

## **PRAYER**

Almighty God we humbly beseech Thee to vouchsafe Thy blessing 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

DEPUTY SPEAKER  
feel more comfortable

Honourable Members please feel free to remove your coats if you would

## **CONDOLENCES**

We call upon Condolences

MR BUFFETT

Mr Speaker it is with regret that this House records the passing of Maria Swynenburg on 18 January at her home in Mission Road. Ria, as most people called her, had been combating illness for some time. She was born in Rotterdam, Holland in 1942. She met and married Pieter Swynenburg there in 1960. They migrated to New Zealand in 1963 and during their five years of residency, had three children, Peter, Karin and Juanita. Peter came to Norfolk Island for the construction of the South Pacific Hotel in 1966 returning to New Zealand when the project was finished. However, Norfolk Island must have appealed to him and the family moved to Norfolk Island in 1968. During Ria's time on Norfolk Island she was Secretary to the Norfolk Island School; Mr Graham Hitcheins; Burns Philp and started up a bookshop called "Bookworm" with author, Ruth Park. When Peter worked in the Far East Ria joined her husband until he returned to Norfolk in 1991 and they resumed life at their home in Mission Road. Ria was a keen golfer and won many trophies in the years in which she played the game. Her garden, particularly her pot plants, gave her a great deal of joy and she loved cooking. She was determined not to let her illness interfere with her daily life, carrying on her role as a good wife, mother and grandmother. To her husband Peter, to her children and their families, to her many friends this House extends its sincere sympathy.

This House also records the passing of Lillian Joy Quintal on 30th January. Joy was born on Christmas Day 1919, to Julius Christian and Naomi Nobbs and was brought up in the years following the First War. In 1938 she married Gregory Gilbert Francis Quintal and as a married woman, established her own home and family through the years of the Second World War and its aftermath. Greg and Joy were married for just two months short of sixty years. They have experienced sixty years of a happy togetherness as a couple, and as parents of their ever expanding family. The early days were hard days belonging to an era now gone. The horse and buggy days when candles and turn-up lamps provided house lighting. Boiling coppers and wash boards were the standard conveniences of the laundry and water was carried in a bucket from the well or creek. Electricity, which gave rise to many labour saving devices, did not come to Anson Bay until much later. Joy bent her back to farming and home chores and cooking for family and farm helpers alike. Where Joy got the time to keep up her expertise as a top tennis player and a good golfer is a mystery - but she did. Tranquility was evident in Joy in large measure. Her family rarely, if ever, heard her raise her voice. She always sought the best in others and only spoke kind words about them. In recognition of her gentle kindness and service to others, Joy was awarded the Quota Woman of the Year in 1986. To her husband Greg, to her children Ellen, Grace, Greggie and Les and to their families, to her many friends and relatives, this House extends its sincere sympathy.

It is with regret that this House records the death Benjamin Hattersley who passed away in the early hours of Monday morning, 9th February. Ben was born in 1918 in Chesterfield, England. He was in an old family building business in Derbyshire when his age group was conscripted into the British Army three months before the declaration of war in 1939. He soon became an army instructor and after two years joined a "Special Force 136" to work behind enemy lines and transmit intelligence back to headquarters. He had a narrow escape with his life in Italy when during the last parachute jump of his training his parachute did not fully open. He was later transferred to the Royal Signals and posted to the Middle East and later to India. After the war Ben emigrated to New Zealand. Here he moved around constructing shearing sheds and other rural buildings. Ben settled on Norfolk Island in 1952 where he ran a commercial woodwork machinery shop. He married Pamela Nola and they had one daughter Andrea. Ben was a wonderful stepfather to Brent and was always very interested in Matthew and Debra and their families. After Andrea's marriage to Derek and the birth of their two sons Tom and Scott, Ben became a devoted grandfather and derived much pleasure in passing on his golfing skills to them. His health deteriorated following a fall last year but he was able to accompany Derek, Andrea and the two boys on a very enjoyable visit to England and Scotland later in the year. Ben was hospitalised over Christmas but returned home for the last six weeks of his life. Ben was fortunate to have his brother Frank and his sister in law Heather, visiting him to give him care and attention over the last few months. To Derek, Andrea, Tom and Scott, to Brent and Deena, to Frank and Heather and to his many friends, this House extends its sincere sympathy.

DEPUTY SPEAKER

Thank you Mr Buffett. Honourable Members as a mark of respect to the memory of the deceased I do ask that Members stand for a period in silence. Thank you Honourable Members.

## **NOTICES**

Are there any Notices this morning? No. We move on

## **QUESTIONS WITHOUT NOTICE**

MR BATES Thank you Mr Speaker. I have a series of questions handed me this morning for the Minister responsible for the environment. The first one deals with the Reserves. A) How many Plans of Management have been completed for the Reserves outside the National Park and b) How much money has been or will be set aside by the Norfolk Island Government for the management of the Reserves in the current or future financial year and c) What was the process for public comment prior to the recent works at Bumboras

MR ION-ROBINSON Thank you Mr Speaker. The first answer to a) is simply none have been completed at this stage. Question b) I would have to find out to give you an accurate figure and the c) also.

MR BATES Further question on the Forestry zone of the National Park. A) Has funding been allocated for shadecloth renewal of the Forestry shadehouse this financial year and if not is the Government risking thousands of dollars of plant stock and b) What management action has been undertaken to reduce fuel loads in the eucalypt plantation by the Conservator of Norfolk Islands Parks and Forestry service.

MR ION-ROBINSON Thank you Mr Speaker. Yes funding has been allocated for the shadecloth. It's a matter of the tender process which has held things up but it will be forthcoming as the funds are there and b) Once again I'll have to find that out for you.

MR BATES Further in this series Mr Speaker is to do with the Norfolk Island Plan. A) What is being done to develop adequate codes to complement the statutory plan and b) The national capital authorities suggested strategic studies were necessary in addition to the Norfolk Island Plan in the following areas. Hydrology, protection and enhancement of native vegetation, control of weeds, cultural landscape and archaeological zones, development of strategic coastal policy, population and tourism policy, and if the moratorium on tourist accommodation is currently lifted does the Government intend to disallow development of approval until these important studies are undertaken.

MR ION-ROBINSON Thank you Mr Speaker. Once again Mr Bates in order to give you a concise and accurate answer I'll take that on notice.

MR SPEAKER Any further Questions Without Notice.

MR BUFFETT Mr Speaker I have a question to raise of the Minister who has responsibility for Police, that would be Mr Brown. I have read in the newspaper of a fire deliberately lit which burnt out a portion of the Norfolk Island community's Police Station and I understand caused some thousands of dollars worth of damage and I have some questions about this. Does this destructive activity signal some associated difficulties of which Members of this House might be unaware Minister.

MR BROWN Mr Speaker I'm not sure just what David is referring to in talking of associated difficulties. If he could be a little more specific I'll be happy to answer him.

MR BUFFETT Yes Mr Speaker I'm really referring to a fact that we've had the communities Police Station partially destroyed and there must be some sort of reasoning behind this and I'm wondering whether the Minister is of a mind to share any thoughts that might be behind this.

MR BROWN Mr Speaker at this stage that would be purely conjecture. There have sadly been a number of incidents in the Norfolk Island community in the course of the last few months. The majority of those have now been investigated and resolved by the Police and various persons have been dealt with either by the Court or in some other appropriate fashion. At this stage it is believed that the fire was deliberately lit. Various forensic samples have been taken and have been carried to the Australian Federal Police Forensic Laboratory in Canberra for examination. Various persons have been interviewed. I'm not in a position to say to you that the Police are about to charge anyone in relation to it and the Police certainly would be grateful for any information which could be provided to them. It has been shown in the course of recent weeks that the community's disgust at recent events is such that any previous code of silence does seem to have ended and people are providing to the Police such assistance as they can. I certainly hope that will be the case on this occasion. This attack is just not an attack on the Police Station, it's an attack on the whole community and we can't allow that sort of thing to continue.

MR BUFFETT Yes a supplementary question Mr Speaker. Could I say that I read about this in the newspaper and I would ask the Minister if matters of this significance do unfortunately happen whether he would make an effort to inform Members of the difficulties when they arise prior to them being read about in the newspaper, so that this House might be significantly informed of these sort of difficulties.

MR BROWN Mr Speaker I do apologise for that. The fire in fact occurred on the morning on which I was travelling overseas. I was to have travelled on the early morning flight to Brisbane. I cancelled from that flight and travelled via Sydney later in the day so that I could be present for the morning. The additional cost of that was borne by my own pocket not by anyone else. I did contact the Chief Administrative Officer to by facsimile to arrange for the Police to be provided with such assistance as they needed. I did speak with some of my colleagues but I apologise for having overlooked notifying everybody. I should have done so.

MR BUFFETT

Thank you.

MR NOBBS

Just further to that Mr Speaker. Mr Brown, Court Reports. We discussed it before I think in private. Why are monthly Court Reports not now put in the Gazette and what has to be done to reinstate the practice.

MR BROWN

Mr Speaker I understand that there had been a feeling that people were punished enough by being before the Courts and that it was inappropriate for the Government or the Administration to be making announcements as to what had happened in the Court system but of course it is always open for the local press to attend the Court and to report on what does happen in the Court. But in the light of events over the last few months, there seems to be a growing feeling that we should resume the practice of the Administration providing advice to the local press of what has happened in the Courts. I do propose to seek further advice about that and although my feeling remains that a person has been adequately punished once he has been brought before the Court. It may be that I should waive to community opinion if the community opinion is against me there and that I should cause the practice to be reintroduced providing that advice.

MR NOBBS

Thank you Mr Brown. On another subject. In last weeks Gazette it contained a notice granting residency to a particular person. The notice was signed Gary Robertson, Minister for Tourism and Commerce. Why did the Minister for Tourism and Commerce deal with this matter.

MR BROWN

A simple answer to that question Mr Speaker. There is a dispute between the particular person and myself which will probably result in me issuing a summons against him. It was inappropriate in that situation for me to be dealing with his residency application and it was referred to another Minister.

MR GARDNER

Thank you Mr Speaker. My first question this morning is to the Minister responsible for land matter. Minister with the implementation of the Norfolk Island Plan I was of the understanding that all the powers associated with the administration of land including crown lands would become the responsibility of Norfolk Island. Can the Minister advise as to why this arrangement has been delayed and what action he proposes to ensure that this arrangement becomes a reality.

MR ION-ROBINSON

Thank you Mr Speaker. In the last months of the 6th Assembly we were told that if we wanted land matters transferred to Schedule 2 we first had to tidy up the whole package. The then Administrator and I formed a Land Review Group to do just that. The 7th Assembly continued to work on land management reform and at this stage I understand that there are basically only the regulations to go with the legislation that have to be finalised. I'll find out the exact position on the regulations and advise Mr Gardner on the situation.

MR BUFFETT

I have something to add to that if I might raise it with Mr Robinson. He explained to us in the question that he has just responded to that a committee was formed at his initiative and the initiative of the Administrator to advance the land package and to then effect its transfer to schedule 2, therefore become a Norfolk Island matter.

MR ION-ROBINSON

The committee was to tidy up the land matters not to put it onto Schedule 2 as I understand it.

MR BUFFETT

Yes in that process did you set a time frame that it might be listed and scheduled.

MR ION-ROBINSON

No there was no time frame set unfortunately.

MR GARDNER

Thank you Mr Speaker. Next question is for the Minister with responsibility for Tourism. Minister Tourism Norfolk Island has sought extra funding to the tune of approximately \$195,000 for the remainder of this financial year. Could the Minister provide detail of this additional expenditure.

MR ROBERTSON

Thank you Mr Speaker. A few weeks ago I had the Manager and the Chairman of the Tourist Board come and address the Assembly on matters pertaining to the tourism problems that were being experienced through lack of finance. The original budget allowed for certain things to happen because of an influx of advertising and promotion that occurred early in the year at the beginning of this year and that was only through the fact that the aircraft that was bringing the people to Norfolk Island had ceased. The new airlines coming on line and with a need to make sure that Norfolk was, the people in both Australia and New Zealand were aware that Norfolk still existed there was an upsurge in advertising and marketing to the degree that we then manage to arrest the projected downturn that was going to happen. The additional expenditure was broken down into a number of areas. There was an Australian advertising and marketing of \$45,000. Now that amount was to be used basically and will be used for the promoting of new markets within Australia that hadn't really been pushed and in that I'm talking about the Victorian market, South Australian market and to some degree Western Australia There's approximately 3 million people in Melbourne and probably another million people in the outskirts and that is basically and if you look at some of the inbound passenger statistics, that is a very big potential with a not too good a return at the present time. The New Zealand advertising and marketing was \$25,000 and that was done

on a twofold thing. Whilst some or, back in May of last year, May June the Chief Minister and myself actually visited North New Zealand in an attempt to reactivate a flagging market and to renegotiate with Air New Zealand on possible methods and means of which we could stimulate that market. There was a need to do more promotion and advertising throughout the whole of New Zealand and one way we did it of course was through co-operative advertising. We now have throughout New Zealand regular adverts which are appearing in all major newspapers plus some small minor places advertising Norfolk Island as a destination not a specific advert but purely as a destination and this is on a regular basis. Now the cost for that was around \$15,000 and we are by doing co-operative advertising we have involved the wholesalers Air New Zealand and a number of the larger of the tourist operators are all putting in and contributing regularly and I say regularly either fortnightly or monthly into that fund to enable that advertising to take place. There was \$40,000 which was asked for for the airport and the Visitors Information Centre salaries. That in itself has come about through the increase of the number of flights which are now taking place and the amount of time that the airport is now open. Every time an aircraft lands or leaves somebody from the Visitors Information Centre is there to either greet or to ensure that they get that \$25 as they leave. We have porter boys as well and those porter boys collect the luggage from the people as they arrive and take them to their cars. Now all of this means that there has been extra and in actual fact where as I think prior to that the budget was around about \$32,000. In actual fact the expenditure for this year will be in the \$74,75,000 area. The asset purchases and replacements. Once again it wasn't allowed for in the original budget. It was one of those that was deleted from the request that was made originally and that was for the computers which have been in allocation of monies allowed for the Administration computers but not for that particular area. There's also within the computer side of it there's also going to be an expansion into the CRS system, well not so much the CRS system but a booking system for accommodation bookings and the object of that being that there has been for quite some time now complaints from people saying that I couldn't come to Norfolk Island because the place was full but when I got on the plane was half empty and there was a heap of accommodation. A lot of that is caused through the small accommodation places on the Island, there is only one or two or 3 or 4 accommodation units in the one area and these people have a little difficulty in not being picked up by the wholesalers. Wholesalers prefer to put them into the larger establishments. So this system is linking in with that and hopefully in the near future in fact there is a lot of work already started on it and will continue to be done on it to ensure that this all comes to fruition. The administration and marketing expenses of \$35,000 is that we have been active. There is a number of issues that need to be done over this, within the next 6 months to ensure that we have a continuity of flow. If we stop now then once again we fall behind and it takes an awful long time before we can pick up and get back into where we were hopefully going. We've all been enjoying an increase of roughly 16 and a half to 17% increase in tourism for the first 6 months and that is continuing and to ensure that it continues and not drop off, because suddenly we have an awful lot of competition entering the market through the Asian problems and through the American dollar, increase in the American dollar but the devaluation of the Australian dollar, all of these sorts of things have meant that we have other problems confronting us and we intend to make sure that we don't fall behind. The cash deficit of \$45,000 was there because over the past 3 or 4 years each time we've gone into budget for the Tourist Bureau there has been this sort of between \$55 and \$45,000 sort of coming in from the last years requests that haven't been placed into the budget. That was a case of getting that out of the road, it's now been complete, we no longer have started but whilst we get the money to start with suddenly we've got \$45,000 deficit to kick off the year. So we've taken that off and that's now complete and in future the budget that will be coming in for the Bureau will be a budget a true budget going from day 1 to day 365. There was just recently a document which has been put out by the Bureau and it's the 2nd edition of the Tourism News Bulletin and I would recommend that anybody that is interested in tourism purchase the thing. It's a price of \$2. It's available at both Foodlands and at the Bureau and in it there is a fairly comprehensive report on what is happening, how it's happening and the figures and so forth that have occurred over the past 6 months with tourism. In March of this year toward the end of March we will be presenting a document which will become a public document and it will be a complete plan taking tourism through to the year 2000. It's changing a little bit of the Unity 2005 which was put in by the previous Government but it's still bearing in mind a number of those objectives but looking at it now that we have a change in ball game and in the year that 2005 was done there was only 1 airline flying to Australia and that was Ansett. There is now 2 individual companies flying and it's a different type of ball game. It's a different aircraft and different advertising and marketing techniques. So that will be available. I'll be bringing it into this House or if it's available beforehand then we will bring it into the MLA's meeting and get it tabled so that people of the Island can see exactly and in that it's a very comprehensive document. It gives the marketing plan. It tells exactly where the dollars are going. It tells us how it's going, why it's going and where it's going, so that you will all be able to see what is in mind and that is the reason why we now are up to speed and will continue to be so.

MR NOBBS  
this plan before it's actually tabled.

Supplementary. Mr Robertson what plans have you to get public input into

MR ROBERTSON  
The plan is done through the Bureau and the Bureau is a , what they've done is they've taken into mind, I guess if you went to the public and stood up the front of Rawson Hall and let it all go we'd be sitting here in the year 2005 still waiting to make up our minds. The Government is charged with putting up a Norfolk Island Government Tourist Bureau of which they have a specific role to play and there area is to advise the Government or the Minister on where it's going and what's happening and also consult with the people in the trade, they consult with the airlines, they consult with the number of complaints, they deal with people that have been here. They go through an awful lot of things and they work as to how it can be best achieved to do what they are required to do under the Act and they go ahead and do this. So if anybody has any information that they want to pass across and we get it every day from people that are interested in doing something. There is nothing to stop them. The Bureau Manager is there if you have anything to say. In actual fact as I said to you just a few minutes ago in answering Geoff's question, Tourism Norfolk Island is bringing out this tourism bulletin which has got input from everywhere and if people would like, a lot of them can't afford the \$2 or don't want to pay the \$2 all they want to do is moan about it and I would suggest to any of those people that if you want to have

something positive then lets get involved and in fact in the opening remarks of the Chairman he states that TNI had received some very positive comment from local operators and the trade about the first issue so there is feedback. There's stuff coming in from those that really care. It's there.

MR NOBBS I mean there's nothing really to allow. It's a bit like the, am I correct. It's a bit like having a plan for a national park and not having any private input to it just to have the greenies look at it. You mean there is no public input to this plan before you put it out, only through the trade.

MR ROBERTSON The plan is actually Mr Speaker. The plan is put together by the Bureau management and by the Board. The Board is selected from people from the community not in the trade necessary but from the community. It's like anything else. It's just like sitting around here. We do the same thing. Thank you.

MR SPEAKER Thank you Mr Robertson. Further supplementary Mr Nobbs

MR NOBBS No but I've got another question. Just, Mr Robertson just to keep you going whilst your wound up. We're receiving excellent progress budgetary report figures on the airport terminal excellently presented. Although I asked months ago no figures has been forthcoming on the Burnt Pine Upgrade. Can you tell us why not please.

MR ROBERTSON Thank you Mr Speaker. Burnt Pine Upgrade, the figures. The project is running on budget. It's expected that the completion of the total first section will be within the funds provided. That's the short answer. OK

MR NOBBS Can I have a supplementary please Mr Speaker. I previously asked you if Admin wages were excluded or included in the costs of the project and I still haven't got a response Gary.

MR ROBERTSON Sorry Mr Speaker, Mr Nobbs, the wages are inclusive in the original \$400,000 project.

MR GARDNER Thank you Mr Speaker. Final question from me this morning. It's for the Minister for Environment. At the December sitting of this House I sought the whereabouts of 2 reports. The first one being the Waste Management Report, the second one the Asian Paper Wasp Control Report. As Minister you undertook to have both these reports available for discussion at this sitting of the House. Have these reports been completed and if so is it your intention to table these reports today.

MR ION-ROBINSON Thank you Mr Speaker. Yes indeed I did make that undertaking and that's why I have not 2 but 3 reports here to table when it comes to Presentation of Papers.

MR SPEAKER Further Questions Without Notice

MR BATES Thank you Mr Speaker. My next question is to Mr Robinson Minister for Community and Resource Management. Could the Minister inform this House of the purpose of his recent trip to London or was it a private trip.

MR ION-ROBINSON Thank you Mr Speaker. It was a privately funded trip for sure at the invitation of the Dependent Territories of Great Britain, Mr Brown and I went along as observers.

ACTING DEPUTY SPEAKER Thank you Mr Robinson. Further questions Honourable Members.

MR NOBBS One for Mr Brown. Mr Brown what is the current total of monies owed to the Hospital.

MR BROWN Mr Acting Deputy Speaker that figure fluctuates from day to day and it fluctuates significantly at the end of each month when bills are prepared for Southern Cross for the Australian Health Commission in which has replaced the Department of Veterans Affairs in terms of our veterans and billing's to the Administration in relation to HMA. It's still presently higher than I would like to see it. It still fluctuates around the \$180,000 mark at the low parts of the month up to about \$240,000 from recollection in the higher parts. My aim is to get that figure down to around about \$120,000 as an average figure. I believe that the aim will be achieved. The Hospital is presently taking much more prompt action in relation to collection of its debtors and is taking active action in order to collect the monies which are outstanding from one of the Commonwealth Departments. The fault of that is not entirely with the Commonwealth Department. Our billing system was not matching their requirements. Action has been taken to bring our billing system into line with their requirements so they are more easily able to process them. The Director of the Hospital is presently away from Norfolk Island on annual leave. She has had discussions with that Commonwealth Department while away but I do not know the result of those discussions. Never the less if that account can be brought up to date reasonably promptly we will be getting very close to the \$120,000 target figure as an average.

ACTING DEPUTY SPEAKER Thank you Mr Brown. Further questions





MR SMITH Thank you Mr Deputy Speaker. You say what checks are in place.

MR ADAMS What checks were made. Formal checks were made in order to ascertain to the degree possible the firms ability to deliver.

MR SMITH That's a little bit hard for me to answer because that happened while I was actually in Tamworth. Maybe one of the other Executives could because the appointment was made at that time. Could one of the other Executives answer that question.

ACTING DEPUTY SPEAKER Mr Adams would you like to direct that to one of the other Ministers.

MR ADAMS I'll guess I'll have to in the event the Chief Minister is unable to answer.

ACTING DEPUTY SPEAKER Somebody want to put their hand up to answer that one.

MR BROWN Mr Acting Deputy Speaker I was putting my hand up to draw the Chairs attention to Outstanding Orders and I'm wondering whether this is an appropriate question to be put. I'm very happy to assist in answering the question but I have some doubts as to its appropriateness.

ACTING DEPUTY SPEAKER Mr Brown are you able to direct me to the Standing Order that you

MR BROWN I haven't come down with them in front of me. I've tried to be very good in that regard during this Assembly but it's the Standing Order that rates to asking questions about Members of the Public Service in particular and I think it's 72a. Now I would accept that a contractor is not necessarily an officer but certainly it is a matter which is somewhat personal.

ACTING DEPUTY SPEAKER I just need to have some time on this matter Honourable Members if you could bear with me.

MR BUFFETT Mr Acting Deputy Speaker whilst your deliberating upon that I wonder if I might ask another question.

ACTING DEPUTY SPEAKER Certainly Mr Buffett go ahead.

MR BUFFETT I have a question which I'd like to direct to the Chief Minister which is related to this matter but not in the same context. Is the Chief Minister able to give us a detailed progress report on preparations of the strategic plan which is currently underway.

MR SMITH Yes thank you Mr Buffett for that question. Yes the person we have here to do the, to assist us with the strategic plan Mr John Howard arrived last week. He has been very busy discussing with Members of the Public Service and Members of the Assembly on their thoughts, on planning and their thoughts with the machinery of Government and Mr Howard will be here until this weekend and then he will be leaving and being replaced by another chap who comes over next week. At the moment the main task from Mr Howard is information gathering which is a really important bit of the strategic planning process.

ACTING DEPUTY SPEAKER Thank you Mr Smith. Honourable Members my determination on the Standing Order question. It appears that though the officer referred to is not an officer under the Act and therefore I must overrule this objection of Mr Brown. I'm sorry Mr Adams would you like to pursue that question which you had.

MR ADAMS I certainly will Mr Acting Deputy Speaker. If a target would present itself. Who do I direct the question to

ACTING DEPUTY SPEAKER I was just wondering at this stage Mr Adams if the Chief Minister might like to take that one on notice.

MR ADAMS I think it's important Mr Acting Deputy Speaker where the situation here where we've spent \$70,000 or will and now we have a Ministry who clearly is unable to answer the degree to which formal checks were carried on the firm that we've employed.

MR BROWN Mr Acting Deputy Speaker I'm quite happy to respond to the question. The Chief Minister recently was away from the Island for several weeks. He endeavoured before he left to get as many things as he could up to date. Now one of the key matters that interested him in the period prior to our election was the question of strategic planning. He was very much elected on a platform of recognition of the importance of strategic planning and wishing to see Norfolk Island plan its future rather than simply have things happen in an unplanned way. Initially the Chief Minister was endeavouring to run that planning process himself and he eventually found that the process was quite large and really beyond one person working here on the Island. He therefore decided that it would be appropriate to look at engaging a Consultant to assist us in various areas of the strategic planning process and he discussed that with the other Executives. We

all agreed that making progress with the strategic planning issue was important and we all agreed that the way to go about that was to engage a Consultant. Feelers were put out to a number of possible Consultants and a number of proposals were received. Some of the proponents were unable to commence the work within the time frame that we regarded as important. We felt that it was very important to actually get the process started immediately because if we left it another 3 or 4 months before we got started and it then took 6 months to end up with a draft we would rapidly find that we were so far into the life of this Assembly that on the basis of history it could be reasonably expected the Assembly would make no decisions about the draft strategic plan during the remainder of its life. We felt that if the planning process could commence immediately there was a far better prospect of the draft plan and the various reports being implemented in some way rather than been simply shelved as has been the case on so many occasions in the past when reports of different kinds have been provided. So the first thing that was looked at when reviewing the various proposals was when could the project be started and by when would it be finished. Another thing that was looked at of course was the price and another thing that was looked at was experience. Gary Robertson had discussions with many people in order to form his own view as to which of the proposals was most appropriate to accept. All of us had the benefit of written proposals including copies of CV's of the important people that would be carrying out the consulting work. So what I would say is first of all the CV's were obtained. Secondly by telephone checks were made of some of the referees and of some of the organisations for whom work had been carried out in the past and having regard to all of those factors which I've described it was felt that the appointment which has been made was the most appropriate appointment to make. I hope that is helpful.

ACTING DEPUTY SPEAKER Thank you Mr Brown. Honourable Members I draw your attention to the fact that Questions Without Notice, the time for that is now expired.

MR BUFFETT I move that there be an extension Mr Acting Deputy Speaker.

ACTING DEPUTY SPEAKER Thank you Mr Buffett I'll put the question that time for Questions Without Notice be extended. Mr Buffett do you have any idea how long

MR BUFFETT Another 15 minutes.

ACTING DEPUTY SPEAKER Another 15 minutes.

QUESTION PUT  
QUESTION AGREED

Questions Without Notice, another 15 minutes Honourable Members. Further questions.

MR ADAMS Thank you Mr Deputy Speaker. Mr Acting Deputy Speaker in regard to the last question that I've asked and I had an interesting range of answers I'll direct this question to the Chief Minister. Are we to conclude that the Chief Minister as Minister for Finance has had in fact no involvement in the appointment of this Consultancy group yet in fact a sum of \$70,000 has been allocated toward this.

MR SMITH Thanks for that question Mr Adams. That often happens in the Government as you all know that if a Minister is away and the Government wants to progress something that will happen. Whilst I was in Tamworth a decision was made rightly so by the Executives in my absence to commence something and I didn't have any problem with that. That's fairly general. That happens in a lot of issues where other Ministers pick up a particular Executives portfolio's and make things. You could say the same with the Tourism promotion extra dollars. That decision was made by Members while I was away but that's how it works.

MR ADAMS Would yes be the short answer.

MR SMITH If you would like it to be, yes

ACTING DEPUTY SPEAKER Thank you Mr Smith. Further questions.

MR BUFFETT It's really a supplementary on the strategic plan situation Mr Acting Deputy Speaker. A question to the Chief Minister. Chief Minister is self-Government advancement proposed to be a key element in any strategic plan that we prepare.

MR SMITH Thank you Mr Buffett. Yes.

MR BUFFETT Further question. Have you conveyed this message that self-Government advancement is to be a key component to the facilitator Mr John Howard.

MR SMITH That certainly has been done Mr Buffett.

MR BUFFETT Thank you Chief Minister

ACTING DEPUTY SPEAKER Thank you. Further questions.

MR NOBBS Just a question for Mr Robertson. Gary at the last meeting I asked you a series of questions on the Burnt Pine Upgrade particularly in relation to the kerbing and guttering. You said that you would come back with a Statement. Do you intent to give a Statement in Statement time please.

MR ROBERTSON Mr Acting Deputy Speaker I can do it then or I can do it now.

MR NOBBS In Statement time please Mr Robertson if that would be alright with you.

MR BROWN Mr Acting Deputy Speaker can I add something to the answer that I gave just a moment ago. I didn't give George the full credit which I should have given to him. I said that George tried to get as much of his work up to date as possible before he left and before he left George asked the other Executives to progress the strategic planning matter. It wasn't something that he simply abandoned. He was keen to ensure that it didn't slow down during his absence and he asked that it be progressed. So I wouldn't like anyone to think that from the answer I gave a moment ago I was leaving room for suggestion that George wasn't interested.

MR BUFFETT Mr Acting Deputy Speaker this is almost a supplementary in respect of the Internet question. The Chief Minister explained that there had been a revised time frame for provision of Internet access in the Island. Can the Minister, Chief Minister give us an updated estimate of time that Norfolk Island may be able to access Internet at affordable rates.

MR SMITH Thank you Mr Buffett for that question. I'd rather not at this point in time give an accurate time for an expected date for when it will be switched on but in the very near future I will have a date that I can give to Members and we should also have the rates that we'll be charging for Internet.

MR BUFFETT Supplementary question Mr Acting Deputy Speaker. Is in the near future before Christmas 1998.

MR SMITH Yes.

MR NOBBS Question for Mr Robinson. At the last meeting you were asked as to an interest you may have had in the company Tri-Mark Industries. At the tender time for the kerbing of Burnt Pine. At the time the tenders for Burnt Pine kerbing were considered, and you were a member that Tender Committee you replied that you had no interest in Tri-Mark Industries. I ask you sir is it not true that at the time you held a mortgage over Tri-Mark Industries.

MR ION-ROBINSON No I don't hold a mortgage over the Industries itself.

MR BATES Thank you Mr Acting Deputy Speaker. Question for Chief Minister Mr Smith. Have any decisions been made yet on the future of the old airport terminal building.

MR SMITH Yes thank you Mr Bates. Yes a decision was made on that during this week. The decision is to go ahead with the tendering process to have the building demolished, removed, recited.

MR BATES Where

MR SMITH Well it depends where the tenderer wants to take it.

MR BATES They don't have to resite

MR SMITH It's one or the other

MR NOBBS It's about livestock health. When is it proposed to conduct another health survey of livestock on the Island and I ask Mr Robinson.

MR ION-ROBINSON I'll find out for you Ron.

MR NOBBS I raised a question of a meat inspector some months ago in context of the budget. Has the Minister done anything about the provision of such a service and the training of a local to fill that position, and is he aware that the provision of such a service was the recommendation of the last livestock health survey in 1993.

MR ION-ROBINSON We haven't got our budget applications in yet but I'll certainly talk to you about it long before we do so.

MR NOBBS I've got a few for Mr Smith. Mr Smith it concerns the provision of Ministers acting in other portfolio's. In the case of a Minister absent from the Island what are the procedures in place to have another Minister act in his place.

MR SMITH Normally the procedure would be to if it was me I would ask Gary Robertson usually looks after my areas. I would firstly ask him if he will do it and if he's going to be on the Island then we advise the Administrator that I will be away and Gary will be looking after my portfolio and the same thing happens with the other Ministers.

MR NOBBS Just a supplementary Mr. Is there no actual requirements to notify the Assembly details of where Ministers are acting.

MR SMITH I don't know that it is a requirement but we should.

MR NOBBS Can we ensure that say for the last 2 Ministers that were off the Island Ric and John that such a thing is not repeated where we weren't advised at all as to who was acting.

MR SMITH Yes I can assure everyone that we will do something about that.

MR NOBBS Just another one for Mr Smith. Is it true that the Administration was asked by yourself to review staffing costs at the airport which are passed on to the airlines. If so what progress has been made to date.

MR SMITH I'm not sure what you mean with that Ron.

MR NOBBS I asked if you were requested to review the staffing costs at the airports which are passed on to airlines.

MR SMITH I'm trying to think what staffing costs get passed on to airlines.

MR NOBBS Well Customs costs and the other sorts of costs that are involved in it.

MR SMITH Yes I had been asked by one of the airlines if we could review those charges. No decision has been taken to do that.

MR NOBBS Is it true that a Minister of the Norfolk Island Government Mr Brown with no responsibility in the area wrote a letter on Norfolk Island Government letterhead to you requesting this to be done.

MR SMITH Thank you Mr Nobbs for the question. Mr Brown did write to the other Executive Members discussing things such as the out of hours Customs charges. Yes he did.

MR NOBBS Just another question on Government travel. Is Norfolk Island Government travel to Australia subject to a contract with any airline or does one airline offer a preferred ticket price to Australia for Norfolk Island Government travellers.

MR SMITH Thank you Mr Deputy Speaker. As far as I'm aware there is no agreements in place.

MR NOBBS Thank you Mr Deputy Speaker. Mr Smith we've talked about Year 11 and 12 school fees for yonks. Now after 5 months no action has been taken since the agreement was eventually reached to refund these fees. This Assembly must be added to the shabby treatment list that these people have received from other Assemblies. Minister I'm very disgusted with this and I ask why there has been no action to date.

MR SMITH Yes thank you Mr Nobbs for that question. I appreciate the question and there's a very real answer to that. There has been no delay in having this happen. When the Members agreed to refund school fees from previous Governments moves we all agreed to do that but we cannot just pluck, I think it's \$60,000 out of the budget for any particular thing at any particular time. I think what I'd said at the time and I think somebody said it in the last meeting when I wasn't here that we were going to look at funding in the budget review and that is something that is taking place now and if there is still not the funds in this budget review that we will be looking towards the main budget in 98/99 to provide the funds.

MR NOBBS Would you think that that answer is not really satisfactory Chief Minister as we've just found \$195,000 and give it to the Tourist Bureau.

MR SMITH One could agree with that.

DEPUTY SPEAKER Honourable Members time has expired in respect of Questions Without Notice.

MR ADAMS I move that it be extended for a further 10 minutes.

DEPUTY SPEAKER  
amongst Members.

The proposal is that it be extended for a further 10 minutes. Is that agreed

QUESTION PUT  
QUESTION AGREED

MR NOBBS Just another returning question. Annual Reports Mr Chief Minister. Whilst the 94/95 and 95/96 Norfolk Island Government Annual Reports are eventually completed in late 1997 why after 7 months is there still no Reports for year 1996/97.

MR SMITH Thank you. I suspect we were pretty busy putting together the previous years ones but I'll check it out for you Ron.

MR NOBBS Just for the Chief Minister again. It concerns the reserve fund which you talked about. Given that we are approaching the next financial year, what is being done in relation to the establishment of a definitive level at which a reserve fund be maintained.

MR SMITH Thank you Mr Nobbs. There has been discussion on this over a period of time. There is no such thing as a reserve fund. I'm actually waiting I think if I remember rightly it was about August I sent a note around to Members to see what they felt was an appropriate level which we should have in reserve in the Revenue Fund. That level changes from year to year and there's been a lot of money in it or very little money in it but I don't recall that I've had an awful lot of response back on it yet from Members. But at this point in time it's just operating the way it always does.

MR NOBBS This may be yours or it may be Mr Robinson's. It's understood that the United Nations are determining to find each country's continental shelf and that Australia and New Zealand are attempting to clarify those continental shelf areas which will be allocated to each country. Is this so, and has Norfolk Island been involved in any discussions between Australia and New Zealand.

DEPUTY SPEAKER Chief Minister would you like to respond to that or Mr Robinson.

MR ION-ROBINSON Thank you. Yes Ron your right correct. I wrote to the Minister in Canberra about this problem some time ago. I have since had a reply and I will copy you with his reply.

MR NOBBS Just a supplementary. Is it a definite possibility that Norfolk Island and the surrounding shelf falls more appropriately into the New Zealand sector and there is danger that New Zealand may in fact claim Norfolk Island as its own.

MR ION-ROBINSON Under the Unicloths laws they can't claim the Territory they can claim the waters though and these discussions are going on between New Zealand, will be going on between the New Zealand Foreign Trade Ministers later on this year according to the letter I got from the Minister for Resource Mr Parer.

DEPUTY SPEAKER Further Questions Without Notice.

MR NOBBS Just for Mr Smith again. A Motion was passed some months ago requesting Australia to delete all reference to Norfolk Island from its Native Title Act. Can you tell the people what happened to this request please George.

MR SMITH Yes thank you Mr Nobbs. I received a letter recently from the Administrator that said that they have noted what Norfolk Island had asked. You should have been copied with that advice Ron.

MR NOBBS Thank you George. I've been copied but I don't think the people have. Just one for Mr Robertson. It concerns unleaded petrol Gary. What was the Norfolk Island Government's role in the introduction of and responsibility as a result of the introduction to the Island of unleaded petrol. What's our responsibility.

MR ROBERTSON I understand that Martins Agencies who are the Mobil oil petroleum distributing agent advised and I sent a letter to everybody and we put a piece in the paper saying that Norfolk Island would then conform to what every other island is doing and that is putting in the unleaded petrol. We actually get the supply out of Fiji. So what has happened is that they advised us and I circularised everybody with that particular letter and we put an article in the paper advising that as of last week the first shipment of all future shipments will be in the unleaded fuel. It was introduced into New Zealand quite some time ago and I think Australia still is operating both unleaded and leaded petrol and that will be eventually switching over to unleaded. Following that release I had understood that Martins Agencies had sent circulars to each of the petroleum places with a supply of these to enable anybody that was interested to look to see if their vehicle or what it was what ever type of transport they have was on those particular lists which would be unaffected. However I have spoken with Mr Blucher and he writes the following letter which I'll read now because it will be an opportune time and we will put it in favour and that's. "Further to our communications regarding the changeover to unleaded



arises in the Mill Road incident. First legally the Electricity Supply Act 1985 exempts the Administration from liability for losses resulting from events such as these. Secondly and in a wider sense while it is unfortunate that some householders did suffer damage it has not been demonstrated that the Administration should be held responsible for that damage. As I have already stated these sorts of incidents happen in cyclones or high winds in any area with overhead powerlines. This is an area more properly the subject of private insurance coverage..

#### **QUESTION ON NOTICE NO 17**

**MR SMITH** Mr Deputy Speaker I have a reply to Question No. 17 on the Notice Paper. Mr Adams has directed the following question to myself as the Minister with responsibility for the Government Liquor Bond Store. Given that the new Planning Act covers all of Norfolk Island with the exception of the National Parks could the Minister explain to the community when were the plans for the commenced alterations to the Government Liquor Bond submitted to the Planning Board as required and given that the Government Liquor Bond is a commercial building could the Minister please indicate where were the proposed alterations gazetted in the Norfolk Islander and thirdly, whether the Minister accepts responsibility for the commencement of these alterations. Mr Deputy Speaker these question relate to the proposed reciting of the customer entrance to the retail area of the Liquor Bond store. I understand that the proposed alterations will require Planning approval and will be processed as category 2 application under the Planning Act 1996. This will involve gazettal and provide an opportunity for public submissions on the application. I understand the Works Depot will be lodging a planning application if it has not already done so by now. Mr Deputy Speaker I regret to say that the work on these proposed alterations had commenced although not to any great extent without proper planning approval having been sought and obtained. The Planning Act 1996 specifically binds the ground and no further work will proceed until planning approval has been granted. Mr Deputy Speaker in response to Mr Adams' ultimate question as Minister responsible for Government Business Enterprises I of course accept responsibility for the commencement of the proposed alterations.

#### **QUESTION ON NOTICE NO 18**

**MR SMITH** Question No 18. A question on Education. Thank you for the opportunity to firstly set up some redevelopment, I better read the question I suppose first. The question reads, given that education is a critical factor in the development of our young and not so young members of our community can the Minister table such proposals he has developed for the advancement of Norfolk Island education in his area of 1) Vocational Education 2) Strategies and Policies for Educational improvement generally. Some recent developments in education on Norfolk Island are here and secondly to let you know how some strategies and policies for educational improvement generally at the Norfolk Island Central School are being developed. Firstly vocational education developments. Vocational education is about blending the curriculum choices at our School to prospective work placement for those who want to enter the workforce at the completion of Years 10, 11 or 12. Emphasis includes not only offering experience in the workplace to test adaptability and suitability of both the student and job but will relevantly the opportunity for students to negotiate vocational skills to be taught in work placement, not along the processes which actually take place in a long term job engagement. This has required participation from employees both in Norfolk Island and elsewhere. Vocational education emphasis was initiated by my predecessor with approval for engagement of a teacher with vocational education skills. The engagement commenced in the 1997 year and the programmes of this teacher concentrate upon vocational education, careers HSIE which is Human Society and Its Environment say for example Commerce, Geography and Business Studies. Upon commencement of this 8th Legislative Assembly I had discussions with the Principal and Education Policy Advisor to give impetus and focus to vocational education and the following achievements have been made during the last academic year. All senior students have participated in 3 careers study days designed to equip them with the skills and knowledge necessary to make informed career decisions. The operations and additive skills education is involved in this process and the General Manager of Hunter Valley Training Company visited and gave follow-up interviews with parents and students. Funds have been provided in the education budget to foster vocational education, P&C funds have been available and private sponsorship has been very generous. Teachers and employers and the business community have formed a group to enhance placements in the workforce. Students and teachers access vocational education teacher throughout the year which is Mr Stephen Leigh as Mr Adams will know. The School with its vocational education Teacher and other resources also assist and encourage a variety of Scholarships that assist work placement for example the National Parks placement and environments scholarship. The School's management plan for 1997 included vocational education strategies and outcomes for that year and these were achieved. In the year that we have just commenced the above initiatives are continuing to be helpful and fruitful for the students at the Norfolk Island School. It is important to add that the vocational education aims whilst located at the Norfolk Island School are really community based and the teachers and resources are available to a wide range of people who seek assistance to be vocationally trained. Strategies and Policies for educational improvement generally. Targets to improve education generally are incorporated in the Norfolk Island School's annual management plans and the 1998 plan has been developed over the first 4 weeks of this academic year. Targets include the following: Internet access, improved access to the Library and information technology for secondary students, implement a redesigned secondary timetable, improve the programme for Year 6 transition to Year 7, to reintroduce Norfolk Island language lessons to infants and primary students on a formal basis, that is with paid instructors, introduce Marine studies, student representative counsel training camp, to improve the profile reporting from Kindergarten to Year 6, implement new discipline policy, continue to allocate training and development funds toward improving teaching practices in literacy numeracy and in science and finally to evaluate gender equity issues. The longer term strategies for education will be part of the strategic review and I encourage all Members and the community to emphasise the education aspect when discussing strategic planning with Mr John Howard who is presently on the Island on this specific task and I'd like to table the 1997 Management Plan for the School and

1996/97 report of the School. Next week I will have the 1998 Management Plan available and publishing the targets I have already enumerated.

DEPUTY SPEAKER I think that had concluded your components in the chronological sequence and I think it is Mr Robinson turn and then I will turn to you again Chief Minister.

MR ION-ROBINSON Thank you Mr Deputy Speaker. Mr Adams asked; Will the Minister inform the community on a) the conservation work conducted by ANCA on Phillip Island in the last 6 months b) cost of Green parrot observation cage construction in the Norfolk Island Botanical Gardens and table supporting documents and 2) table the expenditure incurred in the Green parrot captive breeding programme over the past 5 years and b) records from the captive breeding programme in terms of bird release into the wild in the last 5 years 3) explain to the House the mechanisms of the Norfolk Island Government as available to it and conduct programmes in the Norfolk Island National Park exclusive of Forestry zone of the National Park b) the standing of the Norfolk Island Advisory Committee given that this body was appointed in approximately 1986 for a period of 2 years, in fact it was 3 and has apparently has never had the term renewed c) whether the Norfolk Island Advisory Committee advises that Norfolk Island Government regularly on conservation matters consults regularly and advises on conservation matters within the National Park. Along with this and over the past few months Mr Adams had been asking several other questions without notice and they are hopefully covered in this reply as well. 1) During the second half of 1997 a total of 16 trips were made to Phillip Island by ANCA for the following reasons. The repair, upgrade and extension of the Phillip Island hut in the readiness for extended work tours which will be needed for habitat restoration and rehabilitation works there. Removing and spraying Olive and removal of Ipomea, Kikuyu, and other invasive weed species in other areas. Obtaining of Consultants advice on new weed infestations and potential habitats for Green Parrots and familiarisation tours for new Police Officers and other staff. The display aviary in the Norfolk Island Botanical Garden has been constructed as an educational facility for the local community and visitors to the island. The aviary was built at the same time as the breeding facility was upgraded and some of the costs incurred were for both projects and were not separated. There is further work required before the facility will be stocked with birds as there is an ongoing problem in the area with straying dogs and cats. At least one death in the aviaries has been attributed to harassment by a large dog around the aviaries. The construction on security barriers will be completed before the display aviary is stocked. The cost of construction of the display aviary in 94/95 financial year was \$14,600. The information on the expenditure on the Green Parrot kept a breeding programme and the records on the numbers of bird released into the wild are not readily available and will require further consultation with Parks Australia. I will endeavour to have that information available for the next sitting. The Norfolk Island Government cannot conduct any programme in the National Park whether in the Forestry zone or the National Park except in consultation with the Director of the Australian National Parks and Wildlife Service, now Parks Australia, or with the approval of the Park Superintendent. This issue is being addressed during the discussions to develop the Memorandum of Understanding currently under consideration by the Norfolk Island and Commonwealth Governments. That MOU draft is back in our hands again for us to have a look at and I hope all Members will have some input into it. Mr Adams referred in his questions to the Norfolk Island Advisory Committee. I have assumed he is referring to the body known as the Norfolk Island National Park and Norfolk Island Botanic Gardens Advisory Committee which was established under the Norfolk Island National Park, the Norfolk Island Botanic Garden Plan of Management and has no statutory responsibilities. The Plan of Management sets out the mechanisms for appointment which are meant to be reviewed every 3 years. Although the membership has not been reviewed the Committee has continued in its advisory role and its views may be taken into account by the Park Superintendent. The Norfolk Island Government recognises that the Advisory Committee has a role in providing advice to the Parks Superintendent whether or not all of the members of the Committee have been re-appointed strictly within the terms of the 84 Plan of Management. The Norfolk Island National Park, the Norfolk Island Botanical Garden Advisory Committee does not regularly provide advice to the Norfolk Island Government on conservation matters within the Park. However, since the first meeting of the Norfolk Island Advisory Committee in 1986 a full set of papers has been forwarded to the Norfolk Island Minister for the Environment and the Minister or a representative has been invited to attend all meetings of the Committee. The Conservator of Public Reserves is a member of the Committee and co-ordinates the Norfolk Island Administration's interests in these matters and the Forester receives all papers of the Committee including reports of actions being undertaken in all programme areas of the Park. It's also interesting to note that in the 11 years of this present Committee there has been only 2 meetings missed by the members of that Committee and that was on 2 occasions. So I think they do a splendid job as far as turning up and being there. They know and appreciate that it is up to the Minister and the Government to review the Committee members and it is not their fault that we have not done so in the past. Thank you.

MR NOBBS Supplementary question possible please. Thank you. Just on the last bird situation. Bearing in mind that that bird would have cost about \$1m what are the Parks Service doing about the control of dogs.

MR ION-ROBINSON Apparently around the, it's an expensive bird yes. Around the aviary they are putting up barriers that will keep the dogs away from there. We won't have any firearms left on Norfolk Island to be able to go and shoot the dogs shortly so I don't know what else we can do.

DEPUTY SPEAKER Thank you Mr Robinson. Answer to Questions On Notice No. 20 and 21

MR SMITH Thank you Mr Deputy Speaker. I haven't got all the information for Question No. 20 so I'll undertake to get that for the next meeting but Question No. 21. Mr Adams has directed the following question to myself as Minister with responsibility for Norfolk Telecom. Could the Minister please explain to the House if the

Norfolk Island Telephone exchange is at any risk from the millennium bug and if so what actions are being taken to minimise any threat to the Telephone exchange's workings. Mr Deputy Speaker the advent of the year 2000 has a potential to cause considerable disruption to many computer systems around the world. This issue has recently received much attention in the media. In simple terms the problem will arise because of the manner in which some computer systems store and manipulate date data. As the year changes from a 2 digit 99 to 00 some computer systems will interpret the year as 1900 instead of 2000 and some will be unable to deal with the year change and the operations and simply crash. Norfolk Telecom currently operates an Ericsson AXE 103 exchange system which uses a software system called PAMPAC which is unique to a number of pacific island telephone exchanges. The Norfolk Island AXE 103 exchange was commissioned in September 1992. In late September early October 1997 Norfolk Telecom was advised by Ericsson that there would be a year 2000 calendar problem with the PAMPAC software. This potential is compounded by the fact that due to rapid technological change the AXE hardware and software systems are becoming difficult to service. Two representatives from Ericsson Australia visited Norfolk Island in December 1997 and on the 16th of December delivered a presentation to a group of Assembly Members and Administration Officers on a proposed hardware and software upgrade of the AXE exchange. The upgrade will increase the range of functions that could be performed by the exchange and solve the year 2000 calendar problem at the same time. The Administration is presently negotiating with Ericssons regarding the costs and extent of the suggested upgrade. Norfolk Telecom has also been in contact with other pacific islands using similar exchanges to see how they are dealing with this issue and also some investigations have been conducted into alternative ways of solving the exchange problem. Thank you Mr Deputy Speaker.

DEPUTY SPEAKER Thank you.

MR BATES I have a supplementary question please Mr Deputy Speaker. I'm wondering if the Minister can inform us how long he's had this information and why he hasn't seen it fit to share it with the other 5 Members of the Assembly.

MR SMITH Thank you. The millennium bug has been talked about for a long time. It's not something new but it was only at the end of last year when Ericssons had suggested that there was going to be a problem and they came over here and offered this extra software and it will solve the problem but that was in December last year.

MR BATES It's now February Mr Deputy Speaker. I'm just wondering why the delay and why we have to find out in this manner.

MR SMITH I'm sorry that Members haven't been informed Mr Deputy Speaker.

DEPUTY SPEAKER We have concluded answers to Questions that are on notice this morning Honourable Members.

## **PRESENTATION OF PAPERS**

MR BROWN Mr Deputy Speaker, Paragraph 34 (2) of the Immigration Act requires that I report to the Legislative Assembly not later than the 31st of March as to the number of declarations of residency granted under Section 33 during the year ended on the previous 31 December. I now accordingly report that there were 25 declarations of residency granted during the year ended 31 December 1997 and I table that report.

MR ION-ROBINSON Thank you Mr Deputy Speaker. Under provisions of Section 6 of the Crown Lands Act 1996 the Act, the Administrator may grant to an applicant a lease of unleased Crown land subject to certain conditions. The Administrator in accordance with the provisions of subsection 6 (5) of the Act has specified the criteria for the granting of leases, the details of which were included in the Norfolk Island Government Gazette of the 31st of December 1997. As subsection 6(6) of the Act provides that the instruments specifying the criteria is a disallowable instrument for the purpose of Section 41 (a) of the Interpretation Act 1979 I table the instrument. The Administrator has informed me that in assessing applications for these leases he will be guided by among other things the federal Ministers instructions on the policies to be applied under the Crown Lands Act 1996 and I have a copy of these instructions.

MR ION-ROBINSON Thank you Mr Deputy Speaker. I'd just like to table the report on the Asian Paper Wasp, the report of the feasibility of introduction of a wasp to control the army worm, and the trip report of the Cultural Affairs Advisor of the South Pacific Commission.

MR SMITH Thank you Mr Deputy Speaker. I'd like to table the Financial Statements for the year ending 30th June 1997. I'd also like to table the Virement of Funds paper and move that it be noted.

DEPUTY SPEAKER The question is that that paper be noted.

MR SMITH Thank you Mr Deputy Speaker. As is required I need to table any virement of funds. These virements are as follows. An amount of \$2,400 was for 2 chainsaws for Forestry, a matter of \$10,000 for the Cascade Cliff project, \$1,300 for the purchase of a trunk radio for Forestry, \$6,500 for a retirement village concept and, I'll read that again. There are a number of figures that add up to \$150,000 for tourism promotion. So I table those papers Mr Deputy Speaker.

DEPUTY SPEAKER Thank you. Participation debate in respect of the Motion that that paper be noted. No debate. The question is that that paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SMITH I'd just like to table the Monthly Financial Indicators for the month of December 1997.

DEPUTY SPEAKER Thank you. Further papers this morning.

MR ROBERTSON Thank you Mr Deputy Speaker. I table the Inbound Passenger Statistics for January 1998.

DEPUTY SPEAKER Thank you. Any further papers. We have concluded papers.

## STATEMENTS

MR SMITH Thank you Mr Deputy Speaker. I think this will work in the form of a Statement Mr Deputy Speaker. I have received a letter from the Administrators Office from Mr Alex Somlyay, the federal Minister for Territories and letter reads, to the Chief Minister for Norfolk Island. I'm pleased to inform you on behalf of the federal government that your Government's request for a \$3m interest free loan for stabilising Cascade Cliff and securing the Island's foreseeable rock supply needs has been agreed to. A copy of a media release I have issued and is attached. This loan is tangible evidence of the Commonwealth's support for the Norfolk Island community and of the close working relationship between the Federal and the Norfolk Island Governments. The arrangements for the loan will be embodied in a Heads of Agreement and I understand that your colleague the Honourable Gary Robertson, Minister for Tourism and Commerce, the Administrator, the Honourable Tony Messner are discussing possible terms for our respective consideration. I look forward to seeing the progress on the project on my next visit to the Island, yours sincerely, Alex Somlyay and there is a press release attached to that and I'll table that.

DEPUTY SPEAKER Thank you Chief Minister. Further Statements.

MR ROBERTSON Thank you Mr Deputy Speaker. In our December meeting I was asked a question by Mr Bates of which I answered partly and the question is to do with the compiling statistics from passenger numbers from New Zealand are the visitors from Melbourne who travel via Auckland counted as being from Australia or New Zealand. That was the latter part of his question and I said I would take it on board and the answer is that visitors who reside in Melbourne or where ever and travel via Auckland to Norfolk Island are included in the number of visitors statistics according to there place of residence. The second is a statement on the Burnt Pine. During the December meeting of this Assembly I was asked a series of questions from Mr Ron Nobbs MLA and I answered several of those questions and agreed to take the remainder on notice. The questions which I took on notice and the answers to those questions are as follows. Question. Turning to the job itself of kerbing, a machine was imported to do the job or was imported to be used to do the job. Is it correct that the machine would not operate using materials proposed for the job. A multifunctional machine which can be used for a range of purposes including kerbing and guttering was imported sometime before tenders were called for this project. As for the second part of that question the tender documents called for a finished product. The Government is not aware nor should it be of which materials were proposed provided that the standards required in the tender document were met. Question. Was one of the scarcest resources sand utilised. Yes sand was used. Question. I ask you Minister how much sand was used, who approved the taking of such a quantity and what was the charge placed on the sand. In accordance with standard practice TriMark Industries applied to the Chief Administrative Officer pursuant to the special provisions for the supply of sand. The Chief Administrative Officer who has the delegation to deal with these matters approved the application for 20 tonnes of sand at the standard price which is \$20 per tonne and subject to certain conditions including that payment be made to the Administration and I table both the application from TriMark and the letter from the Chief Administrative Officer approving that. Question. When it was discovered that the kerbing machine to be used in the project would not operate with materials proposed did this constitute a breach of the tender. The tender specification provided for the kerbing and guttering to be done by either the traditional box and pour method or by an extrusion method. It is therefore open to all tenderers to tender on the basis of one or both methods. Question. Why was the successful tenderer not required to box and pour the kerbing as was proposed by the other and I understand because I haven't seen the full figures tenderer. Now that question has just been answered in the previous bit. Thank you.

DEPUTY SPEAKER Thank you. Further Statements.

MR NOBBS Can I ask a question please.

DEPUTY SPEAKER You can propose that the House take note of that Statement and raise.

MR NOBBS Well I ask that the House take note of the Statement. Just following on with that. Was there any additional cost involved in, for the project in all the toing and froing that seemed to go on.

MR ROBERTSON The actual additional costs that would, that I can't answer at this point because there were a couple of other toing and froing that came with it but I can certainly take it on notice and I will get back to Mr Nobbs as to whether there is an actual breakdown with the increase. There was some suggestion of a decrease at one stage.

MR NOBBS Another one Gary. The contract actually goes beyond what's been done at the present time. Is that correct. It goes on to the next stage.

MR ROBERTSON The contract goes onto the next stage which is 1A and 1B and that takes it up to Max's. That's the end of that section, and that's within this contract. It's spread into two working sections.

MR NOBBS The other one there is really on its second stage if I may just put this in Mr Speaker and just ask is the roundabout in or out or is that, the white painting on the road just to stir up the locals.

MR ROBERTSON Thank you Mr Deputy Speaker. I'll answer part of that and then make another Statement which will cover part of this. The roundabout, first of all, before we start the second stage of this first major part the Planning Committee will meet and go into the full ramifications and as of Friday morning the project's Manager and myself are actually meeting with some of those people in the area that has raised some concern. That's all set for Friday morning. Then we will have a meeting with the Steering Committee to see whether or what happening on that.

DEPUTY SPEAKER Any others to participate in the debate on the question that the House takes note of that Statement. I'll put that question.

QUESTION PUT  
QUESTION AGREED

MR ROBERTSON I have one more Statement Mr Deputy Speaker on the Burnt Pine Upgrade. As you would be aware work continues on Section 1A which is the Rawson Hall to Foodland and given fine weather, apparently seems to be the problem at the moment the major works should be completed during next week with sealing of the roadway to commence later that week. We will inform the public when the road sealing is confirmed and it is tentatively to be done Friday week. As it will require closure of the road for a few hours, the intention being is that once the road base is down and ready for sealing it will require about 4 to 5 hours to enable the seal to go through as a complete one side of the road so that we can restrict the traffic to it as least as possible, and that will mean the possibility of if they start at 6am doing this that up to about 10am the road will be totally closed, and then from 10am onwards you will have a one-way track to allow the other side of the road to be done. I've received advice that Section 1B which is from the Foodland to Max's will commence early in March with the completion date expected in late April and I mentioned earlier on to a question that was raised in the House that yes the project is running on budget and expected to be completed at the total, that the completion of the first section will be within the funds that were provided. Thank you.

DEPUTY SPEAKER Thank you. Further Statements this morning. We've concluded Statements.

#### **MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR**

DEPUTY SPEAKER The Speaker has received the following message from the Office of the Administrator. It is Message No. 123. On the 19th December 1997 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the Firearms Amendment Act 1997 which is Act No. 23 of 1997, the Road Traffic Amendment No. 2 Act 1997 which is Act No. 24 of 1997 and the Healthcare Amendment No. 2 Act 1997 which is Act No 25 of 1997. I reserves for the pleasure of the Governor General the Dangerous Drugs Amendment Bill 1997 and that message is dated the 19th December 1997 signed by A.J. Messner, Administrator.

#### **NOTICE NO 1 - NORFOLK ISLANDS RELATIONSHIP TO THE COMMONWEALTH OF AUSTRALIA**

MR ION-ROBINSON Thank you Mr Deputy Speaker. I move that this House accepts and acknowledges the British Government's opinion of the 14th June 1996 that Norfolk Island is a dependent Territory under the authority of the Commonwealth of Australia.

DEPUTY SPEAKER Thank you.

MR ION-ROBINSON Thank you Mr Deputy Speaker. The definition of a dependent territory is to be found in Halsbury's Laws of England, and reads this: "It refers to a country or province which is subject to the control of another of which it is not an integral part." This Motion is not about independence for Norfolk Island. It is a clarification of the relationship between Norfolk Island and the Commonwealth of Australia. You will note that the words "under the authority of the Commonwealth of Australia" are included in this Motion. Last week Mr Brown and I attended, at our own expense a Dependent Territories Conference In London. By far the majority of the 13 dependent territories present at the conference were not seeking independence. They simply want the right to say how they are to be governed, a right in accordance with Article 73 of the United Nations Charter and the International Covenants on Civil and Political Rights and

Economic Social and Cultural Rights. Both the United Kingdom and the Commonwealth of Australia are bound by the Charter and both the Covenants. The British are in the process of reviewing their relationship with their dependent territories. This Motion is about our having more say in our affairs, especially with regard to Schedule 2 matters. Schedule 2 matters, according to the Commonwealth's 1979 Norfolk Island Act are supposed to be matters totally under our control. The Firearms Act 1997 is a good case in point, as firearms are listed as a Schedule 2 matter. Yet the Commonwealth held a metaphorical gun to our heads and said that if we did not change our Firearms Act to suit them, then the Commonwealth would legislate for us, thereby rendering any local Act null and void. I offer some points in support of the Motion. 1. The Commonwealth of Australia has always referred to Norfolk Island as an external territory of Australia. The word "external" itself means an entity outside the body, be it a human body or a body politic. 2. In the preamble to the Commonwealth's Norfolk Island Act 1979, it states "and whereas the Parliament considers it desirable and to be the wish of the people of Norfolk Island that Norfolk Island achieve, over a period of time, internal self-government as a territory under the authority of the Commonwealth". 3. The constitutional position of Norfolk Island anent the Commonwealth of Australia was debated/discussed in Melbourne (the then seat of the Australian Federal Government) in 1905. Sir Robert Garran, Secretary to the Attorney General wrote an opinion for the Attorney General (which he endorsed) about the forthcoming Order In Council and 1913 Norfolk Island Act. In it he stated that Norfolk Island would be a dependency of the Commonwealth, not a part of the Commonwealth itself. 4. An official letter I received from the British Government's Foreign and Commonwealth Office dated June 14th 1996 states that "Norfolk island is legally a dependent territory of the Commonwealth of Australia". As Norfolk Island and all parts of the Commonwealth of Australia were British colonies I think we may safely assume that the British Government a concerned and interested bystander in 1996 knows what it's talking about. 5. If the Australian External Territories were genuinely already a part of the Commonwealth, why then in 1984 did the Commonwealth extend a referendum of self-determination to the people of the Cocos Keeling Islands. And this some years after the much touted Berwick vs. Grey High Court. 6. Contrary to the International Covenant on economic social and cultural rights which Australia ratified in 1972, in 1979 the Commonwealth claimed Norfolk Island's 200 mile exclusive economic zone as quote "a part of Australian fishing zone." T. telling us that we could not possibly police our waters. Shortly before this the Commonwealth passed its Norfolk Island Act 1979 with the stipulation that we support ourselves from our own resources, but our greatest resources are in our territorial waters and these the Commonwealth has taken entirely for itself. 7. A 1987 report from the Australian Federal Parliament's Constitutional Advisory Committee on the distribution of powers states "The Norfolk Island Government seeks a special relationship with the Commonwealth. We point out that machiners does exist which could accommodate the Island's having a 'free association' status with Australia similar to the relationship of the Cook Islands with New Zealand. This could be provided fro under Section 51 (14) and 122 of the Australian Constitution with Australia having responsibility for the Island's external affairs and defence." I stress that this 1987 Australian Federal Parliament report is saying very clearly that Norfolk Island is external to the Commonwealth. Otherwise the report is advocating secession something no Australian Parliamentary body would ever recommend. The very considerable secessionist movement in Western Australia would become a real headache. There are those among us in this Eighth Assembly who question not the content of this Motion but its timing. It has become their normal practice to avoid decision making by stalling, by moving that Motions be adjourned until the need to make a decision is perceived to have gone away but let me assure the procrastinators among us that now is not the time for fence sitting. If Norfolk Island were an integral part of the Commonwealth of Australia then our immigration laws and our right to levy customs duties and excise would be unconstitutional. Our control of these matters would be taken from us forthwith. If we were stripped of our customs revenues we could not even begin to make financial ends meet, especially given the fact that we have been denied the economic fruits of our territorial waters. Section 122 of the Australian Constitution says: "the Parliament may make laws for the government of any territory surrendered by any State to and accepted by the Commonwealth, or of any territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow representations of such territory in either House of Parliament to the extent and on the terms which it thinks fit." In 1979 the Commonwealth thought fit to legislate that Norfolk Island have its own government. This government is deemed a responsible government by virtue of the definition found in Halsbury's Laws of England, First Edition, Section 985, page 432. "A colony with responsible government (e) is one in which the legislature is elected and the departments of government are directed by Ministers individually and collectively responsible to the legislature". In order to demonstrate that we do constitute a responsible government. I ask that you support this Motion. Thank you.

DEPUTY SPEAKER

Thank you. Debate Honourable Members. No debate. I put the question.

MR BROWN

Mr Deputy Speaker I don't have any difficulty in supporting the Motion. It seems to me that the letter to which Mr Robinson has referred is a pretty straight forward letter. It talks of Norfolk Island being in the British verbiage a "Dependent Territory" under the authority of Australia. The Norfolk Island Act talks of Norfolk Island being a territory under the authority of Australia. There is no doubt at all that it is a different type of territory to the Northern Territory, the ACT, Jervis Bay. They are all internal territories, geographically internal mainland Australia. We are clearly an external territory but never the less I accept that we are an external territory under the authority of Australia. I think it says exactly the same things as the British have said in their letter. I think the most unfortunate part of all of this is that we feel a need to even put such a Motion into the House, but the reason Ric has done this is that we continue to be told from time to time by Commonwealth Personnel that Norfolk Island is a part of Australia. People within the Department just don't seem to want to realise what the difference is and as an example today the Chief Minister tabled a letter from Minister Somlyay to which was attached a media release and let me read the final paragraph of that media release. "Norfolk Island is an Australian Territory with a degree of self-government similar to the ACT and the Northern Territory." Now that's simply not true Mr Deputy Speaker. We are a Territory under the authority of the Commonwealth I accept that, but we're not really similar to the ACT and the Northern Territory. We have a far wider range of self-governing powers than either the ACT or the Northern Territory. We exist without Commonwealth Grants. We're simply not part of the

Mainland organisation and I think that unless we continue to remind the Commonwealth that while we respect their right to endeavour to rewrite history we maintain the right to remind them of what the facts are then that will be fine but unfortunately we will need to continue to remind them of what the facts are because there are some sitting over there in Canberra who simply don't want to accept what the situation is. I don't know why they want to rewrite history. I'd have thought that the real way to go about this is to get on with the job, continue our endeavours to show that we are worthy of self-government, get to the stage where everything that we are running is being run well and then say it's time to transfer the rest and that's the course I'd like to see us following Mr Deputy Speaker.

DEPUTY SPEAKER

Thank you.

MR BATES

Thank you Mr Deputy Speaker. I wonder just who is trying to rewrite history or rewrite the authority because Mr Robinson did copy us all with a copy of the letter in question and there's lots of things. He chose two lines out of what it said to base his Motion on and before I read the whole letter and recommend that it be made available for the public to see because there are people concerned about this, what's Ric up to again. Read the two lines from the letter very carefully and say them very carefully and it reads "Norfolk Island is legally a dependent territory, a small d and t of the Commonwealth of Australia". Nothing about under the authority of Australia. It says it is legally a dependent territory of the Commonwealth of Australia. Now the Motion says "Is legally a Dependent Territory, with capital d, capital t under the authority of the Commonwealth of Australia". Who entirely does connotations on words from my point of view. I'm not a great one on the English but certainly know that use of capitals do place different emphasis on the words. So this Motion is not what the British Commonwealth has said. The British Commonwealth has said "is legally a dependent territory of the Commonwealth". The Motion is Norfolk Island agrees its a dependent territory under the authority of the Commonwealth. Mr Brown made a lot of emphasis about the word under the authority of the Commonwealth but those words are Mr Robinson's words. They are not the words of the British Parliament. I think that I will read the total letter that Mr Robinson referred to and I think it would be nice if this letter was made available to the public between now and the next meeting. I think this is a matter that should be adjourned and I think that the public should be far more involved that what they are in it, and I read the letter. It's a letter from Clive Anderson of the Far Eastern and Pacific Department of the Foreign and Commonwealth office of the British Parliament I believe. It's dated the 14th June and it says "Dear Mr Robinson, following our exchanges over the past few months" now I just pause there. We haven't had the benefit of those exchanges and yet we're considering this. "Following our exchanges over the past few months about the constitutional status of Norfolk Island I am pleased now to be in a position to let you know the British Government's view. The matters you raised were both important and complex. They deserved and have received thorough research and analysis. I regret that the sheer volume of material to be reviewed and weighed carefully alongside the arguments raised in your letters of the 21st November 1995 to the Prime Minister and of 15th February to me has conspired to prevent an earlier substantive reply. Our conclusions in summary are that there is no practice cession of territory from one independent country within Her Majesty's dominions to another. The equivalent in Commonwealth terms is the transfer of control of territory. Order in Council no 528 of 1914 coupled with the Australian Norfolk Island Act 1913 affected the transfer of the full control and legislative authority for the government of Norfolk Island to the Commonwealth of Australia. The Crown in right of the United Kingdom did not retain any further power to provide for the government of Norfolk Island. The transfer cannot be revoked since the Order of 1914 assigned responsibility for Norfolk Island to the Australian Government without reservation. This contrasted with previous Orders (notably one dated 1900) which provided for administration of Norfolk Island by Australia "until further Orders should be made on that behalf by Her Majesty." The effect of these arrangements is that the territory could only be returned to the United Kingdom by Order in Council of Her Majesty on the advice of her Australian government". Part of the Motion is that Norfolk Island is legally a dependent territory of the Commonwealth of Australia. It is not therefore open to the government of the United Kingdom to intervene between the Australian and Norfolk Island authorities in any matter affecting the people of Norfolk Island. I am sorry to have to write the response which I know you will find disappointing but I hope that the above outline will enable you to understand the reasoning." That letter talks about considerable research, analysis, heaps of documents to be looked at to come to these basic conclusions and those conclusions are not, and I repeat not that Norfolk Island is s dependent territory under the authority of the Commonwealth and that's what the Motion is about. Thank you Mr Acting Deputy Speaker.

MR BROWN

Mr Acting Deputy Speaker Brian is quite correct, the words "under the authority" are not there and the Motion should clearly be amended to remove them in my view. We should be using precisely the words which were used in the letter and I seek leave to move an amendment accordingly so that the words "dependent territory" would be spelt with a small d and a small t and the words "under the authority" would be removed from the Motion.

DEPUTY SPEAKER

Leave is granted for that Mr Brown.

MR BROWN

I so move Mr Deputy Speaker. Mr Deputy Speaker it's certainly not my intention to vote in favour of a Motion which has any incorrect words in it. It makes no difference to the effect of the Motion. There is a pretty well know meaning for the words dependent territory whether you have big letters or small letters and a dependent territory of the Commonwealth of Australia is in my view exactly the same thing as an external territory under the authority of the Commonwealth. I don't think we're arguing about those words. I think what we're doing is reminding the Commonwealth that that is the situation and that it is not an appropriate time to endeavour to rewrite history.

MR ION-ROBINSON

I move if nobody would like to have any debate on the amendment that the question on the amendment be put.

DEPUTY SPEAKER  
move that Mr Robinson.

Did you want to give others an opportunity to address that before you

MR ION-ROBINSON

Oh yes I had no intention of stifling any

MR NOBBS

Mr Speaker I'm going to talk on the whole lot. I've got a couple of concerns about this Motion. One is the word "dependent". In my dictionary dependent means rely entirely and dependent means, one for whose maintenance another is responsible. I'm sorry but this is not what I was brought up to believe about Norfolk Island or in fact from personal experience believe is the position that Norfolk Island holds at the present time. I don't believe that we have ever had to be beholding and there certainly has been a give and take relationship but that's as far as I'm prepared to concede. The second point that I wish to make Mr Deputy Speaker concerns the definition quoted by Ric from Halsbury's Laws of England. A dependent territory refers to a country or province which is subject to the control of another of which it is not an integral part. What does this really mean. I feel myself that the white flag has gone up. The next point concerns this House's attitude to Australia's current wrangle with its own constitution. This is an issue which could and I think will impact significantly on this island. Response received to a question at one meeting of Assembly Members on what is our position in relation to the Australian constitutional convention was simply "we will write to Canberra about it". Just wonderful, when we should be up front both to the people who elected us as well as to the Australian Government. There has been no further discussion on the matter within these walls at least. Now we are prepared to take some back door approach. Ministers are prepared to run off to what I consider as an obscure conference on the other side of the world. Certainly it didn't cost the Island for fares etc, however they were at the time Ministers of the Norfolk Island Government whether somebody is acting in their place or not. You can't tell me that this fact was not well known and I ask you guys didn't you travel on your special passports. Another point relates to the definition used by the the concerning responsible government. The quote utilised by the proposer was "an economy with responsible government is one which the legislature is elected and the departments of government are directed by Ministers individually and collectively responsible to the legislature. Seems strange as it appears from succeeding Assemblies that the Norfolk Island Government doesn't really control the Public Service. What really gets me is the Minister's, and I don't want to be personal in this, the Minister's continual reference to the 200 mile economic zone. Ric, as the Minister for Resource Management, one would have thought that instead of consistently bleating about Australia telling us how we can't manage it that the Minister would be coming up with a proper plan as to how we can in fact manage the area. My concern and I believe concern in the community is that this is more as an attempt at sniping at Australia. Instead of coming up with constructive measures to advance this Island's constitutional position. I honestly think that the Motion is a furfee. I believe it's of no real consequence given my previous comments. One of the requests this morning on the request show was it's time. To me in fact it's over time. The current conditions are ideal with Australia looking at its constitutional position to progress a resolution of our constitutional position, and I'll leave you with that gentlemen because I believe that the longer we keep sniping away the worse off we're going to get. Thank you.

DEPUTY SPEAKER

Thank you. Further debate Honourable Members.

MR ION-ROBINSON

Thank you. We Members were elected by hopefully the majority of electors to make decisions on their behalf. I think it's time that we demonstrated that we are capable of making decisions, especially where it concerns retaining the status quo for that's exactly what this Motion is about. Quite frankly if there are any Members who are not aware of that fact then I don't think they've done their homework. Mr Speaker I'd like to take Members back to 1991 when petrol was less than \$1 a litre and big brother was trying to make us a part of the Canberra electorate. You will remember that we held a referendum which had 96% turnout. 82% of the people said no they did not want the constitutional position of Norfolk Island changed. 82% of the people wanted neither independence nor integration they wanted the status quo and that is exactly what this Motion is about, the status quo.

DEPUTY SPEAKER

Further debate.

MR ION-ROBINSON

I move that the amendment question be put.

DEPUTY SPEAKER

The question is that the amendment be put.

QUESTION PUT  
QUESTION AGREED

DEPUTY SPEAKER

I will put the amendment Honourable Members, and just to remind you what it is the amendment is to, if you read the Motion that this House accepts and acknowledges the British Government's opinion that Norfolk Island is a dependent with a small d territory with a small t of the Commonwealth of Australia. That is the affect of the amendment.

QUESTION PUT  
QUESTION AGREED

DEPUTY SPEAKER

Further debate in the respect of the amended Motion.

MR BATES Yes thank Mr Deputy Speaker. As I said earlier I think that this letter, there are people out there who are concerned about this and this letter that came which I read earlier. I think that should be published over the next few weeks and I think we should allow the community to speak to us all about this and pick their views. I would like to move that the Motion be made an Order of the Day for the next sitting.

MR ION-ROBINSON I wonder if Bates could kindly table his copy and I'll give him another one.

MR BATES I'll table that.

DEPUTY SPEAKER Thank you Mr Bates. What is being tabled is the letter from the British Foreign Office to Mr Robinson.

DEPUTY SPEAKER Further debate.

MR ROBERTSON I'm new to this game. This is my first Assembly but one thing that seems to be coming out pretty loud and clear is that when you look at the Norfolk Island Act 1979 it was first put in. You had preamble that went on, a number of preambles and part of that was that Norfolk Island is a territory under the authority of the Commonwealth and it was to provide many things of which was the establishment and representatives of your Assembly and so forth and this was all done. It went on then to say something about the powers and it sort of said that within 5 years they would review and look at powers and some of that happened but it's now 18 years have now passed and quite frankly we're pretty well behind schedule with negotiations and our demonstrations that we're capable of sort of looking after our won affairs and running them under the terms of the 79 Act and I believe that consultation rather than confrontation is our best way forward and while I support the Motion basically as it now stands it's really and I say that because it's saying something that we all know that's all. But if anything further is added to this particular Motion and I would oppose it because unless it supports a consultative method of moving forward our aims and objectives of where we should be heading. We've been tossing different things around and I agree with Ron that there's a number of issues that could have been taken up front. We are under the authority of the Commonwealth. We know that but I think that we need now to sure remind them if need be but that can be done in many ways and consultation is probably one of those ways. Our Intergovernmental meetings. What was the last one we had, when was it. How long ago. Those sorts of things needed to be upgraded and looked at you know that should be on the agenda fairly quickly and it's through those sorts of things that we can bring forward a lot of the problems and fears that we have within this government of how we can extend and project our powers so that we can at least get Norfolk Island more self-governing and doing what the original intention of the Act was. Thank you.

DEPUTY SPEAKER Thank you. Further debate. Can you please take the Chair for a moment.

MR BUFFETT Mr Speaker thank you. I support this Motion as it is amended just now from the floor but I've got to say that I don't think that this Motion is the right emphasis or the right thrust that we should be placing upon Norfolk Island's principal affairs. I think our principal thrust should be achieving self-government and to get on with a strategy that does that to the Norfolk Island community. Mr Robertson has very rightly pointed out that we've been at this matter for something like 18 years and yes we started slowly but in fact we have made tremendous advancements, we have made more than adequate proof that we are able to handle affairs in Norfolk Island and although we whinge and quiver and quale on occasions about our financial position in fact we have maintained a credit position continuously throughout that time just as we have continuously maintained a credit position on the decades beforehand and to achieve self-government should be the thrust that we should be about. This Motion is starting to draw upon all of those things as though they are secondary to what this motion is about. In fact what I have just said to you and what a couple of other speakers have equally said to you is what the principal thing that we should be at and these sort of things should be secondary. I think that we should, I don't have any difficulty with this going forward but in lieu of just leaving that and leaving it out in the ethos it maybe should give us some impetus to get upon the truth track that we should be about and we should stop mucking around about that. We have been here since May, there has been no arrangements to advance self-government of any substantive nature during that time. We have talked about advancing the Land Package for example over a period of time but including in the life of this Assembly and the Land Package arrangement that we agreed to was one so that we could achieve land as a responsibility for Norfolk Island. Now we've made great advancements in doing all of the things that are relevant to the package but I have heard nowhere what so ever the dates that it will actually come to us and that coming to us means advancement of self-government in Norfolk Island and we've not done that and we bloody well should and indeed I think we should give another thrust. We shouldn't be here arguing about the likes of this Motion, we should be arguing about how we will achieve self-government for Norfolk Island and get on about it. The strategic plan that we are also on about is a very important component in that. In fact I think it is the keystone to a strategic plan, self-government for Norfolk Island and if we're not talking about self-government and a strategic plan we should toss the plan overboard because it would be irrelevant. I've made myself clear.

MR SPEAKER Thank you Mr Buffett. Further debate.

MR ION-ROBINSON Thank you. To know where your heading, you've got to know where you are now. That is the only point I would like to try and make there. Just forget about the minority who want independence. Forget about minority who want integration. Think of that, 82% who wanted the status quo, and to know where your going you've got to know where you are now and that is the point of this Motion.

MR BUFFETT Well we pretty well agree on the Motion know. I think that's old hat. Let's not forget about where we want to go and give that emphasis.

MR BATES I'm wondering if there's no further debate whether I could move that the matter be adjourned and made an Order of the Day for the next sitting.

QUESTION PUT

Madame Clerk can you please call the House.

MR BATES There is not need to call the House. If the public is not entitled to their opinion on this one including the Members then there's no need to call the House. I'll accept that I'm the only one against it.

MR SPEAKER You're happy if we don't call the House Mr Bates.

MR BATES Well I was the only one that said no.

MR NOBBS I said no.

MR BUFFETT I'm quite happy that this matter goes to some public consultancy or opportunity for comment from the community. It doesn't change my view about what the emphasis should be. I've already said that, but I don't have any difficulty about community being given an opportunity to have their say about this particular component.

MR SPEAKER Madame Clerk would you please call the House.

MR BUFFETT Probably still in the minority but so be it.

MR SMITH AYE

MR BUFFETT What are we voting on. Whether we want to adjourn this thing.

MR BATES I said no I didn't want to adjourn it didn't I.

MR BUFFETT Yes I'm happy for this to be adjourned.

MADAME CLERK

[Calls the House]

MR BUFFETT AYE

MR BATES AYE

MR ROBERTSON NO

MR GARDNER AYE

MR ION-ROBINSON NO

MR ADAMS AYE

MR NOBBS AYE

MR BROWN AYE

MR SPEAKER The result of the counting Honourable Members is 7 ayes to 2 noes the Motion to adjourn is agreed.

**NOTICE NO 2 - PLANT AND FRUIT DISEASES ACT 1959**

MR ADAMS Thank you Mr Speaker. I have to confess Mr Speaker that my Motion will be a little tamer than the one that's just past. Mr Speaker I move that Section 21 of the Plant and Fruit Diseases Act 1959 be amended by deleting the words "a fine of 20 penalty units" and substituting the words "a mandatory fine of 50 penalty units".

MR ADAMS Mr Speaker the series of Motions being moved today by me have the general global objective of bringing about improvements in the rural sector. Specifically this particular Motion concerning an amendment of a Section 21 of the Plant and Fruit Diseases Act 1959 is borne out of my concern for want of a better word the gentleness of our system in dealing with people who smuggle into Norfolk Island plant material and fruits that have the potential because of its unsupervised nature of bringing about great and permanent plant health damage on Norfolk Island. Mr Speaker this Motion No. 2 on the Notice Paper is a fairly simple and straight forward Motion. It seeks to strengthen the penalty provisions of the Plant and Fruit Diseases Act so it can be seen that Norfolk Island takes very seriously the issue of smuggling into the Island of plant and fruit material. Mr Speaker I believe that assuming agreement by this House once such a penalty provision is in place and given also that it is proposed to be a mandatory fine that this provision will be a far

greater disincentive to the people who smuggle into the Island such products as I've mentioned before. It will be made much more so by effective publicity of such a strength and penalty provision. I commend the Motion to the House.

MR SPEAKER Thank you Mr Adams. Any debate.

MR BROWN Mr Speaker the Motion is fairly aimed at strengthening the penalty and showing significant resolve to prevent offences of this nature occurring. I'd like to suggest however that the Motion be amended slightly so that it would say that "the minister with responsibility seek advice about amendment of Section 21 of the Plant and Fruit Diseases Act 1959 by deleting the words and so on". The reason I do that is twofold. Firstly there is a normal aim to ensure that penalties for various offences through various pieces of legislation are reasonably consistent with one another once the severity of an offence is taken into account and we would need to ensure that a fine of 50 penalty units was reasonably consistent with all of our other fines and consistent with the seriousness of which we regard the offence. But secondly we would need to look at the question of whether it's to be a strict liability offence, that is if someone comes along with something in their bag without the intention of smuggling it and not realising notwithstanding everything, not realising that it was an offence to bring that in their bag. If they intended to be strict liability are they meant to have an offence proven against them no matter what their individual thoughts were. I think that in any event if the Motion is passed a Bill will then need to be prepared and put before the Assembly and dealt with in the normal fashion. I certainly support Robert's aim. I think that the risk presented by people illegally smuggling plant material to the Island is an unacceptable risk and I think that we should be showing in no uncertain terms that we do not want the present disease and pest free status of the Island put at risk by an irresponsible and selfish action like that, but I would be interested to see an advice from the Crown Solicitor as to how we should go about it. Certainly if a Bill is introduced I will support the Bill provided that we've got reasonable advice to make sure that we are going about it in the best possible fashion.

MR SPEAKER Mr Brown are you going to seek leave to move an amendment.

MR BROWN I seek that leave at a time that is convenient to Members.

MR SPEAKER Any further debate.

MR NOBBS Mr Speaker in the legal thing I'm not confused but anyway I wholeheartedly support the amendment as proposed and there are a couple of associated issues which I think should be brought out. First one it is just another case of fines not keeping up with the cost of living and I ask again that we initiate a scheme where all Government charges and fines and what have you are automatically adjusted according to the CPI. This is a classic example of an increase of 150% which I believe is due. Even with that increase it will be behind the eight ball in a couple of years time unless we institute automatic reviews. Certainly the current penalty is inadequate and I support its increase. However after quick perusal of the Act last night I wish to draw the attention of somebody to a couple of other anomalies. 10 (1) of the Act states immediately upon the arrival of an aircraft at Norfolk Island an Inspector shall treat the aircraft with an insecticide. This has been in for years and I've done it myself. This is a mandatory requirement, it is clearly not happening at the present. Surely this must be amended as a matter of urgency or the Inspectors be required to carry out their statutory duties as specified. My second point concerns the regulations and whilst these can be changed a lot easier. The fees specified for instance for seizure and treatment of consignments, not just individuals but the whole consignments figures of \$10 and \$20 per day are given quite inadequate. In supporting the thrust of the Motion I think that such a review of the Act should go further than that really embodied in the Motion although I support what Robert is trying to do. Thank you.

MR BATES Thank you Mr Speaker. Whether Mr Browns amendment goes forward or not it still means that a Bill will have to come to this House to give effect to this Motion and so I support that we bring forward the Bill but Mr Nobbs touched on a thing that I've been on about for a long time and I just don't know how long ago it was now but it must be somewhere about 15 years just from memory but a penalty unit was struck at \$100 and the fee in it was struck at \$10 and whole idea of that penalty unit and fee unit being written into the legislation was so instead of going through and changing every piece of legislation which is a lengthy job the facilities were there to change the value of the penalty unit and the value of the fee in it to pick up the very things that Mr Nobbs is talking about, inflation and it's been left so long and I've been on the back of at least Finance Minister to do something about it that it now, it's probably no longer appropriate just to say well we'll make a penalty unit \$160 instead of \$100 because inflation since and the same with a fee unit., put that up. But that's clearly the intention of these things and the sooner that we can go through all our legislation and look appropriately at all the fee units and penalties and adjust those pieces of legislation where necessary so that the fee or the penalty will be realistic as Mr Brown has said and it should be realistic to the crime or the offence the better but it is a fairly big job and if we do it then it will be easy to adjust these things in keeping with the way they were intended to be adjusted, just by a simple change of the value of the penalty unit or the fee unit. Yes I'll support the Motion or the amended Motion on the basis that a Bill needs to come forward for further consideration.

MR SPEAKER Thank you Mr Bates. Any further debate.

MR ROBERTSON I agree with the thrust of the Motion but like some others wonder if it is enough. One of the problems that comes into it and you may tie up something to the CPI which is great. Then after 5 weeks you find that there's still 50 passengers a week coming in with all the stuff what do you do, put it up 1.3% because that's what the CPI says or do you stick it up another \$200 to really try and effectively crush out what your trying to do, and I think

what your doing is trying to crush out something to give support to something else down the line. In the meantime that's something we'll have to sort out when the legislation gets done. In the meantime I support the thrust of the idea behind it.

MR ADAMS Thank you Mr Speaker. Just a few closing words here. I intend for the appropriate moment which is getting close to adjournment memberships are heading that way. I certainly feel the feed provision in my amendment is high, but I also think that the offence against our plant health areas are most serious one and one not to take lightly it certainly shouldn't be seen as a mister meaner so I make no apologies for the size for that offence provision that I am moving, and I make the point again, this motion is about showing resolve and demonstrating a will to provide such disincentive to show people we are serious in this area and I hear John's words but I certainly don't think people should get a lightened penalty because they simply come up with the old line about I didn't mean it , I wasn't aware and all of that. Plant, diseases don't really care for excuses like that so it should be made clear to people that there is a serious penalty because we take offence in this area very seriously, but certainly an intervening time to adjourn the motion and make an Order of the Day for the next sitting and in that time we can perhaps look at why throughout the legal area at ways of improving this thing and taking into account Members opinions in that time, so at the appropriate time Mr Speaker I move for an adjournment.

MR SPEAKER Mr Gardener.

MR SPEAKER Thank you Mr Speaker. I have just got a couple of comments to make on this. I will start if with saying that I fully support the direction that Robert is trying to take with this as Gary says, maybe it doesn't go far enough, well I am of that opinion too, maybe the penalties associated should be alot steeper, however I heard what John said, there are people and unfortunately the age group of many of the people that come to the Island are in that bracket that a piece of fruit may have been packed by a family member and they are not aware of the fact that it is in their suitcase. I think it will only be responsible of us to make sure that we advertise the fact that these penalties are going to be increased, but we are certain of the fact that we are going to allow people the opportunity to know exactly what they are to face when they come to Norfolk and I think it has been failing over the years that we don't advertise the fact that our quarantine laws are so strict or we wish them to be so strict, and that a little bit of education at the incoming side of the airport terminal, on the aircraft, and even through the travel agents that there is something that is put there to warns every single passenger of the plant, fruit diseases problems that could be faced if something was introduced into the Island.

MR SPEAKER Thank you Mr Gardener. Any further debate. Mr Nobbs.

MR NOBBS Thank you Mr Speaker. Just one point and that is in relation to this fine business, surely it can be an on the spot fine where somebody can actually pay up not right on the spot but pay up and if they have a problem then they can go to court and sort it out there.

MR SPEAKER Thank you Mr Nobbs. Mr Brown.

MR BROWN Thank you Mr Speaker, if Robert proposes to adjourn the motion until the next meeting then to seek advise in the meanwhile there is no need for the amendment that I was intending to propose and I would not need it.

MR SPEAKER Thank you Mr Brown. Any further debate. Looking for a motion for adjournment.

MR ADAMS I make motion to adjourn and make Order of the Day on it next subsequent sitting.

MR SPEAKER Thank you Mr Adams.  
QUESTION PUT  
AYES

Honourable Members we still have a lot to go, I wonder if we should break for lunch at this point and suspend till after lunch and come back at 2.15pm, Mr Brown. Is 2.15pm okay with other Members. Okay we stand suspended until 2.15pm. Goodafternoon Honourable Members we resume after lunch with the sitting and we move now to Notice No 3.

### **NOTICE NO 3 - REVIEW OF THE NORFOLK STOCK SITUATION.**

MR ADAMS Thank you Mr Speaker. As I have indicated to Members earlier on I am intending to change some of the wording in the motion that is on the Notice paper the essential difference is just some key words. Mr Speaker I move that the House directs the Minister with responsibility for Primary Industry to commission a suitable individual/Organisation to conduct a review of the Norfolk Island meat production situation and provide recommendations to the areas where improvement can be made.

MR SPEAKER Thank you Mr Adams.

MR ADAMS Thank Mr Speaker. Again as I have indicated I have changed the wording to better reflect I believe the proper extent of such a motion that I have proposed here today. As I have mentioned previously

here in the Sitting, the series of motions I am moving here today span widely across various areas relevant to the rural sector in general. Looming large amongst the general objectives of these motions is an attempt to address specific areas that by in large have been left to their own devices. Mr Speaker I believe the area of meat production is such an area and one in which a review may well prove very beneficial, I am therefore advocating that the commissioning by the Government of a review of Norfolk's meat production Industry by a suitable individual or individuals or indeed by an organisation to provide a report and make recommendation on where improvements can be made. To explain directly why I have changed the wording of the motion from stock to the wider term of meat production is that whilst certainly cattle account for the greater quantity of meat produced on Norfolk Island I am now of the view that there is merit in having the proposed review run across livestock species other than simply cattle. One prominent reason being that some meat producers may for their own reasons may not be involved in beef cattle production but who could be directly assisted by a review provided by in respect of other species. Mr Speaker given that the underlying reason naturally enough involvement in meat production is for financial reasons in the main, it therefore dictates I believe a class of individual or organisation to oversee such a review will need to be across meat production generally but at the same time be able to provide financial comment and advise in respect of meat production at the same time. I would see such organisations as various departments of Primary Industries and the CSIRO as a first ports of call in identifying the ideal group to conduct such a review. Mr Speaker what I am essentially seeking from the House in respect of this Motion is agreement in principal to commence this review. How I see this project travelling if agreement in principal is forthcoming from the House is that finances are identified to support the review, followed by a setting of terms in reference for such a review and in the commissioning of the most appropriate individual or organisation to commence such a review. Mr Speaker specific points that I think are important for the review to focus on are such things as; an assessment of the carrying capacity per acre of grazing on Norfolk Island, and arriving at an average figure to the degree possible and providing advice on what can be done to increase that figure on an Island wide basis, also I see as relevant to the focus of this is to identifying of excessive production costs such as there maybe and ways to minimise such costs, also import replacement opportunities in particular such things as possibilities that may exist for the Government to stimulate increased stock feed production, artificial insemination should such a service be provided by the Administration and the pro's and con's involved in AI in Norfolk Island, are new bloodlines beneficial to our present situation and if so best to accommodate this?, can our system of stock adjustment on public lands be improved, other things such as Invitro Fertilisation does it provide significant potential to us?, recommendations on development of a Government and Industry backed marketing program to promote rural products produced on Norfolk Island and this is an area sadly under down at the minute and is still probably to some degree an element of cultural cringe in this area, Identifying what opportunities for prorriferal cottage industries that may exist in and around the rural sector in particular from such by products as there may be from meat production for instance what can the Government do if anything to assist a viable cow hide processing cottage industries to commence and there by utilising resource that would have been otherwise dumped. Identifying what other if any species of livestock not presently here that an be accommodated into our present system to our benefit. Mr Speaker naturally enough the species I have mentioned specifics rather I have mentioned I am not exhaustive and perhaps some I have missed might out rank others that I have stated, so in the time between this Sitting and the next I'll certainly be seeking input and comment from all quarters of the rural sector and indeed the wider community for ways in which this motion might be improved so as to better address the target area as it were, I believe Mr Speaker the successful out come of such a review rest heavily on input by community members. Mr Speaker in closing this part of my debate, I think ultimately if this review is given the green light it might well turn out that we are doing business in this area to the best we are able now but frankly I am of the view that such a review will turn up potential efficiency gains and of course any improvements that we can achieve particularly in the areas such as support replacement increases the rural economy specifically and the Islands economy generally. Mr Speaker I will close of my debate at this point in time and listen to any comments any Members may have and input into this. Thank you.

MR SPEAKER  
Debate Honourable Members.

Thank you Mr Adams. The Question is that the Motion be agreed to.

MR ION-ROBINSON  
go ahead. It is a great idea and I support it.

Thank you Mr Speaker. I can see absolutely no reason why this should not

MR NOBBS  
leadership in relation to livestock. All primary production offers an opportunity to extend the life in the local economy of dollars injected into the community from outside. We saw recently an injection of \$200,000 into the tourist industry. I wonder if the same \$200,000 were injected into the local primary industries, whether or not the value resulting would have been more beneficial to the overall Island community or not. Be that as it may, I'm pleased that the motion was changed to go beyond the veterinary side of things because that's a very narrow side of stock production and meat and there's an old saying that 90% of the breeding goes down its throat so I would suggest that there's far more to skinning a cow than just looking to putting a bull with it, thank you very much

Thank you Mr Speaker. This is an overdue need to provide some

MR SPEAKER  
adjourn this?

Thank you Mr Nobbs. Further debate? Mr Adams, are you going to

MR ADAMS

I will Mr Speaker. If there's no further debate I so move

MR SPEAKER

Honourable Members there being no further debate I put the question that the debate be adjourned and resumption of debate be made an Order of the Day for a subsequent day of sitting

QUESTION PUT  
AGREED

The ayes have it.

**NOTICE NO 4 - ASSISTANCE OF PRIVATE LANDHOLDERS TO IMPROVE WATER CATCHMENT**

**MR ADAMS** Mr Speaker, I move that the House directs the Ministers with responsibility for primary industry and the Administration to develop and implement arrangements under which private landholders will be assisted to improve water catchment through the erection of retention basins/small dams on their properties, such assistance to include provision of Administration equipment and operators and, in approved cases, the allocation of fill where possible. Thank you Mr Speaker, the issue of water catchment and indeed improved water management practices generally is a world wide issue. I believe it is an issue of extreme importance to a small Island community such as ours in which our dependence on our natural environmental resources is total. Mr Speaker in light of Norfolk Island's unarguable dependence on the availability of water in the total sense, I think we need to take into account one very important and self evident detrimental factor certainly as far as the management of water run off is concerned on Norfolk Island. Norfolk Island is set up today by and large to drain off to the sea all rainwater not falling immediately onto roofs or other catchment areas or the small percentage that soaks immediately into the ground thereby assisting aquifer recharge. Mr Speaker all our tarsealed roads, for instance, drains into the sea or at least to a stormwater drain that does. The airport for example, at around 300 acres is probably the largest individual catchment area on the Island, and that again, drains for the most part directly to the sea. This drainage problem was even recognised as far back as the convict era. It is my understanding that the convicts dammed many valleys on Norfolk Island, utilising a system of using hardwood logs covered by earth to slow the passage of water to the sea. Mr Speaker, this is a simple motion. It seeks to have the House recognise the importance of assisting in the process of reducing stormwater run off by providing equipment and operators to assist the landholders in the development on their properties the construction of small dams or retention basins to aid in the trapping of stormwater, and ultimately, once that is done, once such a structure is in place, the landholder has a choice, he can simply view it as a method of increasing aquifer recharge or they can put in place various types of liners and actually pump the water to somewhere else if they have a desire to do that. It is intended in this motion that a landholder's desire to be involved in the programme would need to apply formally for involvement and to clearly state and outline the individual situations and the applicants involvement in such a programme would need, I think, to follow reasonable guidelines for instance non interference of recognised wetlands areas and in general conforming in such regulatory guidelines that may affect them in their individual situations. Mr Speaker this is an issue that has been around before but has never actually been formalised and there of course will be a degree of cost to the public sector certainly in a recurring manner but I believe the gains although not necessarily quantifiable in the bean counting sense it will considerably outweigh the costs. I commend a Motion to the House.

**MR SPEAKER**  
Debate Honourable Members.

Thank you Mr Adams. The question is that the Motion be agreed to.

**MR ROBERTSON** Thank you Mr Speaker. I fully support this Motion. I think at the December meeting was suggested that our most precious resource was sand and I dispute that and I think our most precious resource is water. This is seeking our sanction to put into place a number of watercatchment areas to try and reduce an amount of water run off that is currently taking place. Any of that reduction can only be beneficial in the long term, I commend the Motion, I also understand that there will be costs to the Administration from the Works Depot side of it but if we can get an idea of those that are interested and where it is then we can at least start to quantify what those costs will be or the likely costs but the costs themselves are far outweighed by the benefits that would be achieved by Norfolk. I commend the Motion.

**MR SPEAKER**

Thank you Mr Robertson. Any further debate? Mr Bates.

**MR BATES** Thank you Mr Speaker. I basically support what Mr Adam's is trying to do here, but I'd just like some clarification as to whether it is intended that recognised watercourse should be dammed because if they are dammed in certain places it means that those below the dam starve for water which they may be getting at the moment. I understand it is not intended that recognised watercourses themselves be dammed but maybe some of the little valley's that run into them or maybe Mr Adams could just elaborate on that aspect for me please.

**MR SPEAKER**

Thank you Mr Bates. Any further debate? Mr Nobbs

**MR NOBBS** Thank you Mr Speaker. It is very pleasing to hear the Minister for Tourism say that water is a major resource and I hope he sticks to it. This is a very interesting Motion and it could become a bit motive I think in some areas. What I am suggesting is this Motion actually simplifies the particular problem that we are looking at. I was under the impression that there was a report around somewhere that looked at water retention and the like. I was under the impression that the Administration were at various localities to put small stop dams which would improve infiltration of water into the ground waters. Nothing has happened since two dams. One was put in at Headstone and one was put in out near the chapel but apart from that nothing has happen, although there have been approaches I understand to land holders who'd agreed to do this. We are getting to the situation where this could become very complex and it could become an issues like Brian said where people are damming up stream and not down stream, there has to be, in my opinion, I believe

firmly in the thrust of the Motion that we have to look at it a little bit on a scientific basis and work out where the problems particularly are, what can be done, and how much it will cost otherwise you will get the situation where some will jump in and do some and then we run out of money and we can't do others and the like. I think the overall strategy must be developed and I believe as a matter of urgency we proceed along those lines but I couldn't support the Motion as bland as it is at the present time.

MR SPEAKER

Thank you Mr Nobbs. Mr Buffett.

MR BUFFETT

Thank you Mr Speaker. We would have millions of litres of water running off this Island each year, water that is really going to waste, water that we could use at this time of the year when we are experiencing the dry that we have now, and this Motion is a substantive way to try and improve the retention of water on the Island in the underground aquiferous and I think that is a laudable approach. I have to agree with Mr Nobbs however that it requires a wider plan than just encouraging individual land holders in maybe isolated or individual cases. I think we really need a water retention plan for the Island and I am not trying to make this sort of proposal to put off what is proposed now, I think what is proposed now could endeavour to go ahead, but I think we need to look at the wider picture. I think we need a wider plan which in fact looks at the various places where by water retention basins or dams or whatever you might want to call them can be erected for the maximum benefit of the totality of the community as well as benefit from individual people who might be wanting to catch in on their own account and their own place so that we can minimise the run off and maximise the retention for use from its own external ponding arrangement and maximise its capacity to be absorbed into the underground aquiferous and I think if we do that we are in a better position to achieve the sort of thrust that is proposed in this Motion. I'll support this Motion because I think it is a good way to go but I am probably saying that I would like it to be wider than that and that if you analyse it you would know that a great deal of land is not necessarily in private ownership but in public ownership and those areas to need to be harvested in some way so that the water running from it is equally caught and pondered and a given better opportunity to be absorbed in the underground aqueous so this motion, good stuff as far as I'm concerned, but I do make some encouragement that would be wider than that.

MR SPEAKER

Thank you Mr Buffett. Will there be any further debate on that?

MR ION - ROBERTSON

Thank you. There is a water management group looking at the water retention at the moment. It was reformed as a result of a water management report by KAVHA where as it would not cover the whole of the Island I hope that it will work in with Mr Adam's motion and of course I will be trying to do the best I can to facilitate that.

MR SPEAKER

Further debate? Mr Adams

MR ADAMS

Thank you Mr Speaker I won't be seeking to adjourn this motion. There seems to be an element of concern around this table that something on the face of it is so simple it doesn't have a great deal of strings attached. As I led in my earlier debate Mr Speaker this is an item or issue that has been around for a long time stretching back to the convict days and in real terms and in the life in the last assembly report commissioned ran across areas such as this. Since that time we have achieved affectively no progress on this front. Mention has been made that there is certainly areas of the public sector or rather areas under the control of the crown where improvements can be made. Members will notice that this motion is addressing the private situation. The public at any time, the public sector or the element under the crown, there areas can be improved at any time and with this assembly's being alive for some time now and it is certainly not an issue we've properly addressed. What I'm seeking here to do is to enable private land holders who may not have the wherewithal at present to pay for expensive contract equipment to effect improvements on their own property, and I believe this is certain in the area where the Government and indeed the whole assembly should be seen to be on the front foot and making progress rather than calling for yet another report when we have already got a report there we haven't fully actioned and nor do we seem to be putting any stimulus into obtaining objectives out of that report. I think it would certainly add in a beneficial sense to our water catchment areas. I do share Brain's concern that there may be a better element for want of a better expression who may feel that this is an opportunity to dam the water course or it is certainly, not intended to do that it is certainly not intended to exclude people who may well be further down stream this is aimed more so at the areas where there are dry valleys and exotic situation as you all know a lot of those valleys are very deep and their catchment areas are very wide and all of that water is, except for a small percentage flushes to the sea and as we know in the sea in the area we really don't need any more water there's quite enough there and we can blame El Nino, blame drought patterns overseas the fact of the matter is Norfolk Island is set up to flush water. We have to reverse that trend and I see this as a simple but effective and a cost effective method of commencing that and I don't intend to move for an amendment or an adjournment on this motion.

MR SPEAKER

Thank You Mr Adam's. Mr Nobbs

MR NOBBS

This motion has a lot of merit but it is something that you really can't play with, I don't believe and it should be looked at as each individual catchment and the private people within that catchment if that is all the motion is aimed at but it should also include those public areas as well should have some say into the overall strategy I believe for each one. I don't want to get into major reports and the whole thing I think it would be a fairly simple exercise myself to go around and sort out within each catchment area starting off with the airstrip usually with this side of the Island anyhow and heading out, you can work it through fairly simply, but I would just hate to see and I couldn't support

an open slather approach as we have here. I think it's a great idea Robert and I endorse everything you say about nothings been happening, because it should have been happening but I'm just a bit wary about giving an open slather approach to it.

MR SPEAKER

Thank you Mr Nobbs. Mr Robinson

MR ION ROBINSON

Thank you. I think as with most things we do on the Island common sense is just going to have to prevail, we have an application from somebody to dam a valley we obviously before we even start would have to go and consult anybody who will be affected by it and if common sense can't prevail in a simple think like this than all is lost I'm afraid. Thank you

MR BATES;

Just a one small point I'm just wondering just how much equipment the Administration has available that is suitable for this type of work and wether such use of the equipment would slow down other projects such as roads, and other things like that. I am certainly going to support this but I just wonder about the practicalities of going to take some of this equipment off areas that they are already needed in and that may cause some problems I think it does need some control and as Rick said it does need somebody that can assess whether this is a suitable thing to be doing rather than just somebody just wanting to do it and I'll leave it at that.

MR ADAMS

Thank you Mr Speaker. Essentially what Brian is referring to is management and equipment and I don't see that as beyond perhaps the wit of the managers of the Public service to be able to properly manage our equipment and obviously we have a capital works program on that is needed to meet schedules and times and timetables , obviously we need to take heed to those things. Mr Nobbs has a concern that it is an add hock or rather an open slather approach to it and I gather that he is implying that a private land holder who may have a wish to design or construct something on his property under the terms as programmed will have a situation for argument's sake, where the catchment is further up the road, is not taken into consideration and that's where what Ric says is exactly right. It's a commonsense approach to it. You have a look at the lay of the land if and it is feasible and realistic then it will be done, but again for the management of the equipment that is simply to control and identify the best prioritised use of your equipment available and that will be one of the limiting factors of the thing. Obviously there will be valleys and situations where the equipment simply is unsafe to be taken into those situations so commonsense will rule, but for God's sake let's just get on and do it, thank you

MR NOBBS

I'm being a bit of a dog in the manger but the thing is really, if you have a look at just a little bit of experience, the construction of dams and the like and putting liners in them, there's no worries about that. It requires some engineering expertise, now you can say what you like but the dam at Headstone has blown before and I think that on more than one occasion. It was very lucky that they held it in the last year or so because it was about to blow, I can tell you that. I go past there a fair bit. Now the situation is, that it's been patched up. Now these are really dry times that we've had, I think 80% of the month has been below average and has been for the last ten years or so, or I'm led to believe, so we have been in really dry times. What I'm worrying about is if we go in with an ad hoc approach, then things like engineering, it's not so much the catchment above, it's the catchment below, because if the thing blows there will be considerable damage down the creek and also you're robbing Peter down the bottom to pay Paul up the top. That's my concern with it and I would just like to see a strategy developed. I'm all in favour of it but I would like a strategy developed first, but I will support it

MR ADAMS

I think it needs to be taken into account that water in Norfolk Island's sense is not one major project. Water in the Norfolk Island context is certainly a whole series of sub issues of which run-off catchment is certainly one. It's a fairly simple one. It's a simple way of putting in place a cost effective method of checking the run-off to the sea and to ensure that we are measuring apples with apples, Mr Nobbs has indicated that there is a major engineering fault with the dam at Headstone, but the point that appears to have been missed in this, is that this motion is not intended to be a Warragamba Dam type arrangement or a programme that runs across very strong streams, which the one at Headstone does do. To inject a dash of factualism into it the dam wall at Headstone to my knowledge has never been broken, has never burst, it has actually undercut the top by the sheer volume of water which came down the valley. The dam wall held and held in a most sturdy fashion, and certainly there has been some coverings put over that dam to ensure that the water erosion that is created by the water rushing over the top, given again that it is based on a strong stream, have prevented or we would expect it to have prevented any further such erosion's that have occurred in the past. I think we need to understand clearly what we are on about here, in the terms of this motion we are not on about creating another Warragamba Dam where we simply close off strong flowing streams

MR ION ROBINSON

It has just been brought to my notice that the motion says "develop and implement". The normal process would be to include the Public Service suggesting some rules which would be cleared by either the Minister or the Assembly, so I have no objection whatsoever to passing this motion now and let us get on with developing and implementing some arrangements

MR NOBBS

I just want to pick Mr Adams up on a point, I don't know whether he was around at the time but there was a dam here before and it blew and the at has happened a couple of times actually, but I didn't say that the present dam there blew, but there was a major problem

MR ADAMS

I move that the question be put

MR SPEAKER

The question is that the motion be agreed to

QUESTION PUT  
AGREED

MR NOBBS

NO

That motion is agreed

## **NOTICE NO 5 - INSTALLATION OF POST ENTRY QUARANTINE SCREENHOUSE AND RELATED MATTERS**

MR ADAMS

Mr Speaker I move that the House -

1. Directs the Ministers with responsibility for primary industry and the Administration to -  
a. direct the Administration -

I) to locate, purchase and install a post entry quarantine screenhouse to facilitate the strictly supervised importation of fruit trees into Norfolk Island;

ii) to request and implement the advice of the Australian Quarantine Inspection Service (AQUEOUS) about the size and type of screenhouse suitable for Norfolk Island's needs;

iii) to seek expressions of interest from private sector organisations or individuals for the operation of the facility;

iv) to ensure that the facility is operated in an "approved manner" and that this shall include A) that the fruit trees shall be sources from an AQUEOUS export approved nursery;

B) that the fruit trees shall have been grown under strict plant hygiene conditions, including being grown in a non-soil media; and

2) directs the Administration to develop and implement a Norfolk Island Quarantine Inspection regime including an equitable fee structure to be agreed between the Minister responsible and the operator.

Mr Speaker as we are all aware one of the continuous shortages in our community is the regular and quality supply of fresh fruit. Although there have been in recent times significant process in this area, high quality and regular fruit supplies are still a long way off. Mr Speaker one of the insidious side effects of shortages in fruit supply is the effect on people's health in the community and this is a factor which probably falls heaviest on the children in our community. Mr Speaker the recent edition of the Gardening Australia magazine refers to substantial medical evidence that indicates that fresh fruit consumption is an essential part of healthy living. That same article also alludes to the belief that fresh fruit consumption plays a significant part in curtailing many types of cancer. Mr Speaker we don't need to be reminded of the incidence of cancer in our community. Mr Speaker one of the reasons for the shortage of supply of fruit trees, and certainly the non availability of imported fruit is because of the Island's reasonable concern that the import, particularly of fruit, puts us at risk of bringing in such pests as fruit fly. I believe that such a strictly regulated post entry quarantine screenhouse based system of importing fruit trees into Norfolk, and thereby expanding the quality and supply of fresh fruit that we would have available Island wide bridges and satisfies both concerns. The Quarantine plant health requirements now and the health aspect of fresh fruit availability much quicker and in greater variety than has otherwise been possible. Mr Speaker, not to be forgotten is the increased economic factor that will be injected once growers and producers will be able to further diversify their rural production portfolios and certainly we will be looking to this arrangement to be having a significant effect in that aspect. Mr Speaker I will finish my debate at this point and will welcome input from Members and after this meeting any interested community members on this matter, thank you

MR BATES

Thank you Mr Speaker. I certainly support the motion but I wonder if it is intentional that the word fruit trees was mentioned three times, whether Mr Adams intends to restrict the importation to fruit trees or whether if there were other plants which would benefit the Island whether they would also be included in this facility. I rather feel that he doesn't mean to restrict it to just fruit trees and yet he used the words on several occasions. I wonder if he would care to comment on that in due course?

MR NOBBS

Mr Speaker, this recommendation to provide a screenhouse was a recommendation of the Primary Industries Advisory Committee which I think everybody agreed to and I fully support it. I think it is a great idea, as a matter of fact we should have it already thank you

MR ION ROBINSON

Does the Finance Minister have any comment?

MR SPEAKER

He certainly will. Is there any further debate?

MR ADAMS

Mr Speaker this is seen as a commencement of importing into Norfolk Island, plant material that is beneficial to us whilst at the same time reducing our concerns in respect to the Quarantine matter. Brian is right in the way that I have worded the motion. My intention is that the motion concentrates in the first instance on putting in place an arrangement where we can safely bring in fruit trees. I am looking to it to address what I see as a deficiency in our rural sector, and to address that in singular form at the minute and also at the same time whilst we are developing this sort of arrangement we are increasing our skills and our understanding of proper quarantine imports on a structured basis. I don't see it to be ultimately and long term to be restricted only to fruit trees but I see it that way in the first instance. The cost indicators we have to date, we have already had some advise from AQUEOUS and what they have suggested to date is that cost per size is somewhere in the order of \$43,000 exclusive of shipping costs, concrete slabs and

some other ancillary structures, however the indications are that that pricing came from foreign aid arrangements and it may well be that we can look for some strong economies inside that figure but a worst case would be \$45-50,000. Whilst that may be a significant sum of money that realises itself in that amount, I think you have to look to the long term, to the gain that this community would get out of such a facility and on another point I certainly see that the Government and the Assembly's role in promoting the rural sector is being better focussed by supplying items to the capital infrastructure rather than for arguments sake, fiddling with import duties and percentages here and there and this is in line with my own personal policy in that area, thank you

MR ION ROBINSON

Do you intend to adjourn the motion?

MR SPEAKER  
Mr Adams

You do intend to adjourn? Then I look to you for an adjournment motion

MR ADAMS  
the Day for a subsequent Sitting

Mr Speaker I move that this motion be adjourned and made an Order of

MR SPEAKER  
debate be made an Order of the Day for a subsequent day of Sitting

The question is that this motion be adjourned and made and resumption of

QUESTION PUT  
AGREED

That matter is adjourned to the next Sitting

#### **NOTICE NO 6 - IMMIGRATION ACT APPEAL PROVISIONS**

MR NOBBS

Mr Speaker I move that this Assembly -

1) Supports the extension of the concept as contained within the provisions of the Administrative Review Tribunal Act to encompass additional areas than those at present in which administrative decisions taken by the Norfolk Island Government are reviewed; and

2) Direct the executive member with responsibility for immigration to progress the legislative and other changes necessary to substitute provisions of the Administrative Review Tribunal Act to those appeal provisions under the Immigration Act which currently refer to the responsible Australian Government Minister.

MR NOBBS

Just for Mr Robinson's edification, whilst the motion is headed Immigration Act Appeal Provisions Amendment the thrust of this motion put simply requires the extension of the Administrative Review Tribunal Act to encompass the Immigration Act. The Administrative Review Tribunal Act 1996 provides the review of the Administrative decisions. The Act established is a tribunal consisting of President, Senior Members and other Members, and I'll just go through this as some of the public may not know what this is about. The President is required by law to be the Chief Magistrate under the Court of Petty Sessions Act - Is currently Mr Ron Carl, Senior Members must be lawyers enrolled for not less than twelve years. Other Members are those not qualified as for the President or Senior Member. The tribunal may sit as the President alone Senior Member alone or two or three members of which one is President or a Senior Member. The Administrative Tribunal Act applies only to those Acts which states that it applies to them. The Acts Provision currently only apply I understand to the Planning Act. This proposal is aimed to extend the review provisions to the Immigration Act. One criticism of the Administrative Review Tribunal Act is that it will cost, unfortunately everything costs not the least the inability to appeal what may be termed as unjust Administrative decision. Sure it puts greater pressure on those making Administrative decisions but they are all getting paid and as old Joe Bjelke used to say "we shouldn't worry about that". Immigration has a current appeal system to Canberra, actually the Australian Minister with responsibility for us. Currently it appears as a long drawn out process a decision taken by someone else living elsewhere and at times little knowledge of the Island. It is unfortunate there have been accusations that such a process may involve philosophical views quite foreign to this community. I have always been in favour of Administrative decisions being subject to an appeal process . An appeal process readily available and affordable to all. My personal view is that I would go beyond the current Administrative Review Tribunal provisions, I believe we should have in place as step 1 - A position similar to an Ombudsman, but I will leave that one for another day. This motion in effect fulfils proposals as envisaged in the preamble to the Norfolk Island Act which you heard all about this morning and that is an extension of powers. It will not inhibit the rights of appeal but it is envisaged it will enhance procedures for all parties. I ask the members to support the motion. Thank you Mr Speaker.

MR SPEAKER

The question is that the motion be agreed to? Debate.

MR BROWN

Mr Speaker, from an Immigration point of view there has been considerable discussion in recent years about the desirability of applications for review of Immigration decisions being dealt with by the Administrative Review Tribunal rather than the minister in Canberra. There is as I understand it a verbatim agreement in the part of the Australian Authorities with that proposal and I have no difficulties with the motion.

MR SPEAKER

Thank you Mr Brown. Any debate Mr Robertson?

MR ROBERTSON Mr Speaker I support the motion. One thing that was said this morning is that I made mention to the fact that we need to demonstrate that we have the ability to conduct our own affairs and this is just one means of making more of that demonstration I support the motion.

MR SPEAKER. Thank you Mr Robertson. Further debate? Honourable members there being no further debate I put the question that the motion be agreed.

QUESTION  
AGREED.

MR BROWN I seek to move a motion to determine a General Entry Permit quota in accordance with the provisions of the Immigration Act 1980.

MR SPEAKER Is this granted Honourable Members?

AGREED.

MR BROWN Mr Speaker I move that for the purpose of subsections 21/1 of the Immigration Act of 1980 this house resolves that be plead by instrument in writing that ten general Entry permits may be granted during period 14 February 1998 to 13 February 1999.

MR SPEAKER Mr Brown.

MR BROWN Mr Speaker we are in the process of significant review of our Immigration policies and Legislation. I have already spoken briefly to the Immigration Committee this morning about that proposed review and a detailed suggestion will be coming to member and the Immigration Committee shortly. The existing population policy calls for a 2% per annum growth in the permanent population until further notice. We've decided not to abandon that policy but we've certainly not been achieving that growth either. It seems that our permanent population has grown by a small number perhaps less than ten since that policy was first introduced. Rather than seek to set a very large quota in accordance with that population what I am seeking today is to seek in affect a interim quota of ten permits to enable the Immigration Committee and the Immigration process generally to continue with view to both our Immigration Policies and our Immigration Laws and also our population policy being review as soon as possible and certainly in the same time frame as the current strategic plan work, so I seek members agreement in the setting up of a quota of ten at this stage.

MR SPEAKER Question is that the motion be agreed to? Debate Honourable members.

MR NOBBS My position stays the same until we have some amendments before us I won't be voting for it. It is really interesting that I have just been going through a few things on Immigration in relation to other areas and just on travel and the like I thought that Norfolk had a pretty solid sort of Immigration restriction or the like but just a couple of places like Australia and New Zealand you would expect a Country like Canada, Brazil, and these sort of places, they have very severe restrictions on Airlines bringing passengers that cannot fulfil requirements of entry onto their shores. Thankfully it finds to Airlines return the persons on the next flight. In some areas of course there's a mandatory fine for a person coming in without the required Immigration formalities, but anyhow that's just a point and I think that the way I find it. I believe we need to tighten up our Immigration situation and until we do that I can't support the motion I'm sorry.

MR SPEAKER Thank you Mr Nobbs. Any further debate?

MR ION ROBINSON Thank you. Its not really alot to do with the quota that seem as Ron has bought it up there seems to be alot electronic Visas granted these days and we haven't obviously got the electronic gear here. Mr Brown to enlighten us on the situation there.

MR BROWN Mr Speaker we have no shortage of problems. An ability to read those electronic visas would certainly be helpful. A memorandum of understanding with the New Zealand Authorities would certainly be helpful so that we can obtain and exchange information with them. At present we have done our very best to cater to the tourist industry by tightening the requirements for visitors to the Island whilst at the same time ensuring that we don't unduly interfere with visitors from Australia, New Zealand or New Caledonia. Presently we don't have the ability to contact the New Zealand Authorities and say "tell us whether this visa is a valid visa" and if you look at some of these things there rubber stamps' very simple things to manufacture yourself, if you look at some of the people that have on Norfolk Island from New Zealand in recent times they have arrived with visas that have expired we've excepted them once they are here but there have been people arrived here on Air New Zealand with New Zealand visa's that had already expired. Now that's a matter that needs to be dealt with quite quickly it is something that came to my attention yesterday and action is certainly being taken by the Immigration Officer and others to bring that matter to a head. But as I said although we have no shortage of problems that require a resolution we have other difficulties as well because many of our actions at least those actions that require a decision are subject to review at present by the ministry in Canberra and a practice has developed within the ministers office of directing that although we might want to solve an immigration problem we shouldn't do anything until the minister has finished his review and with appropriate stalling tactics some of these people can make sure that the review takes a damn long time. Now we've got to overcome that and Ron's suggestion using the Administrative

Review Tribunal is a good suggestion in that regard. But the purpose of today's motion is simply to set a General Entry Quota. It used to be the case that if no quota was set then we were doomed to have an unlimited quota automatically. I don't recall if the legislation was subsequently amended in order to overcome that problem it may have been but on an earlier occasion I recall that the setting of a General Entry Permit quota was overturned by the court and the consequence if my recollection is correct was that we were unable to restrict the issue of G.E.P's on the basis of quota because the quota was in effect deemed to be unlimited. I certainly agree with the need for reform in the Immigration area, I certainly am of a view that must take place as part of the Strategic Planning process but we do need to set a quota in the meanwhile that's the reason I'm only seeking to set a quota of ten rather than the number which our existing policies would come up with and that number I would expect would be a number in excess of 120 , so I could come to you in terms of the existing policy I think half of you would faint its for that reason that I feel that it is more appropriate to set a small interim quota and to continue to do that as need be until such time that as the overall reviews have been completed.

MR SPEAKER  
put the question.

Thank you Mr Brown. Any further debate? There being no further debate I

QUESTION PUT  
QUESTION AGREED

The ayes have it .Mr Nobbs no.

#### **ORDERS OF THE DAY**

MR SPEAKER

Honourable Members we move to Orders of the Day.

#### **NO - 1 2 & 3 GAMING BILL 1997**

MR BROWN

Mr speaker with your leave can I deal with the Orders of the Day No's 1,2,& 3, that the gaming package of the gaming bill. The Gaming Bill, the Lotteries and Fund Raising Bill and The Bookmakers Bill 1997.

MR SPEAKER

We must to turn to House to agree with that .

MR BROWN

I seek to the House . It may be more convenient to deal them all at once .

MR SPEAKER

Is leave granted Honourable Members?

AGREED

MR BROWN

Mr Speaker this is a package of bills aimed at if members will recall at providing a legislative frame work for the liscencing of Internet Gaming for the liscencing of bookmaking and various categories and for amendment of our existing lotteries and fundraising legislation in order to take account of those changes. They are complex bills there has been an amount of comment in relation to them as a result of that comment some amending provisions will need to be drawn . Mr Buffett in his Public Service role and I will be meeting later this week in order to review the existing comment and to plot our course toward the drafting of the necessary further amendments and we are hopeful they will be ready for our March Meeting and for that reason I would move that the debate on each of those Bills be adjourned until March Sitting.

MR SPEAKER

Thank you Mr Brown. The question is that the debate on that motion be adjourned and that Order of the Day for the next sitting Those of that opinion say I.

QUESTION PUT  
AGREED

That Bills are adjourned that is the three Bills .We now move to Order of the Day No 4 we resume on the question that the Bill be agreed to in principal That is the Healthcare Amendment Bill and Mr Brown you have the call to resume.

#### **NO - 4.HEALTHCARE LEVY AMENDMENT BILL 1997**

MR BROWN

Mr Speaker this is a simple Bill to increase the Healthcare Levy from the existing \$120.00 to \$150.00 per half year to bring the Levy up to the amount which it would otherwise have been at if the Retail Price Index increases had been applied to it and I seek members support for the Bill. I do intend to introduce a simple amendment to change the title of the Bill from the Healthcare Levy Amendment Bill 1997 to the Healthcare Levy Amendment Bill 1998 in order to reflect the year in which the bill is being considered .I'll do that at the appropriate time.

MR SPEAKER

Thank you Mr Brown. Debate Honourable Members No Debate? This might be the appropriate time to amend that Bill.

MR BROWN

Mr Speaker, I move that the Bill be amended in clause 1 page 1 line 9 by omitting 1997 and substituting 1998.

MR SPEAKER It seems that I need to put the question to the Bill agreed to in principal.

QUESTION PUT  
AGREED

MR SPEAKER The ayes have it We now move to the detail stage Mr Brown.

MR BROWN Thank you Mr Speaker I move the following Amendment Clause 1, Page 1, Line 9 be amended by omitting 1997 and substituting 1998.

MR SPEAKER Is there any debate on the amendment. There being no further debate on the amendment I put the question that the amendment be agreed to.

QUESTION PUT

AGREED

MR SPEAKER The amendment has been agreed Mr Brown. Move to Order of the Day No 5.

### **NO - 5 AIRPORT AMENDMENT BILL 1997**

MR SPEAKER Honourable Members we resume on the question that the Bill be agreed to on the principal Mr Nobbs you have the call to resume.

MR NOBBS Thank you Mr Speaker. The Bill was introduced at the last meeting and provides a reduction in the time limit available to recover debt stipulated under section 3c1 in the Act, namely in the event of seizure of an aircraft. I spoke at length when introducing this as Private Members Bill at the last meeting and I don't intend repeating that speech, however it is fair to say that I did receive indication or at least the perception of how some members view or interpreted this Bill. The proposed amendment reduces the time available to an authorised officer to seize an aircraft for non payment of debts from 90 - 45 days. My understanding of current procedures in relation to collection of such debts suggests the actual time before this action can be taken amounts to some 5 months. Based on this assumption the Amendments will I believe reduce the time to a more realistic 3 months. This Bill is not directed at any Airline it is however directed against those who do not pay their way. Particularly it is directed against those who designate within their passenger fee structure costs such as landing fees , but do not pass on the fees so collected to the Island within the requirement and I do think you'd agree a very reasonable time frame. We are talking of in most cases quite significant sums possibly thousands of dollars for landing. Irrespective of the sums involved I don't believe it is unreasonable to require payment to the Island of these sums within a stated and very reasonable time frame. If there is unwillingness to pay there must be significant penalties. Seizure of an asset is not an unusual procedure. For instance in some places those caught for offences against wildlife (That's birds & bees and the like) are liable for the loss of their assets such as vehicles ,boats etc .Seizure provisions have been in the Airport Act since 1991 I believe. Six current members have been on Assemblies that have bought down the Act and administered it. It is thus assumed that the thrust of the provision is accepted. This amendment simply tightens up that thrust. I ask the question recently on debt write offs in the 1990's by Administration . I believe that one at least of the significant figures written off was a debt by an Airline. My gut feeling is that there were others before that time, which brings me to question why money's owed to the Island were not collected on the winding up of Airlines that go bust. Even more reason why we should ensure that debts particular on funds already collected by Airlines are paid to the Island on time. The increase in tourism activity from Australia since July is directly related to the competition by the two Airlines serving Norfolk Island. It is essential that we keep this competition going. To achieve this one element at least is essential we hope the Airlines operate on a level playing field. Uneven playing field would be by the permitting of one Airline to withhold landing fee's collected that is not paying the Island the required landing fees so that these Island funds could be utilised in the actual operation of the offending Airline. It certainly would give that Airline a big advantage. I can't believe that any Government would not support the most stringent mechanisms for collection of charges and levies, particularly in cases where charges have been previously collected from passengers. If any Government takes that course it doesn't say for much fair play and competition supposably conducted on level playing field. What they would create is a game played on a field where one team runs down hill and with the wind and the sun at it's back in both halves of the game. I don't believe any of the Airlines serving Norfolk Island would expect this treatment. If it were expected I believe it should be treated with the contempt it deserves and that gentlemen is the particular reason for this Bill. Thank you.

MR DEPUTY SPEAKER Thank you Mr Nobbs. The question that the Bill be agreed to in principal Further debate Honourable Members?

CHIEF MINISTER Thank you Mr Deputy Speaker. I have talked to Mr Nobbs about this particular amendment to the Airport Act , I'm inclined to support what Mr Nobbs is trying to do here the thing is already in place it gives any Airline quite some time before they have the threat of having the Aircraft impounded or taken from them. What Mr Nobbs is attempting to do is shorten the time period when that can be done. I agree with what Mr Nobbs says that the Airline collects the Airport passenger tax at time it sells it's tickets. That money is for the Airport , it's already been

collected so there should be no reason why that shouldn't be paid to the Administration at the appropriate time and as Mr Nobbs said this is not aimed at any particular Airline but is something to have in the Act that if an Airline does not pay for quite a period we have some way of analysing them and I support this Amendment Bill.

MR DEPUTY SPEAKER

Thank you. Further debate?. Mr Robertson.

MR ROBERTSON

I apposed this when it was first introduced. I haven't changed my mind. For me this is just another of those antagonistic approach and your not saying which Airline it is but we all know which one it is that you are pointing at and a theoretically perceived problem. It sort of confrontation instead of consultation, I said that earlier this morning this is the way we need to go but apparently complications appears to be the better way. It is interesting to note that two speakers that have spoken so far have said "That the Airlines have collected the money and then not have paid" and we're talking on the FOC's lets be frank about it because that's the only one that appears to be in none jeopardy of non paying accounts.

MR NOBBS

Can I call a point of order on that Mr Speaker. Nothing as been mentioned about FOC's,EUW'S or XYZ's what we're talking about is non payment of landing fee's.

MR DEPUTY SPEAKER

What is the Point Of Order Mr Nobbs?

MR NOBBS

Well I think I'm being maligned Mr Speaker.

MR DEPUTY SPEAKER

I'll except that as no Point Of Order. I'll give you an opportunity to speak Mr Nobbs after Mr Robertson has spoken.

MR ROBERTSON

There is one little thing that has happened of course with all of this and that is when this Bill was first introduced and going from the 90-45 days it was introduced because there was a particular problem on the Airport at that time with an aircraft. One of the provisions that seem to be coming up is that there's and awful lot of issues involved if you want to go ahead and seize an Aircraft. The Legislative provisions is a start. The Airport Amendment Act 1996 gave the Administration specific debt collection powers relating to outstanding charges where a charge in respect to an aircraft remains unpaid after 90 days the authorised officer may seize the aircraft. Now before doing so the authorised officer must take reasonable steps to notify all persons who have a security interests in the aircraft and this term is not defined but presumably includes those who hold a bill of sale, Chattel mortgage, or any other charge over the aircraft. The owner, the operator, billies, the hirer, the charterer, the pilot in command of the aircraft or any other prescribed person , but no persons have actually been described that the amount unpaid after the 90 days after the date of seizure the executive member may sell the aircraft by public auction or tender. Before doing so the Executive member must take reasonable steps to notify the people in Security interests, chattel mortgage and away we go again. The other relevant consideration that needs to be taken , it is only **the** aircraft in respect for which there is a debt that can be sized and sold. I can give you a perfect example if an aircraft registers as RZ215 is flying on a regular basis and you are about to seize an aircraft operated by the same company and RZ216 arrives they can give you the flick and just take off again. There is no way you can touch it until such time as the original aircraft that the debt occurred on is back., so it can only be done on the one aircraft. Now it may be difficult for the authorised officer to identify all those persons who have an interest in the aircraft . It may require searches of the registers of Bills of Sale and chattel mortgages on the mainland , states, and territories, it may require poverted advertisements in the mainland newspapers notifying the proposed seizure. The Legislation does not say how the balance of monies from the sale are to be dealt with eg rank all other interests and claims and how and who would be responsible for doing it. The Act allows the Administrator to set charges for landing, take off etc, but does not specify who is responsible for paying them. The regulations states that the charges are to be paid by the owner, but the owner is not defined in the regulations either. In the power of seizure or sale is not affected by wether the aircraft is under lease or wet-lease. There do not appear to be any similar provisions in equivalent commonwealth legislation. In having regard to the fact that the legislation does not require for a court order to be obtained prior to seizure, the power , the responsibility according to the authorised person and the executive members are enormous. Implications of seizing an aircraft upon potential irregular passengers services would need to be very carefully and cautiously evaluated. Potential operators may be deferred from commencing services if the Government has previously exercised this power. Great saying "Come and fly to Norfolk Island , we've just seized the last one , would you like to come and have a go" Companies leasing aircraft may refuse to lease to operators intending to come to Norfolk Island because of the potential for aircraft to be seized and sold, and the Island worst still could be left without a regular aircraft service with the consequential impact on tourism and the option for residence to move off and on the Island and of course our main base for income and the only one in which exist on today. So one little amendment to an Act which when you go through it the whole thing's up to putty I find difficult to support.

MR DEPUTY SPEAKER

Debate Mr Ion Robinson?

MR ION-ROBINSON

Thank you Mr Speaker. I oppose the motion before, I oppose it still because I think we're being penny wise and pound foolish. We want to get a \$38 airport landing fee for a price of a plane and a whole industry it just doesn't make sense.

MR DEPUTY SPEAKER

Further debate Mr Bates.

MR BATES

Thank you Mr Deputy Speaker. I was a member for the Assembly when this vision was first bought in 1991. It was bought in because of a problem and the fact that it was bought in quickly solved that problem so it had it's effect, it had it desired result but I certainly agree with what Mr Gary Robertson was saying here I think it is going to be a very game minister that's going to authorise the seizure of one of the larger Airlines that come here, one of the regular passenger one's. What damage is going to be done to the tourism industry, what responsibilities go with the seizure of an Aircraft and frankly you have to have an aircraft to seize and I am pretty sure that any airline that is getting into financial difficulties gets a whisper that the aircraft is to be seized that aircraft is not going to be here, so you are not going to have anything to seize so I really tend to agree with what Gary has just said. Ninety days, forty days, I don't think it makes much differences. I think the practicalities of the thing are much the same . I don't think it is going to achieve what Mr Nobbs set out to achieve. I think he perceives that there was a difficulty with one of the airlines here and he thought this was one way of kicking them into gear and getting payment of some monies . I guess if someone is not paying an account and it keeps building up and up the longer it goes on the more we stand to loose and the whole one of the airline goes broke or defunked or whatever. So I understand what he is trying to do I don't think it will have any practical effect, it doesn't really fuss one way or the other wether it stays at 90 days or goes to 45 days and on that basis I might just sustain.

MR DEPUTY SPEAKER

Any further debate Chief Minister.

MR CHIEF MINISTER

Thank you Mr Buffett. It is interesting with this particular one. This already applies. The Act already states the 90 days. What we are talking about is reducing the time. If there is something wrong with the Act we amend the whole Act. I don't see what the drama is in agreeing to reduce the time to something that already applies. We can use all the arguments we like but the fact is the act says that we after 90 days or what ever it is that we can seize the aircraft. What I am agreeing here with Mr Nobbs or I am agreeing with Mr Nobbs motion is that we reduce the time period from 90 days to 45 days. If I don't pay my telephone bill after a certain period of time it gets cut off , if I don't pay my electricity bill the same thing happens , if I don't pay my hospital bill the I don't know what they would quite cut off , but there is penalties in everything that if you don't pay your bills, an airline is no different if they get behind in there payments then they need some big stick that we can lay about them and I would sincerely hope that we'd never get an airline into a situation or an airline wouldn't get itself into a situation that we would have to use such provisions . I still support the motion.

MR DEPUTY SPEAKER

Mr Brown.

MR BROWN

Thank you Mr Deputy Speaker. George is quite correct. The legislation already exists and what that means is that we in fact only have a timing problem. The legislation is there to resolve the problem in what ever the appropriate time is but Gary said to us that he thinks there is a few difficulties with this legislation and I wonder how George would feel if we were in a jurisdiction which still have the death penalty and if George had been sentenced to death for not paying his hospital bill and if he had a 60 day period in which he could appeal and 30 days had already gone and we were sitting here deciding wether or not we should cut that 60 days down to 20. I don't think that the real problem is the time I think that the real problem is having the legislation in place and we've got that. I think it needs quite a bit more thought before we shorten things in the way that Ron is suggesting, for example I think we should be comparing our system with the equivalent system in Australia and just seeing what the varying time periods are. I think we should be looking at the appeal system. Someone mentioned earlier FOC's and there have been various views about wether the airport movement charge should be paid for an FOC person. But what sort of situation would we be in if the time period expired and all we were arguing about was the charge for some FOC people and we went out and see someone's aircraft and devastated the tourist industry as a result. It may be that what Ron's wanting to do is a damn good idea but I think it ought to be done in a context of an over rule review of the Legislation and if other places are more strict than what we are then there's good justification for changing it. If other places have more protection's than we have perhaps we should be looking at putting extra protection's at the same time. I think I will vote against it today but I don't have any objection to an overall review of the legislation with timing being just one of the parts that is being reviewed.

MR DEPUTY SPEAKER

Any further debate. Mr Nobbs

MR NOBBS

I presume this is summing up time. Well we've heard from Gary very eloquently but the problem is Gary that you know when they bought the Wildlife's vehicles and took the whole lot for taking a couple of birds and all that sort of thing , it would be the worst thing in the world but it really only caught the baddies and doesn't really worry the people flat on the ground and trying to do their best for things and that's all this is and I'm not talking about FOC's or WXYZ's or what ever you call them in the industry, the situation is that I believe that the time limit is too extensive in allowing one airline to operate whether there's two operating in town and whether operating from different places it doesn't really matter and your going to have a tandem situation in New Zealand and a tandem situation in Brisbane and in time to Sydney. But you are going to have these tandems so you cannot afford I believe to give one a lead in by not paying their bills and I am not referring to any Airline or any FOC's it is purely on the basis the funds that have been collected by the Airline and is owed to the Norfolk Island Government and I think it's whilst the provisions were there my feel is to be that if you blokes throw a wobbly and want pull the whole thing out and that would really send bad vibes to the community in general because I believe we need to be very stringent. We've got problems at the hospital with everyone's paying the bills, the fines from the courts that haven't been paid and these sorts of things and we have to tighten up as the community expects this type of thing.

MR DEPUTY SPEAKER

Thank you. Mr Robertson

MR ROBERTSON

Just one further point. I have heard many debates over the years listening to the radio when the Legislative Assembly has been on and there's been all sorts of promotions for new industry and to get local industry going and to get support to someone for doing for something that's doing something local., and there's been different things waved and there's been monies put into various areas to see whether or not that it could get it under way and get on its feet and get it mobile. At the moment we are looking at a pretty major industry and if there needs to be and I said earlier on consultation not confrontation to any particular area that we have in mind here and there is some problems that are emanating or starting to happen in that area then at least keep on top of it by consultation and ensuring that the whole thing keeps on its feet. The last thing we want to see is to destroy it and I oppose it simply because we need to be seen to be showing what we've been talking about for a long long time, lets try and support local industry and one of the players is employing a large number of people on this Island to keep it going jobs that wouldn't be there otherwise and we're showing some support and if there is some difficulty with the 90 - 45 days, but because of that period and I think John gave the situation that should George etc then I think there's a need for us to look at that but negotiate and consulate and to get over to where the problem is and to rectify that problem and to get it sorted out don't just leave it till it's the last minute and then say whammy you got it straight between the eyes. That's the wrong way of doing an approach, it's the easy way but it is the wrong way.

MR DEPUTY SPEAKER

Mr Chief Minister.

MR SMITH

Thank you Mr Deputy Speaker. I certainly agree with Gary and as Gary knows he and I have been taking that approach in a real situation with what we are talking about here with the airport passenger charges. What this amendment is talking about is an amendment to the Act in case all of those don't work. As I already said before it is already in place it's just a matter of time, we're not talking about anything else that the normal process would still be carried out there's no doubt about that. If at the end of 90 days all the talking you and I do with if it's a particular airlines, if they still don't pay we would still have to take action under the Act whether we could do it properly or what ever I don't know, but I think it needs to be born in mind that there is quite a long period of time if an airline sells a ticket today the 11th and they've got until the end of next month to pay it then they have another 30 days after that , so it is not as if this is something we are trying to squeeze out of the airline in a very short time frame, they have already have the use of our money which is okay for almost three months in some situations and there's no problem with that but if it goes past too far which can be over five months, six months you really need some big stick that you can say well really you have got to pay this. We talked about this morning in the motion of profits about penalising somebody five thousand dollars for bringing an apple or a piece of fruit and there was no hesitation about that, it could be somebody who doesn't have any money but when we are talking about something as big as an airliner that may have 120 passengers on it is that different? It's multiplied out, if they satisfy what we want from them in the way of paying there bill is that any different to somebody sneaking in a piece of fruit and being penalised for that as well? I need to say Mr Deputy Speaker that I am quite happy to go along with what John said as well about looking at the Act and if it means we adjourn this or something Ron or take it to its finality and we start again with something, I think John is quite right there are some other things we need to sort out in the Act it's self.

MR NOBBS

I agree George there are alot of Acts unfortunately but I'm a bit sorry because the yoyo keeps coming back to this airline, this airline. This is not anything personal on any airline or any person this is just a fair go for everybody including the people on the Island here as well that have to pay their fees, and shown this.

MR DEPUTY SPEAKER

Mr Robertson.

MR ROBERTSON

I read out quite a number two pages actually with problems that are associated with that bit and some of the difficulties that would be accounted if you tried to what you're suggesting should happen, and what I am sort of saying here is that there is one awful lot of problems with that and doing this little bandaid thing doesn't mean to say you aren't going to be able to do what you want to do. There is too many other problems associated with it to do that and once again one of those typical another one of the areas that which needs to have a total look at the Act. Just doing this little thing is certainly not going to solve your problem I can assure you.

DEPUTY SPEAKER

Honourable Members the question for the house is that the Bill be agreed to in principal and if you have exhausted the debate I will put that question to you. Question is that the Bill be agreed to in principal.

QUESTION

AYES 2

NOS 6

ABSTENTIONS 1

NOS have it

**NO - 6 HEALTHCARE AMENDMENT NO 3 BILL 1997**

MR DEPUTY SPEAKER We are at the stage of resumption of debate on the question that the Bill be agreed to in principal. Mr Brown you have the call to resume.

MR BROWN Thank you Mr Deputy Speaker At an appropriate time I will move an amendment in order to change 1997 to 1998 but I have nothing to add to what has been previously said this is a relatively simple Bill aimed at reducing from \$3000 to \$2500 the threshold at which the Healthcare Scheme commences to contribute to a members Healthcare costs.

MR DEPUTY SPEAKER Thank you. Any further contributions on the debate Honourable Members. No further contributions. Mr Nobbs

MR NOBBS I mentioned last time we debated this whether there had been a cost analysis done I don't think they might have been the words, they are the ones that just flew into my mind on this whole exercise. Has that been done Mr Brown?

MR BROWN Mr Deputy Speaker, quite a deal of work has been done for the purpose of the forthcoming half yearly budget review. The Healthcare Fund at this stage is not travelling well for the current financial year, claims are significantly in excess of the level which they stood at this time last year, the two highest cost items have been one treatment involving in excess of \$70,000 for one person which could grow to a figure in excess of \$100,000 and another which as at the end of December was up to \$42,000 for the year and would clearly considerably exceed \$50,000 by the end of the year. If we are lucky those two expenses will turn out to be isolated expenses and the rest of the year won't too bad, if that's the case we will need a subsidy in the range of \$150,000 if we are to finish the year in the black, on the other hand if the level of claims for the year to date are indicative of the likely total cost for the year then we will need to carry out a very significant revision of our thinking about the Healthcare Scheme because to such extent as there are claims on reinsurance they will clearly lead to the reinsurance costs increasing significantly and to such extent as the increased are not covered by reinsurance we will need to decide whether we are intending to cover them by a stricter application of the rules of referrals in particularly off shore referrals because that is where the bulk of the cost is or whether we are going to significantly further increase the levy or whether we are going to simply provide a significant subsidy each year, but I expect that each of us has had members of the community come to us and complain that the Healthcare Scheme should cover Airfares, or that it should cover something or other else. At present we are endeavouring to run it in accordance with the existing referral guidelines and to run it in accordance with the existing Legislation without allowing a natural desire to be helpful to outweigh our consideration of the need for the fund to be properly and professionally managed, so the answer is that the fund at present is not travelling as well as what we would like it to, the impact of the change from \$300 to \$2500 is not expected to be huge, a large part of that increase is expected to be picked up in the increase in the amount of the levy but we certainly appear to have some problems in terms of it's total cost at this stage. I guess we are not isolated there Mr Deputy Speaker the cost of healthcare world wide is growing at a tremendous rate, people expectations from healthcare are growing all forms of new treatments continue to come along and you can't blame people for feeling that they should have the benefit of those treatments so it is something that would need to be under constant revision, it won't be just a case of us looking at it as part of the half yearly budget review and solving the problems for ever, it's something we will probably be needing to look at on a regular basis. Thank you

MR DEPUTY SPEAKER Further debate? The question is that the Bill be agreed to in principal.

QUESTION

AGREED

We progress to the detail stage Mr Brown you have a detailed amendment.

MR BROWN Thank you Mr Deputy Speaker. I move the following amendment that Clause 1, Page 1, Lines 8 & 9 be amended by omitting No 3 Act 1997 and substituting Act 1998.

DEPUTY SPEAKER Thank You Mr Brown. I put to you the question of that amendment be agreed to.

QUESTION

AGREED

We have a final question that the balance of the Bill be agreed. Is the balance of the Bill agreed?

AGREED

The balance of the Bill is agreed thank you. A final motion.

MR BROWN Mr Deputy Speaker I move that the Bill is amended as agreed.

MR DEPUTY SPEAKER I put that question to you Honourable Members.

QUESTION  
AGREED

**FIXING OF THE NEXT SITTING DAY.**

MR ROBERTSON  
until Wednesday the 18th March 1998 at 10am.

Thank you Mr Deputy Speaker. I move that the House at it's rising adjourn

MR DEPUTY SPEAKER

I put that question to you Honourable Members  
QUESTION  
AGREED

That is the next sitting day set. Thank you. Adjournment, Mr Bates.

MR BATES

Mr Deputy Speaker, I move that the House be now adjourned. It is now some nine months since this Assembly first took office and I think if listen to George on the radio it gives the impression that down here we just one happy little family. I think in some ways we are in as much our debate does take on the whole debating the issue and not pointing at the man so in that sense some of the things we say are quite correct. I am getting the impression though at this stage a little bit of unrest in the camp, through the impression that at times the executives are not keeping the backbenchers or the non-executives properly informed on issues and they are progressing some of the issues on of about involving some of the backbenchers. I'll just mention quickly the question on the Telephone exchange this morning which gave some information that might be happening, the one this morning again on the Police Station which I understand the circumstances on that one, but I think the one that stirred the backbenchers as much as anything was the selection of a consultant to carry out the Strategic Planning Administrative view in which the backbenchers almost without exception claim they were completely in the dark. Now I know that keeping backbenchers informed of some of these issues especially when ministers think that it is for them only can be a bit of a nuisance value to them, but it is important to backbenchers to have answers to questions. They feel pretty silly if they are approached on an issue and they say "sorry I don't know anything about it" and quite often the backbenchers can assist the Executives by having the answers and putting people on the right track and taking a little more pressure off them, so I would just appeal that to the Executives that they do think a little more of the backbenchers and perhaps try to perhaps get their act a little bit better and keep the backbenchers a little bit better informed. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER  
Chief Minister.

Thank you Mr Bates. Any further contribution Honourable Members.

CHIEF MINISTER

Thank you Mr Deputy Speaker. I take Brian's comments on will, there is a couple of things I would like to say to in relation to how this Assembly works. A Member earlier on said that I was elected on Strategic Planning solely and wholly it wasn't only that there is a couple of other things I have said before we got elected to this Assembly. One of the things when I talked about Planning or what ever we may be doing one of the most important things was the Assembly itself get it's act together, now somebody also said this morning something about there being 18 years trying to do something, now 18 years I can't remember an Assembly that didn't start fighting within it's first three or four months. We've gone nine months and as Mr Brown said at the December sitting and he said it on another occasion, this Assembly at least can be pleasant, I hope it will stay that way all through our term because I believe that we can debate things, bully each other to bits, without being nasty about it, sometimes we have been on the verge of it and in my particular case I have probably deserved it, but I don't mind myself being made accountable where I need to be and I am sure the other Ministers would agree with that philosophy. There are alot of things that pass across an Executive Members desk every day of the week, sometimes we may not pass it on to the Non-Executives but probably more by not thinking of it at the time, certainly it isn't by design that we (in my particular case) I certainly don't hold anything back from the Non-Executive Members, I said at the beginning I don't have anything to hide, if members want to know what is happening in my area they are most certainly welcome to ask me and I will tell them. That also works both ways, I don't mind opening anything up or sharing it, but please I invite the Non-Executives to do the same with u. If you have a problem we have a weekly meeting of M.L.A's, that is the forum where you can discuss anything freely usually, if you have a concern about anything bring it up at that meeting and if we don't give you the information you are looking for then certainly take it to where you need to take it, but in our nine months I have been trying to encouraging us to work as a team and I think the majority of that time it has worked and I think the community would be really happy if we could keep on doing that. We make mistakes, I think any Government will it wouldn't matter who's office was in the Government we would slip up in something and I'll except that and certainly with the role of Chief Minister and Speaker and the Ministries I've got I make mistakes all the time and I am the first one to admit that, but I would like to see us continue to work as closely together and in some sort of harmony. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER

Have we concluded? I think we have concluded. Chief Minister.

CHIEF MINISTER

Yes I do have something I would like to say on the adjournment Mr Deputy Speaker. During the period since we've been in recess Mr Phil White, who had been in Norfolk for a term as Legislative Counsel, departed back to Canberra to resume his position in the Attorney General's Department, Mr James Williamson, his wife and family have now replaced Mr White as Legislative Counsel and because the House has not sat on a formal occasion when those staffing changes took place, I would like to now record the sincere thanks of myself and

