that that's a bit of a worry. We went on for a long time at the Hospital without guidelines and if you recall the provision that is being deleted by your amendment, proposed AAS27, or if directions otherwise didn't cut in in a certain time then AAS27 was to be the way the accounting was to be done. I think that there are some sections of the financial regime up there that worry the life out of me. For example, let me read you section 31, now this is not supposed to be amended,

but it gives says "...the director may authorise the expenditure of the money of the enterprise for any purpose of or incidental to the operations of the enterprise." It doesn't seem to be qualified by any need to refer to a board or whatever. That's terrific power to give to someone and that worries me. My own view is that I would like to see more of the functions of the Public Moneys Ordinance lifted out and put into the Hospital Act so that we have uniform ways of dealing with public money. There is the same degree of accountability. Now I can't proffer any particular words on those. I think it needs some discussion. Madam Deputy President, they are the views that I had on that

MRS LOZZI CUTHBERTSON Madam Deputy President. I certainly will pay attention to the points that Mr Bennett has made and because we have a funeral later this afternoon, may I propose that as the Bill lies on the table of the House for this month, I certainly will have a meeting with Mr Bennett and anyone else that is interested in making an input and possible changes to this bill to tighten it up and the Legislative Draftsman, and if necessary, we will certainly submit some amendments at the next sitting of this House

DEPUTY PRESIDENT Thank you Mrs Cuthbertson. Any further participation Honourable Members?

MRS LOZZI CUTHBERTSON Yes, Madam Deputy President I move that the debate be adjourned and the resumption of the debate be made an Order of the Day for the next Sitting

DEPUTY PRESIDENT Thank you. Honourable Members the question is that debate be adjourned and resumption of the debate be made an Order of the Day for the next Sitting

QUESTION PUT
AGREED

The ayes have it, thank you

NO 9 - FIRE CONTROL BILL 1995

Notice No 9 Honourable Members. Mrs Cuthbertson, you have the call on this matter and you have indicated to me earlier that you would want to make some adjustments in the progression of this particular matter. Before you commence Mrs Cuthbertson may I just draw attention to the time and say that as we approach the five to four mark I will endeavour to draw to a conclusion our Sitting for today so that Members of the Assembly who would wish to may be free to pay their respects at the funeral so we can just see how we progress in the matter at this moment

MRS LOZZI CUTHBERTSON Thank you Mr President I present the Fire Control Bill 1995 and lay it on the table as an exposure draft. This Bill came about through the advise of the Administration that it is desirable to establish a regime of fire danger periods and to allow the executive member to, when necessary, declare a total fire ban. All of us in the community know that the last several years has seen a drought on Norfolk Island. Fortunately a good sense and responsible behaviour of Island residents has meant no major outbreak of fire however we have a responsibility as legislators to ensure our statutory regime for protection of goods and property is in place and to improve the current situation where the government conservator can declare a fire ban in the National Park and the Administrator can separately declare a fire ban for parks and reserves and yet there is no provision for co-ordinated action by the Norfolk Island Government in cases of fire emergency. This bill

establishes a Fire Advisory Board and provides for the appointment of a Chief Fire Control Officer. The appointee would be our current Emergency Services Co-ordinator and the Fire Officers would of course be our current Administration and Volunteer Brigades. The bill includes penalties to prevent lighting of fires during total fire bans and to assist in the fighting and control of fires. The bill will not in itself lead to additional expenditure however, it includes several areas which would be of interest to many Honourable Members and other members of the community. Some questions have been raised with me about elements of the bill and I consider it needs further public exposure and input. Accordingly, I propose to lie it on the table for a month during which time I will invite comments from my colleagues and others and suggestions for improvement. I invite anyone listening to the broadcast who is interested in the contents of this bill to contact the Community Services Manager at the Administration and he will provide either a copy of the exposure draft or explain the provisions of the bill. I thank this House

MR PRESIDENT Thank you Mrs Cuthbertson. That Act will lay upon the table Honourable Members for further consideration at another time.

ORDERS OF THE DAY

NO 1 - FAIR TRADING BILL 1995

Orders of the Day Honourable Members and Order of the Day No 1 is the Fair Trading Bill 1995. Mr Christian, you will have the call in this matter, could I just seek your guidance. Do you think that you are going to conclude this within the seven minute time fram? No. Would you like to just bring your amendments forward so that they can be formally in front of us at least and then if we pick it up at our next Sitting we will know that the whole matter is in front of us. Is that a reasonable way to go at this time?

MR CHRISTIAN Mr President it may be just better to adjourn the whole process until the next meeting as there are eighteen amendments

MR PRESIDENT Would you be comfortable with that? If you are comfortable with that Honourable Members I will not call this matter on at this moment

MR BENNETT Could I just ask a question. Does that inhibit Mr Christian from circulating those amendments

MR CHRISTIAN No. I will do that

MR PRESIDENT No it will not. On that basis I will not call this matter on. The amendments that are to be brought forward at Mr Neville Christian's discretion of course can be circulated amongst members so that they will be equipped when they bring the matter on at our next Sitting. Thank you for that

FIXING OF THE NEXT DAY OF SITTING

Let's fix the next sitting day Honourable Members and I give Mr Adams the call

MR ADAMS Thank you Mr President, I move that the House at its rising adjourn until Wednesday the 12th April 1995 at 10.00 am

MR PRESIDENT Thank you Mr Adams. You will know that we have made a marginal adjustment here so that all Members can be present. It will be the second Wednesday in lieu of the third Wednesday but that seems to fit comfortably with Members.

QUESTION PUT
QUESTION AGREED

The ayes have it thank you

ADJOURNMENT DEBATE

Adjournment debate, Mrs Sampson

MRS SAMPSON Mr President I move that the House do now adjourn

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

MR BATES: Thank you Mr President. At our February meeting I gave notice that it was my intention to move the following motion that the appointment of Neville Charles Christian to the Executive Office designated Minister for the Environment, be terminated and the Administrator be advised accordingly. There were a number of issues Mr President which motivated me into giving such notice. In short I would have moved a substantive motion at that meeting except for the fact that Mr Adams would not be present and I had no desire to proceed in his absence. My concerns ranged through such issues as personal conflict with community responsibilities, self gain as a result of inside knowledge of government issues, I was concerned that what I perceived as the inability of other executives to work with Mr Christian and since remuneration levels of executives were considered to be sufficient to allow Ministers to give the larger portion of their time to government, and I did not perceive that Mr Christian was in fact fulfilling that expectation, certainly in my eyes and the eyes of some other members and even some members of the public. It was my desire to bring all those issues out in the open for proper debate rather than to allow them to fester in the background. At our February meeting Mr Christian did make a personal statement and some debate did take place, thereby achieving some of the matters I had hoped to achieve by the motion. Last week I canvassed all Members except Mr Christian, of this Assembly and it became clear that if I were to bring forward the motion at this meeting it would not succeed. Having sufficient indications that my motion would not succeed, plus the fact that some of the issues were openly aired Mr President, I now advise the House that although I have not withdrawn notice, I do not intend to proceed with my motion at this point in time. Thank you Mr President

MR PRESIDENT: Thank you Mr Bates. Is there any other adjournment debate Honourable Members? No further debate. I put the question Honourable Members that this House do now adjourn

QUESTION PUT
QUESTION AGREED

The ayes have it thank you, therefore Honourable Members this House stands adjourned until the date we have just determined, Wednesday the 12th April 1995 at 10 o'clock in the morning.

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