

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

We move to condolences. Mr Bates

CONDOLENCES

MR BATES Mr Deputy Speaker, it is with regret that we record the passing of baby Joshua Anthony Geoffrey Kelly-O'Brien on the 8th March. Joshua was born in the NI hospital on 20 November last year. He was the much loved son of Michael and Bettina and adored brother to Jeseyka, his four year old sister. Joshua was spending a couple of hours at Island Day Care. After seeming quite happy and healthy he was put down for a nap, and sadly did not wake up. Joshua had a short but special life. To Joshua's parents and his sister, to their family and friends, this house extends it's sincere sympathies.

Mr Deputy Speaker, this house also records, with regret, the passing of Nancy Rosaline Adams on the 13th March. Tuckey, as she was affectionately known, was born on Norfolk in 1922 to Simon and Helen Menzies. She was the younger sister of Gwendoline and they had eight half brothers and sisters. Nancy spent her early years on Norfolk but moved to complete her education. At age sixteen years she moved back to Norfolk where she worked until she married and began a family. She had four daughters, Yvonne, Yvette, Odette and Tessa and later, her son Brian. In 1959 Nancy commenced work in one of the most difficult environments in Sydney, one of the jails of the Long Bay prison Complex at La Perouse. The Women's Jail was moved to Silverwater and Nancy transferred also. In all she worked in the prisons for twelve years. During this time she was promoted to second in charge and at her retirement she received a card signed by both warders and prisoners. In 1971 she returned to Norfolk and enjoyed her much loved garden and fishing. Nancy was a very private person and will be sadly missed. To her daughters and their families, to Brian and his family and to her many friends, this house extends it's deepest sympathy.

MR DEPUTY SPEAKER Thank you Mr Bates. Honourable members as a mark of respect in the memory of the decease, I ask that all members stand in silence please. Thank you honourable members.

LEAVE

MR DEPUTY SPEAKER Honourable Members leave is sought for Mr Gardner, is leave granted. Leave is granted thankyou

NOMINATION OF ACTING DEPUTY SPEAKER

MR DEPUTY SPEAKER Honourable Members I have to report that the Speaker has nominated Brian George Bates under Standing Order 9 to act as Deputy speaker when called upon to do so

PETITIONS

MR SPEAKER We move to petitions. Are there any petitions this morning?. There are no petitions.

Opportunities Commission which was taken off the web site which does provide some further insight into the determination. I've also sought a copy of the judgement of the Federal Court of Australia which was actually delivered at the end of 1998 but not fully reported in the Court reports until the end of 99. That seems to have quite important implications so far as the determination of the Human Rights and Equal Opportunities Commission is concerned. The Federal Court dealt with questions of discrimination and these played quite a large part in the Human Rights and Equal Opportunities Commission Report. I haven't had the opportunity to have that judgement delivered to me but I believe that it will be very shortly available and I will be getting advise on it and its effect so far as the report is concerned from the Legal Services. It would seem that the matter has to be looked at very carefully. The forthcoming visit of the Minister for Immigration might well present an opportunity to ascertain the attitude of the Australian Government to the effect of that recommendation and I can assure Mr Brown as far as I can be I will be fully prepared to meet any matters that arise in proper discussion at that time

MR WALKER Thank you Mr Acting Deputy Speaker a question to the Chief Minister. At the March Assembly meeting I addressed a question to the Minister for Tourism and Commerce in relation to the Liquor Act. I have now determined that the question should more appropriately been directed to you. Some seven years or more ago a temporary licence to manufacture and brew for the sale of alcoholic beverages, namely boutique beers, was approved for six months to allow a review of the Liquor Act to be completed. Since its inception the Norfolk Island Brewing Company has endeavoured to produce a high quality product that the Island can be proud of using local ingredients where possible. As you are no doubt aware Mr Acting Deputy Speaker, our local Norfolk Island brewing company, under Brewmaster Richard Woodward has achieved this aim and

MR BROWN Point of Order

ACTING DEPUTY SPEAKER You have a question Mr Walker

MR WALKER Yes.

ACTING DEPUTY SPEAKER You may continue, but it is Question time, please be brief

MR WALKER Thank you Mr Acting Deputy Speaker. I will continue - our local Norfolk brewing company has recently won a prestigious award, however Mr Acting Deputy Speaker, the ability to market our very own Gold Medal winning view is still hampered by the failure of the Assembly to address the licensing. The potential for cottage industry is to impact our economic base. Tourism is

MR BROWN Point of Order

ACTING DEPUTY SPEAKER Yes, I must remind you Mr Walker that questions shall not contain statements of facts or names of persons unless necessary and shall not contain arguments or imputations, ironic expressions or hypothetical matter. I think you're bordering on relating some facts, naming persons etc. That is just a little bit lengthy for Question time

MR WALKER My apologies, I'll put the question. My question is simply, is it possible for the Minister to give an indication with some certainty that the Liquor Act Review will be completed and the long outstanding matter of licensing will be addressed

MR NOBBS Thank you Mr Acting Deputy Speaker, thank you for that question Mr Walker. It's very timely. I've just commenced taking on the results of the Liquor Committee's Report that was done by the last Assembly and I'm looking closely at all the issues and I'll have an answer to Mr Brown's question in relation to the Liquor Act coming up in Questions on Notice. I'm fully aware of the position in relation to that particular licence and also in relation to several other issues that are fairly pertinent in relation to the Liquor Act. I think there is a need for an urgent and fairly complete overhaul and I'm taking that on board and as I say, I started last week in relation to that matter

ACTING DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice

MR McCOY Thank you Mr Acting Deputy Speaker I have a question for Mr Smith in regard to the Cascade Cliff Safety Project as Mr Smith is the member responsible. Can you indicate when the completion of that project may be

MR SMITH Thank you Mr Acting Deputy Speaker I can give an indication but the last report suggests towards the end of April and maybe early May. It depends whether we are talking about the Cliff itself or the associated works it because the associated works will go on a little bit later once the project is actually completed. When I was down there the other day there is a bit more blasting to do along the bottom ridge of the cliff and I think that would be the final of the blasting and when they remove the material from there you could almost say that the project in that sense is complete

MR McCOY Thank you Mr Acting Deputy Speaker supplementary question to that one. could you give an indication when access to the Cascade pier might become available.

MR SMITH As soon as possible. There's been a fair bit of stress on people with boats and fishermen and people who have a livelihood and make it out of using the Cascade jetty as an important infrastructure for that purpose of course. I couldn't give you an exact time now but I would expect, not too much longer although I must add that there will be work that will need to be done around the jetty as a result of rocks falling on the jetty and the surrounding area, but I don't know what that will be until they've removed the rock and rubble and I expect they won't be able to give an accurate time in which it will be finished. Hopefully it's not too long

MR BROWN I direct this question to the Minister for Tourism and Commerce. What action have you taken to review the costs and the benefits for the introduction of Years 11 and 12 in Norfolk Island at the Central School and what action have you taken to assess the academic success

MR SMITH Thank you Mr Acting Deputy Speaker I'm pleased you've raised this one again. If you hadn't I would be very surprised. He raises it at every Assembly. Years 11 and 12 was introduced into the Norfolk Island Central School during the time of the Fifth Assembly. It was proposed at that time to assist Norfolk Island school students and their parents to further extend their schooling which before that time they would have had to leave the Island after the Year 10 year at school. There was nothing else after that time. Not everybody was in the situation to be able to send their kids away at that time for personal reasons, financial reasons and education reasons. The introduction at that time was thought to not cost too much and it was thought whatever it did cost would be outweighed by the benefits of our own people getting educated to the highest degree that we can provide on Norfolk Island. Years 11 and 12 have been running for I think, eight years. In that time, I think last year

MR NOBBS Thank you Mr Deputy Speaker and thank you Mr Bates. I'll be making a statement in relation to the At Random proposal and it may be appropriate to leave it until that time, would that be alright

MR DEPUTY SPEAKER Thank you. Are there any further Questions Without Notice

MR BATES Thank you that's fine. A further question Mr Deputy Speaker to the Chief Minister. The Minister undertook to document all government policies. When can we expect to see these

MR NOBBS Thank you Mr Deputy Speaker and Mr Bates. I have a list of actual policies and what I've asked the Service to do is to put them all together in one document and I thought I had made it clear although I will now make it clear that until those documents are available in one concise unit I won't be distributing them because it's going to be a hotch potch arrangement. I forget how many pages of policies there are but it's quite significant and it would be two or three pages of the actual listing of these policies and I thought to be able to put them together in a unit and circulate them to Members we could then work out whether we actually are to accept them as they are or amend them or do whatever you want to do with them but it's quite a lengthy list and it took some time to get it together. I understand that this sort of this had never been done before, or that's my understanding of it, and I may be corrected after the meeting in relation to that but I've been told that it hasn't been done and I think it's timely that we do and put these policies in place so that the Assembly as they come in can either accept or reject those policies and they become more or less a standard document to be carried on from Assembly to Assembly

DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice

MR BROWN I direct this question to the Minister for Immigration and Community Services. Bearing in mind the high value of palm seed, is there any current proposal to require registration of buyers and recording of all purchases in order to discourage disappearance of seed

MR COOK Yes Mr Deputy Speaker, I'm not entirely certain how this comes under matters for which I have responsibility for

MR BROWN Law and Order

MR COOK If that comes under law and order I appreciate it Mr Brown thank you that you've brought that forward. If indeed as there appears to have been reports in the local newspaper of person's seed being removed from their property without their consent, this is obviously a very serious matter indeed. If there is a way as Mr Brown has suggested, there is a way of endeavouring to ascertain where there may be seeds held or otherwise, if there's a means of ensuring that this type of offence doesn't occur or is well and truly deterred from it, I take if I may through you Mr Deputy Speaker, Mr Brown's question and consider it and endeavour to find out if there are means of carrying out the investigation. It seems on the face of it if it is a matter to overcome the obvious problems that have clearly arisen then it would be most advisable to carry that into effect

MR DEPUTY SPEAKER Thank you. Are there any further Questions Without Notice

MR BROWN I direct this further question to the Minister for Immigration and Community Services what action have you taken to ensure that the Island's Fire and Rescue Services are properly funded and properly equipped

MR COOK Through you Mr Deputy Speaker, Mr Brown it's a matter of considerable concern, the present state of the emergency services on the Island. I will be seeking to introduce into the Assembly later this morning the Firearms Control Bill which is one part of the situation of course, the control of an emergency situation on the Island. I appreciate that Mr Brown is referring to a much wider area of concern as to the way in which meet emergencies which arise on the Island. One very recently indeed occurred and that has demonstrated quite considerable problems which require urgent treatment so far as the budgetary provisions are concerned, I did put forward the matters which were raised at the time of the budget proposal to be considered. Submissions from the persons in charge of the emergency services or co-ordinating those matters and I'm sure that in due course when the budget comes to be considered the question of provision of those matters will be able to be carefully taken into account

MR WALKER Thank you Mr Deputy Speaker a question to the Chief Minister, the Millennium Activities Committee has completed its designated tasks and whilst it is understood that enough projects will continue to completion throughout the year the question to the Chief Minister is this, has the custodian Trust and or Board arrangement agreed to been appointed for the ongoing management of the Millennium Marquee

MR NOBBS Thank you Mr Deputy Speaker and for that Mr Walker. On taking office this matter was still in abeyance. I've subsequently sought legal advise in relation to how we can establish a management committee that can run the tent and pay the necessary outstanding monies that are on loan paying off the tent, I think it's about 50% of the cost and you may be able to correct me if I'm wrong, how that can be done without requiring the Administration to actually go cap in hand to Canberra to ask whether we can take out a loan. Whilst it seems a fairly simple exercise it's actually turned into quite a lengthy process and what will be suggested to various people concerned is that a Committee be formed but it be a limited company just the same as the Rugby League runs or I assume the tennis or some of these other organisations run and that it will be a five member board and at the completion of the arrangements and when the funds are actually paid off the tent can then be transferred to the Administration and then run probably by that same committee but as a committee under the responsible Minister. In relation to the tent and other aspects regarding storage we've had some problems. The tent top are at this time at At Random and the poles are outside. Well I've suggested that the poles be put inside with the tent and that with the Minister for Tourism and Commerce we're looking at ways of actually creating a dedicated storage area for the tent for the future and the Minister and I are working on this. If this proposal falls through then we'll be looking at the Administration actually coming up with a not very large area to store the tent in the future

DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice

MR BATES Thank you Mr Deputy Speaker at the last meeting I asked a question of Mr Smith, the Minister for Tourism and Commerce and I'm informed it was not his portfolio. I asked because I thought commerce and industry were his portfolio but I'll ask the question and if it's not his maybe someone has an answer by now, what is the government's policy regarding primary industry and how much is spent annually on its development

- MR SMITH Do you direct that back to me Mr Bates
- MR BATES Well under the list I've got you have responsibility for commerce and industry and that is the reason I asked you the question in the first place - primary industry I assume is your responsibility
- MR SMITH Could be. If it is, I can't answer your question. I'll do that for the next meeting
- MR BATES Well that was the answer I got last meeting
- MR SMITH I didn't realise that it was under my portfolio. It didn't seem to add up
- MR BATES A question for the Chief Minister, Mr Nobbs. Given the growing urgent need to upgrade the fire engines used at the airport, what has the Minister done about it or what does he intend to do about it
- MR NOBBS Thank you Mr Deputy Speaker, thank you Mr Bates. We are in the process of developing the budgets for the next financial year and this is a key area. I understand that they are actually under Minister Cook's responsibility, that particular area but I'm the Finance Minister so it certainly is of concern. I've had discussions with the various people involved. The head of the fire service and also the CAO and other officers within the Administration and we are definitely working on a proposal and hopefully I'll have that available before the next meeting as I hope to bring the revenue budget in for the next meeting and it will lay on the table until June for passing and for implementation on the 1st July, but it is an area for concern, there is a need to upgrade it, CASA has put some requirements in, in relation to changes in the procedures which will be quite expensive to the Island and whilst they are not in force at the present time we expect it to be in force within twelve months time so we would be looking at trying to implement those proposals towards the end of this upcoming financial year, although it has to be considered in the current budget but as far as the airport's concerned I think I've answered it but if there's anything further Mr Bates, please ask me
- MR DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice
- MR BROWN I direct this question to the Chief Minister, can the Chief Minister advise how many applications under the Planning Act has been awaiting a decision for more than three months
- MR NOBBS Thank you Mr Deputy Speaker and thank you Mr Brown, he actually gave me notice of this yesterday afternoon and I appreciate that Mr Brown and also I thank you Service very much for providing the information first thing this morning. The answer to the question is eighteen. Of these, and I will quote these from the Service, five are subdivision applications that have either been recommended for approval in principal, awaiting final survey plans or other details from the relevant surveyor, nine others are awaiting further details from applicants, four are awaiting finalisation of processes and that totals eighteen. I would just like to comment on this having been involved in the process, I think it's important, whilst I don't think Mr Brown even intended to have a go at the Planning Board in relation to slowness I'll just give a couple of examples how hold ups and problems can occur, and I thought how best to do it are these examples, one is a new tourist accommodation set up which was put in about two years ago and subsequently changed proponents, nothing happened and then I see in the paper some weeks ago that there's an application to revise that plan.

Now the slowness in that application had nothing whatsoever to do with the Planning Board, it was purely on the part of the proponents and that's fine. Another example, is an additional new unit to an existing tourist accommodation. Now that was held up because of the fact that it was put in, the plans looked fine and the garden was wonderful, the only problem was that it didn't come up to scratch in relation to requirements to self sufficiency in relation to water which we have attempted to implement in the last year or so and which I think all of us agreed to, so it's been backwards and forwards and by the time I left the Planning Board it still hadn't been finalised. I believe there was an attempt to put another section of the accommodation unit to tie it in and on it went but it was not really satisfactory. Whether that's been cleared up by now or not I don't know but I will say that that is a particular reason. Another problem that the Planning Board has is in relation to the KAVHA area. Applicants within the KAVHA area have to be referred to the KAVHA Board who only meet twice a year so these things then go all over the place, to Australia as there are two members in Australia plus their advisers and that takes a considerable amount of time and that is another reason. There's another one in relation to that and it happened with an industrial application in which the information provided by the proponent was extremely slow, it was more or less drip fed. When the Board wanted something, back it would go, the proponent would put it in, the board would want something more. The Board has now realised that what they need is a full blown proposal right from the start so an assessment can be done immediately, so these issues are problems which the Planning Board has and whilst I appreciate that there may be some perception of slowness there are also pretty good reasons as to why they are fairly slow in doing these things. As far as subdivision applications go, it goes through two proposals, approval in principal, then the survey's done, and then the final approval is done and that also takes time so there are plenty of reasons why there is a perception of slowness, but it is not usually the fault of the Planning Board

MR WALKER Thank you Mr Deputy Speaker a question to the Minister for Immigration and Community Services, with the advent of new businesses on the Island, especially in the accommodation area, can the Minister assure the Members that the current policy contained in the guide to immigration are for GEP or GEP holders to be employed in such businesses will be adhered to

MR COOK Thankyou Mr Deputy Speaker and Mr Walker, all I can say is at the present time the guidelines and of course the Act is the basic situation which controls the guidelines and so far as they are consistent with the Act which they are to my understanding, applied by myself and that situation will continue until the guidelines are fully reviewed or the Act is amended as the intended procedures which already have been put in place to carry out a complete review of the Immigration Act and the policies is able to be achieved

MR DEPUTY SPEAKER Thank you. Are there any further Questions Without Notice

MR BATES Thank you Mr Deputy Speaker a question to Mr Nobbs in relation to Telecom. Is it mandatory to own a credit card in order to make payments for the use of Internet and if so, why

MR NOBBS Thank you Mr Deputy Speaker, Mr Bates thanks for your question. I'm thinking madly as to what this is all about. I seem to recall that when it was first put it, it was thought that that was the ideal way of paying for it but I can't recall the exact reasons at that particular point. I'm surprised it still goes on. I would assume that when talking to Telecom, I'm not connected so I can't answer that particular question for you but I'll get some information on it, but I do recall that it was

mentioned and there was a question asked of the Minister twelve or eighteen months ago in relation to that but I'll definitely find out what's happening

MR DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice

MR BATES Thank you Mr Nobbs, a further question relating to Telecom. Has approval been granted for the installation of private facilities to bypass Telecom for Internet operations and if so, what is the loss of revenue to Telecom

MR NOBBS Thank you Mr Deputy Speaker and thank you Mr Bates. There is, I understand in place, an operator who has their own dish and that was approved by the previous Government. It doesn't actually bypass Telecom so I'm told and in fact so I'm told, it doesn't have any impact on the revenue but in fact it frees up some lines for those people using the Telecom system of Internet so that's what my understanding is of it at this particular point in time, because I too had some concerns in relation to that but I'm assured that it's fully kosher and that the system can operate effectively and not be of concern to Telecom or future operations by I'll be keeping my eye on it thank you

MR BROWN I direct this question to the Minister for Immigration and Community Services is it a fact that an aircraft parked at the Norfolk Island airport was broken into last night. If so, what action are you taking to curb such unlawful behaviour and will that action include discouraging the sale of bulk liquor late at night and making a genuine attempt to stamp out the use of unlawful drugs in Norfolk Island

MR COOK Thank you Mr Deputy Speaker, through you to Mr Brown, I was not aware of the incident that you referred to Mr Brown, I'm obviously immediately concerned of such an incident and it's obvious implications for security of aircraft on the airport. Obviously the matters that you have raised will require careful examination. I can assure you that I will do so now that you have drawn the matter to my attention and take into careful consideration the other matters that you've raised that might require some examination in conjunction with that particular matter

MR BROWN A question to the Chief Minister, are we yet an offshore finance centre and if not, when will we achieve that status

MR NOBBS Thank you Mr Deputy Speaker, thanks Mr Brown. No, we're not an offshore finance centre that I know of Mr Brown, but you may know more than I do, but officially we are not an offshore finance centre. The proposal has been around since 1984 and it surfaced again in the time of the last Assembly, it's being progressed now to a stage where we have a report in relation to the a possible Offshore Finance Centre and we are now looking at firming that proposal up. Once that second part of the proposal is in we will then be able to make a decision as to where we are actually going with it but at the moment it is a little way off I would suggest

MR DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice

MR WALKER Thank you Mr Deputy Speaker a question to the Minister for Tourism and Commerce in relation to the Cascade Cliff Safety Project. Taking into account the fact that this project is now well over run on the completion date, are there penalty clauses in place which impact on the contractors for application after the original due date of completion

MR SMITH

Yes

MR BATES

Thank you Mr Deputy Speaker a question for Mr Smith, Minister with responsibility for Education, recently a mainland investigation into the operation of Greenwich University was conducted. What is the outcome of those investigations

MR SMITH

Thank you Mr Deputy Speaker we haven't got the results of that yet. The assessment was only done recently, I think last month, and the Commonwealth was the one to give a report on that and they haven't advised us that they have the report or any indication at this point in time but I know that Mr Bates and all of us will be keenly interested in what it has to say so that the local university can get on with the job they are here to do without any more interference from anybody that may be coming in from another state or territory that wants to make a fuss about something that Norfolk Island does purely for their own reasons

MR DEPUTY SPEAKER
Notice

Thankyou. Are there further Questions Without

MR BROWN

I direct this question to the Minister representing the Minister for Health and Environment is it a fact that the Healthcare levy can be reduced by at least \$200 per year per paying member if the cost of HMA is charged against the social welfare vote as it was in the past rather than charging it against the Healthcare levy

MR COOK

Mr Deputy Speaker through you to Mr Brown, I'm not in a position to answer this question. Mr Gardner may well have been able to answer you at once but I am unable to. I will take your Question on Notice, refer it to Mr Gardner and have an answer available to you at the next meeting thank you

MR BATES

Thank you Mr Deputy Speaker also a question which I'll direct to Mr Cook in Mr Gardner's absence. The government has a water policy for new buildings including tourist accommodation. Is this policy being carried out and if not, what is being done to ensure it is

MR COOK

Through you Mr Deputy Speaker, Mr Bates I'm afraid again I am not in a position to immediately supply what I would hope would be a proper and effective answer to this question through my lack of knowledge of that particular matter. I will take it on Notice and refer your question to Mr Gardner and I'm sure he will provide you with an answer at the next meeting of this Assembly

MR DEPUTY SPEAKER

Mr Nobbs do you wish to respond to that

MR NOBBS

I would like to just respond very quickly if I may. There is a water storage policy in relation to tourist accommodation Mr Bates, and the Planning Board is actually policing matters or they were policing it and I assume they still are, in relation to new tourist accommodation and there is a specific formula in relation to the roof area and the amount of storage required per bed or per unit and obviously there's a requirement for so much per person. This formula is available, I haven't got it here with me but I'm sure the Minister will be able to provide it for you next week

MR DEPUTY SPEAKER

Thank you. Further Questions Without Notice

MR BATES

Thank you Mr Deputy Speaker a further question for Mr Gardner which I'll direct to Mr Cook. In the event that an application fee

under the Planning Act does not cover the cost of considering it, who bears the additional cost

MR COOK Yes through you Mr Deputy Speaker, again I regret that I'm not able to provide the answer which I believe would be an effective answer to your question and again I will take your question on Notice on his behalf and request him to furnish you with an answer at the earliest opportunity

MR DEPUTY SPEAKER Thank you. Further Questions Without Notice

MR BROWN I direct this question to the Minister for Tourism and Commerce, bearing in mind the announced moratorium on applications for approval for additional visitor accommodation, what action has been taken to review this Island's economic planning and to review the findings and recommendations contained in the Grants Commission's Report in so far as they may be affected by the revised tourism policy

MR SMITH Thank you Mr Deputy Speaker ..

MR NOBBS I need your ruling, doesn't that contravene Standing Orders in relation to a Bill that's coming up before the House. I've got no problems but I was wondering whether that was the case

MR DEPUTY SPEAKER If you could bear with me Gentlemen I will

MR BROWN Thank you Mr Deputy Speaker I would be happy to amend the question by deleting the words "bearing in mind the announced moratorium on applications for approval for additional visitor accommodation" if that would make the Chief Minister happy

MR NOBBS I have no problem Mr Deputy Speaker

MR DEPUTY SPEAKER Please continue Mr Smith, there is no Point of Order

MR SMITH Thank you Mr Deputy Speaker I've just asked Mr Brown to repeat that without that component

MR BROWN I apologise for having been so rudely interrupted by the Chief Minister. What action has been taken to review this Island's economic planning and to review the findings and recommendations contained in the Grants Commission's Report in so far as they may be affected by the revised tourism policy

MR SMITH Thank you Mr Deputy Speaker if there is a change in the tourism policy and we won't know that until after the Bill has been agreed to or not agreed to later in this session today, I need to add that the question that Mr Brown is asking is something that is being reviewed all the time, in fact, even though the Commonwealth Grants Commission Report was done some three years ago, it does get used almost like a Bible if I could use that word, by the Government or the executive members when they are referring to things and it gets used often. I can guess that what Mr Brown is saying that if we have a change in policy in relation to tourist accommodation, that will affect the economic circumstances of this Island which I agree probably will to a large degree and we really need to consider it further, after this meeting depending on that Bill being passed or not

MR DEPUTY SPEAKER Thank you. Further Questions Without Notice

MR BATES Thank you Mr Deputy Speaker a question for the Minister for Tourism and Commerce, when is the next stage of the Burnt Pine Upgrade likely to progress and how much will it cost

MR SMITH Thank you Mr Deputy Speaker I can almost give you the answer. I've just been advised this morning by the Program Manager in relation to works that the five year works plan that we had asked for and I mentioned that in the last Sitting, has now been completed by the Works Superintendent and this will incorporate the answer to all of those sorts of questions which I expect will include the Burnt Pine upgrade and you will know from your budget that the Burnt Pine upgrade funding has been included up to stage 2. In the initial budget papers anyway, whether that remains in the budget right to the end is not in my hands but in the hands of the Members of this Assembly, but soon I hope

MR DEPUTY SPEAKER Thank you Mr Smith. The time for Questions Without Notice has expired

MR BATES I thought it was another ten minutes. could I move that they be extended for a further ten minutes

MR DEPUTY SPEAKER Is leave granted. Yes. Further Questions Without Notice

MR BATES Thank you Mr Deputy Speaker my question is for Mr Cook QC Minister for Immigration and Community Services what is the status of the proposal to introduce personalised number plates

MR COOK Yes, Mr Deputy Speaker that legislation which has been I think in draft form, there have been problems. I endeavoured to ascertain from the Registrar in respect of the Road Traffic Act, what the situation was about it, and it appears that there are quite considerable problems arising out of the resources available, the authorisation of the material needed to bring those matters forward and he has explained to me that in the absence of a number of these facilities being made available then it's not really possible to progress the completion of that at the present time

MR DEPUTY SPEAKER Thank you Mr Cook any further questions without notice. Mr Bates.

MR BATES Thank you Mr Deputy Speaker a question for the Chief Minister following a review of the Liquor Bond, and I think you might have made a statement about this at the last meeting, so I'll move to the next question, also for the Chief Minister, could the Minister advise the cost to the Administration to freight a new crane to Norfolk Island and how will that be done

MR NOBBS I'll be making a statement on the new crane in Statements hopefully, but just in relation to the freight of it, there are negotiations going on at the present time in relation to the cartage of this on the Kaipara barge. I understand there's been no finalisation of that at this stage

MR BATES Could I ask a supplementary to that. Given that the cost of the barge coming from New Zealand to Norfolk Island would have already been included in the cost of the Cascade Cliff Safety Project is a special rate being

negotiated in the fact that the barge will be coming over here empty and has already been paid for by the Norfolk Island Administration as a part of the contract

MR NOBBS Thank you Mr Deputy Speaker yes you are perfectly correct. That's one of the components of the negotiations, is that particular aspect and as I say, as far as I'm aware we haven't finalised the actual cartage although I presume it will be coming in on the barge and the cost factors are the main stumbling blocks at this time although the main company has indicated a willingness to talk and we hope that there are positive results

MR DEPUTY SPEAKER Thank you. Further Questions Without Notice

MR WALKER Thank you Mr Deputy Speaker a question to the Chief Minister can the Minister advise if any progress has been made in the review of lighterage to modernise towards mainstream payment discharge

MR NOBBS Thank you Mr Deputy Speaker and Mr Walker, I think that you were copied with a letter from a proponent who wishes to operate a service to the Island which involves containerisation. As you are aware if you saw the letter copied to you, the proposal was fairly brief and I have asked the proponent to expand on that so that we can get some advise on the actual proposal and I'm awaiting a response from him

MR BATES Thank you Mr Deputy Speaker a question for the Minister for Immigration and Community Services what assistance has the government given to the whaleboat project and how is that assistance accounted for and what is the present state of the project

MR COOK Thank you Mr Deputy Speaker and through you to Mr Bates, I'm not in a position to inform you of the facts and figures which would provide an answer to your question at the moment. There are difficulties which have arisen with the whole of that project. I don't wish at this particular point to go into those in a detailed form. I'm quite prepared to endeavour to find out the situation at the earliest chance I have and within the next week or two I will provide you with that information

MR DEPUTY SPEAKER Thank you. Are there any further Questions Without Notice

MR BATES Thank you Mr Deputy Speaker a question to the Chief Minister, Mr Nobbs does the Government have a policy regarding borrowing for capital projects and if so, what is it

MR NOBBS Thank you Mr Deputy Speaker, thank you Mr Bates, I don't believe there is a policy in place in relation to borrowing except if the government borrows it has to seek the approval of the Federal Government or its representative the Minister for Territories etc. I don't think the government has one in place although I haven't actually checked that but on the list I don't think there was. I haven't got the list of actual policies here with me but we did borrow in relation to the Cascade Cliff Safety Project, that's one done by the last Assembly of which we were both Members but I don't think there's a policy in place dealing with that at all and it hasn't in my time as Finance Minister, raised its head as far as I can recall

MR DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice. Mr Bates.

MR BATES Thank you Mr Deputy Speaker a question to the Chief Minister what is the government's policy regarding new electricity connections

MR NOBBS Thank you Mr Deputy Speaker, thank you Mr Bates, the policy in relation to electricity connections I assume there's been some complaints or concerns in relation to connections for tourist accommodation. The requirements are actually in the Electricity Connection Act. They are part of the electricity supply and they are part of the Electricity Supply Regulations and that schedule says that activities in connection with the supply of electricity includes the installation of service mains, alternations resulting from failure of consumer to comply with the conditions of supply of electricity, alterations to supply of electricity made at the request of the consumer. Now the charge for that as specified in the regulations is 130% of the sum of a) the cost of materials b) the cost of labour charged at the cost of \$25 per hour. Now that's the Regulation that's in place and has been in place since last year I understand and I am accepting that that is the policy in relation to the connection of electricity or the charges and I assume that that's what Mr Bates is referring to

MR BATES Thank you Mr Deputy Speaker I'm not confined to tourist accommodation my question was regarding any connection

MR NOBBS If I may say to Mr Bates, I said at the beginning that there have been some concerns expressed by tourist accommodation holders but the cost to anybody is in relation to this particular schedule which I've just read out so that is the cost I understand that is charged for operations by the electricity undertaking and I assume that you are referring to the charging for connections or do you wish to go wider. No. Thank you. So that is as specified under the Act and that as far as I'm aware is the policy the government goes by

MR DEPUTY SPEAKER Thank you Mr Nobbs any further questions without notice. Mr Bates.

MR BATES Thank you Mr Deputy Speaker a question for Mr Nobbs the Minister for Finance. Does the government treat everyone the same for unpaid debts to both the Administration and the Hospital and if not, why not

MR NOBBS Thank you Mr Deputy Speaker, thank you Mr Bates, I would definitely hope that we charge everybody the same but if Mr Bates has some evidence that this has not been followed I would most certainly like to know about it asap so that we could take some action in relation to it. I think that all members of the Assembly and particularly the Government as well are very fair minded people and we think, I believe that if it's fair for one it's fair for everybody and I hope that that policy will be continued at all levels through the Norfolk Island Government

MR BATES Thank you Mr Deputy Speaker if I could just follow on, I may be just bordering on being out of order on this but what I was referring to was a complaint that I had by a member of the public being pressured to pay an account for a flu vaccine when he was well aware of the very large debt due to the Administration

MR DEPUTY SPEAKER Order Mr Bates. The question you pose is..

MR BATES Well I have asked the question and I am telling him that that was what prompted the question

MR NOBBS Thank you Mr Bates, I'm always very interested to hear of any problems that constituents have in relation to these sorts of things and if

there is a problem I would like to hear about it from all members as quickly as possible so that at least we can initiate some action to overcome a particular problem. It may only be a perception and it might be a real problem so if you can advise me as soon as possible of problems such as these I would most certainly take whatever action is necessary to correct it

QUESTIONS ON NOTICE

MR DEPUTY SPEAKER Further questions. No further questions without notice. Honourable members we now move to questions on notice. Are there any answers to questions on notice. Mr Nobbs

MR NOBBS Thank you Mr Deputy Speaker the first one is a question asked by Mr Brown at the last meeting. Mr Brown asked "Is the Chief Minister aware of concerns about the bulk sale of take away liquor late at night from certain premises and could the Chief Minister advise what action is proposed in order to investigate the wisdom of allowing that practise to continue". Mr Deputy Speaker the liquor may only be removed from premises licensed to operate as a club. Section 17(2) of the Liquor Act permits liquor to be sold to members of clubs and their guests and to remove from club premises liquor that is unopened. No other licences or permits issued allows the removal of liquor by unopened bottle or cans from unlicensed premises. Mr Deputy Speaker it is possible that Mr Brown's concerns are not related to clubs but other licensed premises. If this is so Mr Deputy Speaker I would say that the practice Mr Brown refers to is clearly in breach of their licence or permit and if so, Mr Brown might like to identify those to me after the close of this meeting and I will then discuss with the appropriate authorities how the situation may be remedied

MR DEPUTY SPEAKER Are there any further answers to questions on notice. Mr Nobbs

MR NOBBS Thank you Mr Deputy Speaker there was on the Notice Paper from Mr Brown and he asks the Chief Minister what amounts have been spent respectively by each of the last three Norfolk Island Governments on the Offshore Finance Centre project and of those amounts, please provide a breakdown between Consultants' Fees, Travel Expenses and other expenses. In the event that any individual travel expense has exceeded \$2,000 please provide full details of same, including the name of the person who incurred the expense and details of any reports provided by that person as a result of the travel. Mr Deputy Speaker I would like to provide a full response to Mr Brown but unfortunately this was passed to me after lunch on Friday, I then passed it to the Service for consideration and the information sought I understand covers at least three Assembly's although I thought it probably would have been more because I got an impression from reading documents and the like over the last week that the actual Offshore Finance Centre started about 1984 so I think there may be more Assembly's than that but anyhow, I would ask Mr Brown to be patient as I need to come up with a fairly comprehensive report on this issue and I also need to, which I was intending to anyhow and I wish to thank him for the opportunity for actually prompting me to do it, but I will want this information on the Offshore Finance Centre so that we have the next stage report of the Offshore Finance Centre we will have all this information in one particular document as at the present time it's spread over about half a dozen public service files as I recall so if you can bear with me Mr Brown I will provide it to you in due course

MR DEPUTY SPEAKER Are there any further answers to questions on notice. Mr Nobbs

MR NOBBS Thank you Mr Deputy Speaker there was one by yourself in relation to rentals for accommodation for the public sector members and I've got a response here but what I've done actually is to ask for a full report on that issue and I think I told you at the last Assembly meeting, I've asked the service to work on it and I will get an answer to you as soon as possible

MR DEPUTY SPEAKER Are there any further answers to questions on notice. Mr Smith

MR SMITH Thank you Mr Deputy Speaker I was asked by the Chief Minister to answer question No 2 on the Notice paper and I can answer that question and it related to how much money has been spent in the period 1 July 1999 to date by Radio VL2NI on advertising on the local radio station and the answer is nothing, they do it as a service

MR DEPUTY SPEAKER Are there any further answers to questions on notice. Mr Nobbs

MR NOBBS There was one from Mr Brown in relation to how much income has been earned by Radio VL2NI from 1 July 1999 to date as a result of sponsorship by government business undertakings and the Norfolk Island Government Tourist Bureau. As I said this question came in after lunch on Friday and I would ask members if I may, that if they could give the Ministers a copy of the Question on Notice when they deliver it to the Clerk we would be able to provide answers because I understand that with the arrangements once it's given to the Clerk it's in her possession until such time as the Notice Paper comes out and I was unaware that there was a Question on there Mr Brown and so I would appreciate it and maybe other Ministers would if you could give it to us earlier so that we can get some answers to you, but this is an overlap between Mr Smith and myself and I haven't got an answer to it as yet and the nod I got from Mr Smith, he hasn't got an answer either so I'll take that on board Mr Brown if I may please

MR DEPUTY SPEAKER Thank you Mr Nobbs. Are there any further answers to questions on notice. Mr Nobbs

MR NOBBS Thank you Mr Deputy Speaker there is another one, a question by Mr Bates on the operation of Energyfirst and power correction arrangements, I haven't got full details of the question with me I'm sorry Mr Bates but I think you know the question. I've had a brief response to date from the Acting Electricity Manager and it says that the power factor correction is not operating at the present time, it is waiting for a part to arrive from South Africa and when it arrives Energyfirst will be sending someone over to install the particular part. I will advise Mr Bates in greater detail when a full response is received in relation to this matter

MR DEPUTY SPEAKER Are there any further answers to questions on notice. There being no further answers to Questions on Notice we proceed

PRESENTATION OF PAPERS

Are there any Papers to be presented

MR COOK In accordance with section 41 of the Interpretation Act 1979 I table the Firearms Amendment (No 2) Regulations 2000. This is a regulation required to extend as you may recall the date of the holding permits from the 1st April which was the date they were to cease to be effective until the 30th August and that's to

enable the buyback schemes and so forth to be properly processed and I table those Regulations

MR DEPUTY SPEAKER Are there any further Papers for presentation. Mr Smith

MR SMITH Thank you Mr Deputy Speaker I would like to table the inbound passengers statistics for March 2000 move that the Paper be noted

MR DEPUTY SPEAKER The question is that the Paper be noted

MR SMITH Thank you Mr Deputy Speaker I would just like to talk briefly about the inbound passengers stats for March of this year. It is pleasing to note that to date there is an increase over last years numbers. This current year is 28,224 and last year it was 27, 927, a difference of around 300 people. The numbers are still encouraging for the monthly total was 3,330 which is slightly exceeding the 1999 figure but the concern that is showing up and Mr Walker touched on it this morning, are the figures coming out of New Zealand where the percent has certainly dropped down and although it is usually down a little in March it has dropped down a mere 12.5% which is of concern to myself and no doubt other people, there could be many reasons for that and I'm sure Mr Walker is going to make some more comment, thank you

MR WALKER Thank you Mr Deputy Speaker yes, I would like to comment. I'm not aware of any initiatives that have been taken to revert the trend. When you look back at the figures over the last six or seven years, it's even more dramatic because this situation back in 1993/94 was of an increase and we look to have taken a sharp decline. I guess that must be also of concern to the airline operating out of New Zealand and I would encourage the Minister to try and establish what initiatives have been taken to try and reverse the trend

MR SMITH Thank you Mr Deputy Speaker I should say too that there is a person who is acting as a consultant in Auckland, well known to Bruce and probably other members around the table, who would be well aware of this situation and I just haven't got the papers but there are some projects that are being taken down there to make sure that it doesn't deteriorate any further. Coming up in the next month is a time when the Bounty Bowls and the Country Music Festival usually lifts the loadings out of New Zealand anyway and I'm sure Bryce would be aware of that and try and pick up numbers. It might be a bit of a waste of money in May in a sense Mr Walker. Mr Walker understands what I'm saying. Of course also there's been concern with the numbers out of Australia over June July and possibly August as well and that is as much a concern as the New Zealand numbers but there's some programs that are going to be run in a very short lead time over the next couple of months and that's going to relate to television advertising throughout the eastern states and it should be something that the airlines and the wholesalers I understand are getting right behind and it should help to arrest that perceived downturn. I certainly hope so

MR BATES Thank you Mr Deputy Speaker Mr Smith mentioned that the Country Music Festival very shortly is likely to bring in some additional numbers from New Zealand. I think it would be remiss not to also mention that there is a tennis tournament going on next week with quite a number of entrants from New Zealand and also the annual Bounty Bowls tournament in May and I think this will be wrong to just mention the Country Music Festival when those other two organisations are equally going to be bring in numbers from New Zealand

MR SMITH Thank you Mr Deputy Speaker I would add that I did mention the Bounty Bowls but I wasn't aware of the tennis

MR BATES

My apologies

MR BROWN

Thank you Mr Deputy Speaker firstly could I suggest to the Minister that he take as soon as possible all necessary action to increase the cost of airfares between Australia and New Zealand because that will certainly make a difference and if he also could arrange for the cost of package holidays from New Zealand to other destinations that would also be beneficial and both of these things of course are part of our difficulty. From New Zealand at present it is very difficult to compete price wise with the super cheap fares that are being offered between New Zealand and Australia and with many of the packages that are on offer out of New Zealand. The one thing that I would suggest to the Minister is he might like to look at the previous Bureau's policy in relation to refusing to give advertising support to airlines and likewise refusing to give advertising support to wholesalers who are closely associated with a particular airline. With little doubt those policies upon careful review would change. I understand there may have been some change in terms of wholesalers associated with airlines as a result of Qantas starting to wholesale Norfolk Island but until that time the Bureau appears to have had a policy of refusing to support a wholesaler if that wholesaler was closely associated with any airline. Let's be fair to everyone, let's give everyone a fair go and we'll find things will turn around a little bit on their own

MR DEPUTY SPEAKER

Thank you Mr Brown. Is there any further debate

MR SMITH

Thank you Mr Deputy Speaker I can promise Mr Brown that I'm already across that, I've already spoken to airline in Australia and some of the wholesalers we were talking about that thing, so that's been looked at. I can also promise you that I will go to Auckland tomorrow and I'll see what I can do about those airfares across the Tasman and the rest of the world, but it certainly does make a difference to Norfolk Island's travel - and I'm only joking, I'm not going down there to see if I can do that - but the thing we've also got to realise out of New Zealand is that out of 236 available each week which is a little less than the Australian market, sometimes the people involved in the industry is a bit reluctant to put a lot of money in to top up, I don't know what the loadings are like in the last week but if you've got a 737 that's three quarters full, that can create enough of a downturn and you don't want to put a whole lot of money into it either to top of those flights and those are some of the things he's talking about, so we've got to be careful. It depends on the total bookings in the near future and the same applies to Australia. The indications are certainly from one of the airlines out of Australia that June July and August have cancellations from large groups and that is of concern to them

MR WALKER

Thank you Mr Deputy Speaker I would just like to express a concern on the Australian numbers as well although the quantum I understand from the Australian market is up, some effort has been put into what we call developing markets which are Victoria, South Australia and Western Australia and I notice that over the last two years both of these figures are declining and I would certainly hope that we are going to strengthen our promotions in those spheres because there are a large proportion of Australians that could be good potential for Norfolk Island especially in the winter months when it gets a bit colder down south and they can come up to Norfolk Island where it is slightly warmer

MR SMITH

Thank you Mr Deputy Speaker, I certainly agree with Mr Walker and Members know me, I welcome people's input and even to the degree as you are aware yourself Mr Deputy Speaker where I've set up a tourism working group which includes yourself and Mr Walker and the tourism officer so we can

get a wider input from this end as well as assisting the Board where we need to on the promotion and I welcome that

MR DEPUTY SPEAKER Further debate. The question is that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted. Are there any further Papers for presentation

MR NOBBS Thank you Mr Deputy Speaker I table the travel expenditure for the Norfolk Island Government 1 January 2000 to 31 March 2000 and I move that the paper be noted. Mr Deputy Speaker I now provide the details of all travel expenditure for the Norfolk Island Government for the previous quarter. I've received from the Public Service relevant expenditure details for the period and they are tabulated as follows - GBE's Telecom was \$7316, Postal Services \$6502, Liquor Bond \$1871 and Airport \$1933. From the Revenue Fund community services \$1408, Corporate Services \$1096, Legal Services \$12081, Legislative Assembly \$12122. Norfolk Island Hospital \$1697 and the Norfolk Island Tourist Bureau \$7965 and there were a few cents in the last two but the total amounts to \$43,491.80. I will also table the details of the officers name, airfares and destination, travel allowance, purpose of trip and report available. Mr Deputy Speaker as you are aware, at the last meeting of the House on the 15th March 2000 I tabled travel expenditure for the period up to 31 December 1999. It has now been brought to my attention that the figure for the Hospital Enterprise and the Government Tourist Bureau were not included in that statement I therefore wish to table the travel expenditure details for the Hospital and the Tourist Bureau for the period 1 October 1999 to 31 December 1999 separately and I do so

MR DEPUTY SPEAKER Thank you Mr Nobbs. Is there any further debate. The question is that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted. Are there any further Papers for presentation

MR NOBBS Thank you Mr Deputy Speaker I wish to table as I said I would a report of my visit to Canberra and also discussions with the relevant Minister and officers not only of the Department of Territories but also representatives from ACT Governments and I will just table these. I think everybody's heard enough about them

Are there any further Papers for presentation

MR NOBBS Thank you Mr Deputy Speaker I wish to table the Government Business Enterprise budget proposals for the year 2000/01 and I move that it be noted. The Government Business Enterprises are not required apparently to go through the hoops as the revenue budget is concerned and I table these in advance. We've had discussions with all Members of the Assembly and the officers of the Service and I feel it's at the stage where we can table these and proceed down the road to finalising the Government Business Enterprises before we can finalise the revenue budget so that we know how much revenue is available to be transferred to the budget and so with that in mind I table this document

MR DEPUTY SPEAKER Thank you Mr Nobbs. Is there any further debate. The question is that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted. Are there any further Papers for presentation. There being no further Papers for presentation, we proceed

STATEMENTS

Are there any Statements of an official nature?

MR COOK Mr Deputy Speaker I would like to present a Statement to the Firearms Compensation Scheme. I think this is appropriate. I have tabled the Regulations extending the time from the 1st April to the 30th August to permit the scheme to come into operation and the matter will also be added to in a very slight way in the Firearms Amendment Bill which we will endeavour to present later by me. I have a Report from the Program Manager of the Corporate Services, he is part of the Project Team which consists of the Sergeant of Police, the Policy and Projects Officer, the Program Manager Corporate Services as referred to and two officers contracted from the AFP. We wish to inform the House and the Norfolk Island community of progress in relation to the implementation of the Norfolk Island Firearms Act 1997 which commenced in December 1999. Recently we extended the existing gun licences to the 30th August 2000. This was to provide additional time period for all the required licensing equipment and foreshadowed activities. I have been advised that the Commonwealth

MR BROWN Point of Order. Are we still on Papers or onto Statements

MR DEPUTY SPEAKER We are at Statements Mr Brown. Continue Mr Cook

MR COOK I have been advised that the Commonwealth Minister for Justice, Senator Amanda Vanstone has approved the Firearms Compensation Scheme, and funds from the scheme are to assist the implementation of the new licensing system and to complete a gun buyback program. The Norfolk Island Administration has contracted with the Federal Police to undertake this gun buyback programme and I wish to provide details of this timetable. During the month of May there will be a period of newspaper and radio advertisements providing information to the public on the requirements under the new licensing system, the Gun Buy Program. The end of May a Sergeant from the Australian Federal Police will visit the Island for a week to handle enquiries and run public information sessions. From the middle of June to the end of July the gun buyback will take place with officers from the Australian Federal Police on Island to conduct the collection of guns and the issue of relevant compensation. During the period from May to July the new licensing system will become operational and new licences will be issued. As previously mentioned full details of requirements will be provided in the media during May. Thank you

MR DEPUTY SPEAKER Thank you Mr Cook. Are there any further Statements

MR NOBBS Thank you Mr Deputy Speaker I would like to make a statement on At Random if I may. I think Brian asked me a question earlier in relation to that and I'll just read the following Statement. At the normal monthly meeting of the Assembly held in February last, that is the last meeting of the previous Assembly, a motion was passed as follows. This House requests the Minister for Tourism and Commerce that was Mr Gary Robertson at the time, to take immediate action to a) document prospective uses of At Random site, b) establish a realistic purchase price for the At Random site, c) include in the current lease an option for purchase encompassing

progressive purchase arrangements. Failing this action being taken within a period of two months, the termination of the lease be initiated. Mr Deputy Speaker in relation to the above the CAO advised that usage was as proposed and documented to Members when the proposal was initiated. Discussions were held with the owner and he agreed that an option to purchase clause could be provided in the lease and that purchase would be progressive. It was agreed however that the sale would be completed no later than one year after the initial agreement was signed. That is, the agreement to purchase. The last point, the purchase sought by the owner was well above that provided to the Government by an independent qualified valuer with experience in the local market. At a meeting last Monday afternoon of members of this Assembly, it was agreed that the termination of the lease be initiated bearing in mind the clause in the lease required six months notice. As a consequence, the next morning of the next day I signed on behalf of the government a document which gave notice to the owner that the government wished to terminate the lease. Mr Deputy Speaker on his return from Canberra the Chief Administrative Officer will document a proposal in relation to the current and proposed usage of At Random which will take effect when the building is vacated in six months time.

MR DEPUTY SPEAKER Thank you Mr Nobbs.

MR SMITH I move that the Statement be noted. Thank you Mr Deputy Speaker I would just like to say that it's a shame that it happened the way it did. When Gary Robertson, the Minister, took on the project for the premises known as At Random at New Cascade Road, the concept was pretty good. The idea was to share the building with Telecom which had already run short on space for its equipment and also had problems with its exchange building where everybody was passing through the exchange area all the time and that's unfortunate. The result is now, this lease is to be terminated. It's a shame that it's been made a political issue. Some six months ago we could have had better working facilities for some of the people as some people in Administration, it was proposed, would be moving up into that area and that would be more accessible to the community as a service, although it would have costs. It's a shame that that is not now available. There are many people, some in the older age bracket who have to come down to the Administration and find their way upstairs in the Administration building and even I find it difficult getting up those stairs and it would have been really nice if we could have made it a little easier for certain people to access certain Administration departments, however, it was made a political issue. I defended it as much as I could in my time as Minister with responsibility for Telecommunications, because I saw the worth in what we were doing. Mr Gardner saw the benefits that may be utilised with that property there in relation to gaming proposals and we may look pretty silly in six months time when we are looking for some space to rent out to gaming operators which are close to where the Telecom links are. The other thing which was proposed was the new satellite communications earth station would be sited there, close to the exchange, and we now have the added expense when we do get an earth station, it will probably be put quite some distance from the exchange and that will be an added expense. That will probably cost more than what the rent has cost in these first few months that the lease was signed. We have probably now wasted half of the rent for a twelve month period purely because there has been no possibility of utilising the building to its fullest degree as agreed. I realise that there were problems with the building itself. I understand that. I can see Members' point with the whole thing, but I am saying that it's a real shame that it's become a political issue rather than looking at the thing objectively and we do do that occasionally Mr Deputy Speaker. We do make mistakes, and I'm sorry to see that it's come to this. I'm disappointed. However, I must also say that it doesn't matter to me if that is the view that we've taken, and that is the view that we've taken

MR NOBBS Thank you Mr Deputy Speaker just a quick response to that. I know Mr Smith wasn't referring to that, but my statement was the facts, it wasn't a political statement in any shape or form and I can assure him or anybody else that all those issues he just spoke of in relation to the old people having to walk up the stairs, that will be taken into account when the CAO actually documents his proposal which he verbally provided to me prior to his leaving the Island for Canberra. So I would suggest that mine was a statement of fact and not a political statement

MR BATES Thank you Mr Deputy Speaker I must say that all my long debate was far from political. My major concern, even after the contract had been signed, were the Ministers of this House who thought there was a clause in there with a purchase option. This was not so in the contract and I was not playing politics, My concern was that there was no purchase option, that we were paying out money, \$4000 per month we paid out of that \$60000. I would have been far more comfortable with a purchase option. I would prefer to pay that off a loan even but certainly my objection wasn't political. I understand that Telecom needs space, I understand the other requirements to move some services out of Kingston into Burnt Pine. I think its a beautiful drive to Kingston and I don't quite share some of those drives to get everything up to Burnt Pine, however, it was far from political, it was what I believed to be the mishandling of the commercial proposition

MR BROWN Thank you Mr Deputy Speaker the Minister for Tourism and Commerce has expressed his sadness that in his view this became a political game. I'm sorry, it was his regret, he wasn't sad at all. The only person who thought this was a political issue was the Minister. Brian Bates tried his hardest, and so did a number of other members, to get the previous Government to look at this in an objective way. This was the brainchild of the Minister for Tourism and Commerce and its understandable that he's very physiologically attached to it and doesn't want it to go away, but it was madness from day one. Absolute madness. So far, as Mr Bates has said, something close to \$60,000 has been spent, to give six months notice required another \$25,000 or so to be spent and what have we achieved. We've provided some space for the Sports Association to have a few desks when they meet, we've provided some space for some table tennis tables, we've provided some space for the millennium tent, we've provided a small shed and it is small, for Telecom, we enabled Telecom to move a photocopier maintenance business out of Telecom and across the road but why is Telecom in that business anyway, but for what we have spent we could have built not only a very satisfactory shed for Telecom but we could also have built a shed which could have satisfactorily had a number of the Administration vehicles which are either parked in the open now, or in the case of the new crane that hasn't arrived yet, which will in effect be parked in the open or somewhere worse. I say somewhere worse because it has been said by some of my colleagues that that will be in some sort of a shed with a floor that is dug out below ground level and the question has been asked, what will happen when it rains, will the new crane be underwater at that stage. Now this wasn't a political issue Mr Deputy Speaker. This was an issue to try and get the last government to look at it objectively. I commend the present Chief Minister. He has stuck to the timetable which was eventually set during the life of the last Assembly and when the time expired he said, well time's up. It is interesting that the Chief Minister has told us that he was provided verbally last week with details of what the Administration wanted to do with the building. The Minister for Tourism and Commerce has told us that all of the mucking around deprived us of the possibility of properly utilising the building during the year which has passed and the six months notice period. Well with respect that's poppycock. If it's only last week that the Chief Minister was told what the Administration wanted to do with it, there is no way that it could have been used during the previous year and unless the Assembly agreed to the proposed use, there is no way that it could have been used in the next six months. But there's a further question in all of this. It's all very nice for people to want an office up town on a ground floor, close to

AGREED

That Statement is noted. Are there any further Statements

MR NOBBS Thank you Mr Deputy Speaker I would like to make a Statement in relation to the new crane and part of this was dealt with in a question by Mr Bates earlier, but I would just like to bring people up to date on where we are. The Lighterage Manager, Mr John Deadman whilst on holiday in New Zealand has inspected a new crane and is more than satisfied with the purchase. Negotiations are currently under way in relation to a freight rate as to transport the crane to Norfolk Island on the barge, I estimated I understand for a voyage in about mid May.

MR DEPUTY SPEAKER Thank you Mr Nobbs, are there any further Statements, Mr Cook

MR COOK Thank you Mr Deputy Speaker, I would just like to draw attention of the community to a direction which I have given insofar as it relates to the reinstatement of very brief court reports to proceedings in the Court of Petty Sessions and the result of those proceedings is that these are criminal proceedings of course. The purpose of having a short report is to assist in a deterrent aspect. It also gives the community an awareness as to what is actually happening in the administration of justice and to address some confusion in information about convictions and such things in the community. The reporting was ceased previously for a number of reasons. I won't go into those in detail. There was a meeting called by the previous Minister responsible for Justice with the magistrates, the Police and the Legal Practitioners on the Island and it was considered that a limited form of court reporting under proper supervision would be fruitful. It is intended to trial this system of court reporting for some six months and the matter will be reviewed at the end of that time. All that is intended to be done is that the Clerk of the Court will prepare a draft court report which will come to the executive member for approval and once approved, there will be an inclusion in the Gazette each Thursday directly following a relevant court sitting. The actual material which will be reported will be simply the name of the defendant the nature of the offence, simply describing it such as section 16 of the Police Act, resisting a member of the Police Force, that is an example, the plea which was entered and the result which was the conclusion of the proceedings. I only want to make it clear that if there is a charge for it against the person and that is dismissed by the Court then of course information about that will be published and secondly the court may direct so far as its concerned, about rehabilitation needs of the individual in the public interest but details need not be published in certain cases. Information concerning juveniles will not be published where proceedings are held in closed court and of course the Assembly is probably aware that traffic matters are not necessarily a closed court for juveniles and of course anything relating to domestic violence proceedings is totally unreportable and the defendants full name as I have indicated will be published simply to avoid any possibility of confusion of initials and being a similarity of so many names on the Island. Thank you

MR DEPUTY SPEAKER Thank you Mr Cook, are there any further Statements

MR NOBBS Thank you Mr Deputy Speaker I would like to bring the community up to date in relation to three electrical generators which were purchased from Western Australia. Currently these generators are being refurbished in preparation for travelling is being concluded in Perth. They will then be shipped overland to Sydney and a booking has been made on the Capitaine Cook Voyage No 50 out of Sydney on or about the 21st May. Possible cartage by the RAAF is still on the agenda but it is understood that something like four flights will be required to transport the equipment. Thank you Mr Deputy Speaker

MR DEPUTY SPEAKER Thank you Mr Cook, are there any further Statements

MR COOK Thank you Mr Deputy Speaker I have taken it upon myself to get some immediate information about a matter touched upon by Mr Brown in a question without notice earlier to me which I consider of most serious import in respect of the first portion of the question which he put to me was an incident at the airport last night. One must be very concerned of course about an essential breach of security. The information I have to put before the community was, apparently the airport was advised at midnight by a member of the community that was passing the airport that there was activity around the airport and certain of the aeroplanes. This was investigated immediately but there was nobody seen at the sight but at 7 o'clock this morning it was noticed that the RAAF KingAir aircraft had its door pushed open. Police were called and investigations are underway. I must say from the information presently available it appears that nothing was removed from the aircraft or any equipment damaged. I think it is appropriate that the community be made aware of that situation to meet concerns which no doubt arose at once when Mr Brown brought this to my attention this morning and obviously reports will be obtained from the police and those responsible for security at the airport as to how and why such an incident occurred and what steps will be undertaken to ensure that it doesn't happen again

MR DEPUTY SPEAKER Thank you Mr Cook, are there any further Statements

MR NOBBS Thank you Mr Deputy Speaker I would just like to make a quick statement that follows a question by Mr Bates in relation to fairness in debt collection. Mr Deputy Speaker it's possible that this may have resulted from a long running saga of airline fee debt and I would just like to say that at this time all airlines are paying their landing fees and debt reduction proposals put in place is operating as proposed, thank you

MR SMITH Thank you Mr Deputy Speaker I have two or three short statements. The first is in relation to the recent trip I make to Sydney and Brisbane in relation to tourism matters and education and I would just like to report for the record, what happened. I visited Brisbane and talked to the airlines that currently service Norfolk Island out of the Brisbane area, Flight West and also Norfolk Jet Express and spoke to the appropriate people there and I also spoke to some of the wholesalers in Brisbane which was very worthwhile to me to get up to speed with what was on their minds and whilst in Sydney I also spoke to the wholesalers there and then attended the MYCEETA meeting. MYCEETA is a ministerial council we have observer status on and it consists of all the education and youth affairs and youth training and employment ministers that is held at least once a year and I attended the MYCEETA meeting. This year the meeting went over two days. There's a meeting and then there's a council meeting on the final part of it in which the issues that the Ministers talk about on the previous day are agreed to or not agreed to in the council meeting. One of the issues raised in last years MYCEETA meeting was the listing of the Norfolk Island Greenwich University on the appropriate lists in Australia and at that time one of the Victorian Minister for Education was very upset that Greenwich was going to be listed. it's not as simplistic as that but I say that so that we know where we are going with it and he raised it with MYCEETA and wanted the Commonwealth to change our legislation that we had put in place to allow the university to be set up on Norfolk Island. Fortunately the other ministers who were there at last year's meeting didn't all agree with the minister and it was suggested, or proposed that the university on Norfolk Island be assessed for its academic and financial qualities and it was proposed that that be done as quickly as possible and then if it came up to all the standards required, and that was a bit of a loose term because that's not done with other Australian universities as I understand, but if it came up to all those requirements it would be listed as requested by the Norfolk Island Greenwich university. The assessment team only just arrived here I

think early last month, as Mr Bates asked earlier this morning, to come here and do the assessment and also an auditor came over to assess the university in whatever way he felt was necessary. That report we thought was going to be received by the MYCEETA timing but it wasn't. The Federal Minister had on the programme that he would verbally report on what was happening. Fortunately because I was there and with the ministers I was able to ask them, and they readily agreed that not only he do that but if the assessment come through before the next meeting which could be twelve months away, that the ministers would agree or not agree with the university being listed. The MYCEETA itself is very worthwhile in education matters and I make the point that one of the things that has become a real issue with the other states and territories is the vocational and tertiary training side of education and its relationship to primary and secondary schools and become very important part of the whole system and they are putting together programmes that is making it even better for children who are going through school and putting them in careers that recognise they need to during their school years and that relates to another question that was asked this morning in relation to Years 11 and 12 here because I would hate to think that we would do away with something that the other states and territories are really putting alot of focus on besides the numeracy and literacy stuff through the primary schools, the vocational training and whatever can be done to help the young people of Australia get into their careers or further education that they are doing so that was my report on MYCEETA.

MR DEPUTY SPEAKER You indicated that you had a further statement

MR SMITH Thank you Mr Deputy Speaker just one request from people in the community and I think something came up about it in the House as well, that during the process where we are taking rocks out of the cliff, don't break them up into football size or whatever it is that's required under the contract but keep some of the larger pieces for future use around the jetty or in the end if they don't get used they get broken at that time rather than just putting them all on the stockpile in little lumps. I proposed that to members last week and the members here agreed that we put that to the Cascade Cliff Safety Project Management Board and they agreed and the contractors are going to stockpile a fair amount of these large rocks on the northside of Cascade Road for future storage. Thank you

MR DEPUTY SPEAKER Thank you Mr Smith, are there any further Statements. There being no further Statements we move on

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR - NO 3

I wish to report the following message from the Office of the Administrator. I have received the following message from the Office of the Administrator, message No 3. On the 21st March 2000 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the *Customs Amendment Act 2000* which was Act No 5 of 2000. The Message is dated the 21st March 2000 July 1999 and signed A.J. Messner, Administrator

NOTICES

LEGISLATIVE CHANGE REQUIRED AS A CONSEQUENCE OF THE RECENT REFERENDUM

We move to Notices, and Mr Brown, you have the floor. Mr Brown

MR BROWN Thank you Mr Deputy Speaker I'll move the motion and then I will tell Members of the discussion I have had with the Chief Minister today which may cause Members to wish to adjourn it today. But the motion is that this House

requests the responsible Executive Member to bring before the next meeting of the House Bills to amend the public Service Act and the Public Sector Management Bill ("the Bills") to provide that Senior Officers and Senior Employees of the Public Service (Program Managers, Branch heads, Section Heads and Managers of Government Business Enterprises) shall not be eligible at the same time, to maintain their Public Service employment and to sit as Members of the Legislative Assembly and that:

a) if a Senior Officer or Senior Employee of the Public Service thereafter stands for election to the Legislative Assembly, he or she shall be deemed to resign from the public Service with immediate effect in the event that he or she is elected at that election, provided that he or she shall not be penalised for providing short notice of resignation; and

b) there be a transitional provision deeming such a person to resign from the Public Service with immediate effect three months after the date of assent to the Bills if that person has not ceased to be a Member of the Legislative Assembly or a Senior Officer or Senior Employee of the Public Service prior to that time.

Mr Deputy Speaker I am aware that the Chief Minister has been awaiting information from the Public Service in relation to defining the actual people who will be effected by this. The Chief Minister has advised me today that he does not yet have the final version of that information and that the initial information that has been provided to him will require some more work. I expected Members in that situation will not want to vote on the motion notwithstanding that the motion merely calls for a Bill to be introduced and there is then two separate opportunities to debate the Bill but I expect that members will prefer to adjourn this motion until our next meeting so that there is the opportunity for the service to provide full and accurate information to the Chief Minister to enable this motion if necessary to be amended so as to properly reflect the wishes of the overwhelming majority of the community as expressed in the recent referendum, thank you

MR COOK Mr Deputy Speaker may I just at this stage purely for the purposes of acquainting members of a situation, I was approached by telephone late last night by Mr David Buffett who was unfortunately delayed by the flight which didn't reach Norfolk Island from Brisbane. He asked me to bring forward or be prepared to bring forward an amendment which he will seek in due course. I don't think it's necessary now to raise that in any detail, but simply because of the course proposed by Mr Brown, but I thought it would be appropriate to give some notice to Members of what Mr Buffett will no doubt himself in due course, seek to raise

MR BROWN I would like to raise a Point of Order Mr Deputy Speaker, and the Point of Order is that this is a proposed amending motion by Mr Buffett aimed at enabling himself to continue to be employed by the Public Service throughout the whole of the term of this Assembly and as such that would in my view be a motion in relation to a contract between Mr Buffett and the Administration and our Standing Orders would simply not allow that to be moved by Mr Buffett or to be debated by him.

MR DEPUTY SPEAKER I take note of what you've said Mr Brown but have a difficulty in seeing your Point of Order as I don't believe it effects only Mr Buffett

MR BROWN With respect Mr Deputy Speaker this is a motion which Mr Buffett is asking Mr Cook to move on his behalf and it is a motion which therefore is sought to be moved by Mr Buffett in relation to a contract which he has between himself and the Administration. The fact that another member might or might not be affected is irrelevant because there is no other member seeking to move an amending motion or at this stage, even seeking to speak

MR DEPUTY SPEAKER I still have difficulty with the Point of Order

MR BROWN My Point of Order is that Standing Orders has been breached

MR DEPUTY SPEAKER As I indicated earlier the CAO has not determined what particular people in the Public Service will be effected

MR BROWN With respect Mr Deputy Speaker there is little point in my debating this at length with you because you obviously don't want to listen, but I have made my point. At this stage we are not proposing to vote on it and at this stage Mr Cook presumably isn't proposing to move it but I would ask you to give careful consideration to the question because it is my view that for Mr Buffett to move such a motion or to have it moved on his behalf would be a breach of our Standing Orders

MR BATES Thank you Mr Deputy Speaker I know from a conversation I had this morning that you yourself wish to speak on this and I would be interested to know if it is going to be adjourned or not or if you still wish to speak because I have some brief comment to make in the event that it is proceeding today. If it is going to be adjourned then I won't make those comments but if we are proceeding I would like to make some brief comment so could we clarify if we are adjourning to make both your situation and mine a little easier

MR DEPUTY SPEAKER Thank you Mr Bates. I was of the same mind as you, awaiting to see if it would be adjourned or the motion moved

MR NOBBS Thank you Mr Deputy Speaker I would like to suggest two things if I may. Mr Cook's foreshadowed his amendment and it's important that we've got a copy of it, but the members of the public are aware of what the foreshadowed amendment is, whether it is delivered at a later date by Mr Buffett or not is debatable yet again, but the second point as Mr Brown has suggested there is considerably more work to be done in relation to this particular motion and that's why I discussed it with him earlier and I would ask that he adjourn it as he has agreed to already, until the next meeting but I would like those two things to happen, the first one that the foreshadowed amendment be actually read out so that the members of the public are aware of that and that Mr Brown if he agrees to adjourn it

MR BROWN Thank you Mr Deputy Speaker perhaps I can assist the Chief Minister by reading out the proposed amendment by Mr Buffett which are to delete all of sub clauses a) and b) and to insert in lieu the words "the above provisions as to eligibility to maintain public service employment and sit as Members of the Legislative Assembly are to come into force and to be effective in relation to the next election or bi-election to the Legislative Assembly . And let me just say in relation to that, this referendum was set down before the last election. Everyone who stood for election at the last Assembly knew that referendum was going to take place. The community expressed its views very strongly. it is our job now to act in accordance with those views, but having said that I did speak to the Chief Minister earlier, the Chief Minister has a very sensible suggestion that the matter be adjourned so that he can obtain further information and I am happy to move the adjournment

MR DEPUTY SPEAKER Thank you and I put that question

QUESTION PUT
AGREED

Thank you the ayes have it

**NORFOLK ISLAND NATIONAL PARK AND NORFOLK ISLAND BOTANIC GARDEN
PLANS OF MANAGEMENT**

MR DEPUTY SPEAKER We move to Notice No 2.

MR COOK Mr Deputy Speaker, for and on behalf of Mr Gardner the Minister for Health and Environment I table the proposed plans of management for the Norfolk Island National Park and the Norfolk Island Botanical Gardens and move that this House for the purposes of Regulations 2 and 3 of the Norfolk Island National Park and Norfolk Island Botanic Garden Regulations 1988 resolves that the Norfolk Island National Park and Norfolk Island Botanic Garden Plans of Management are approved.

MR DEPUTY SPEAKER Thank you. Is there any debate? I would like to ask Mr Bates to take the Chair

MR BATES Thank you Mr Deputy Speaker I would like to make some brief comment before I do so. Mr Deputy Speaker there are two things that concern me that we should pay some acknowledgment to Owen Evans' concerns over the kestrel problems. I have spoken to the Park Director and I believe that this is not the appropriate place to handle that but the kestrel problem can still be handled with the Advisory Committee and by other means but I just want to acknowledge the concerns of Mr Evans. The other thing is my initial reaction is the prospect that there may be a commercial or private dwelling erected within the bounds of the Park. I was fairly unhappy about it. I would prefer if the National Park needs to create a residence for some of its members that the Administration assist them in acquiring a suitable piece of land, but I'm not firm on that and I need to think about it a little bit more. But I am a little bit unhappy about that aspect of it, but that's all I wanted to say Mr Deputy speaker and I'll take the Chair if you want me to

MR COOK Mr Deputy Speaker just before Mr Bates takes the Chair there's a statement that Mr Gardner requested me to read out in respect of the tabling of this Plan and would it be convenient and appropriate for me to read that out at this stage.

MR DEPUTY SPEAKER You have the call Mr Cook

MR COOK I'll wait for Mr Bates

MR BATES You can read it ...

MR COOK Very well. This is a statement that Mr Gardner has asked me to present. The first plans of management for the Norfolk Island National Park and Norfolk Island Botanical Garden were published in 1984. The Australian National Parks and Wildlife Service commenced the process of revising those plans in 1993. The Norfolk Island Government has provided comments and various versions of the revised plans. The Norfolk Island National Park and the Norfolk Island Botanical Garden plans of management February 2000 attached incorporate amendments which appropriately address all of the Norfolk Island Governments major concerns. Environment Australia has now advised that the Commonwealth Minister for Environment, Senator Hill has approved the Norfolk Island National Park and Norfolk Island Botanical Garden plans of management. Senator Hill intends to table those plans in both Houses of Australian Parliament on the 5th of April, 2000 for 20 sitting days to ensure the plans come into effect before the new Environment Protection and Diversity Conservation Act of 1999 commences. To the best of my understanding I should add here that from Mr Gardner's conversations with me that tabling has taken place. The

Norfolk Island National Park and Norfolk Island Botanical Garden regulations 1988 provide that the management of those areas shall be in accordance with the management plan and not otherwise and that a management plan is a document approved by resolution of the Legislative Assembly. It is therefore necessary for the Norfolk Island National Park and Norfolk Island Botanical Garden plans of management to be approved by the Assembly for them to have effect and I commend the Norfolk Island National Park and Norfolk Island Botanical Garden plans of management to the House.

ACTING DEPUTY SPEAKER Thank you Mr Cook. Further debate.

MR McCOY Thank you Mr Acting Deputy Speaker. I wish to add a little bit to the debate on the National Parks plans of management. I too am like Mr Bates I do have grave concerns where in the plans of management there is an indication that if the National Parks, or Environment Australia cannot find suitable private accommodation for their staff from Australia or elsewhere whilst they are on the island they can construct their own house within the boundaries of the National Park. I'm sure we're all aware there are quite a number of people here who provide private accommodation for anyone who wishes to have somewhere to reside and therefore if Parks Australia or Environment Australia wish to provide a particular type of accommodation for their people I'm sure the private enterprise would be more than willing to provide that accommodation. I also believe it is against the nature of the National Park to all of a sudden constructing houses within the area of the Park, because that brings me to the question well just who will be eligible to start constructing houses and when you take the other issue of how many potential Park staff may own dogs, that would be able to roam freely within the environment or the boundaries of the National Park, well then of course you start to impact on the plan of management to try and control the destruction of native bird life or within the Park, which I believe is one of the main pushes behind the environmental protection of native species. I also note within the plans of management there is an indication there that only Eucalypt trees will be planted in the forestry zone apart from, or the only non endemic tree to be planted in the forestry zone will be Eucalypt tree, Australian Eucalypt, well I'm sure there are many in the community who see the value in planting Australian Red Cedar within the National Park, as it's already been demonstrated by private individuals on the island the Red Cedar in actual fact, is a highly sought after timber and the growth rate of Red Cedar far exceeds even the growth rate of Eucalypt. So I have concerns that that intention is there and there is also the discussion, or intention to re-fence areas of the National Park or even boundaries or even boundary fences and that would include the forestry boundary fences and the question is was it necessary to totally renew all of the fences around the National Park or is that the intention and the answer came back that the Parks would provide the material and Norfolk Island Government will provide the labour to do the job. So the question begs us how much will it cost the Norfolk Island Government and would there be a better solution to repairing the fences within the National Park area or the forestry zone. The other problem I have with agreeing or passing, which I believe is the intention the National Parks plans of management at this sitting is that the Assembly, although given the opportunity to be involved in the draft plans of management debate have only received these, and I guess they are still what we have in front of us, are still draft plans of management. We received this just over 3 weeks ago and I think it's a high call to expect any of the Assembly members to have read all of this, there's some well over 100 pages and to form opinions, whether you agree with it or not. Another problem I have is that the local forestry or the Government Forestry staff are expected, as it sets out in this plan of management to clear 10 acres of woody weeds, or olive trees a year within the forestry zone. I have a concern that the National Parks are not expected to fulfill the same commitment, to remove at least 4 hectares of olive trees from the Park each year, and it has been said many times that the introduced birds, in particular Crimson Rosellas and rats find the olive seeds are a

allegedly killed by the Sparrow Hawk. Clearly this is a serious matter of concern. However, his comments about these matters were noted when they were put forward at the time the plan was being considered, and it appears that it was considered that his concerns about the Sparrow Hawk and its effect on wildlife was too detailed as it were to be covered in these plans which are meant to be rather broad and non-specific but still allowing for the development in due course, and obviously if the Sparrow Hawk, as Mr Evans would appear from his vast knowledge seem to know is a very serious threat to bird life on the island. Some plan of specific management to avoid that impact must obviously be entered into without delay, but I don't believe with great respect, that that should hold up to any real extent the approval of these plans. There is a difficulty, that has been averted to, that they have already been placed before the House of Representatives in Australia and the impact of that situation has to be taken into account so far as anything we may do in this House. Obviously that is not, of course necessary to determine the attitude we take here, but I simply raise it as a matter to be taken into account. However I'm concerned that, as Mr McCoy suggests, that the documents that were previously circulated may have been a draft and indeed there may be matters raised in this printed document which is intended to go before the House which might in some way be different and therefore Members of the Assembly haven't had the proper opportunity to actually consider this as a way of final plan. In those circumstances they, if it would be of assistance to the Members I would be prepared to consider in due course, in the proper form moving the adjournment of the debate and this plan can be considered and the matters raised, Mr Gardner of course can address the Assembly in due course.

ACTING DEPUTY SPEAKER Thank you Mr Cook.

MR NOBBS Thank you Mr Acting Deputy Speaker. Mr Acting Deputy Speaker I'm disappointed on a couple of issues in relation to the document. The first is that as was stated we've only seen a draft document. There hasn't been one available to us to see whether there was any amendments to that. The second one is really that if it is to be tabled on the 5th of April, and I'm not too sure whether that actually has occurred, that it's disappointing that there was no official response from the Parliament here in relation to that area, but as you are well aware, the area is controlled by the Commonwealth and its under the Commonwealth legislation that the park operates and with some local Norfolk Island regulations but that will change I understand with the new Act coming in on 1 July, but at the present time it's run under a Commonwealth Government Act and the requirement is to table that document, the plan of management in the House, the Canberra House, not this one. The third point I wish to make is the transfer of the title of the land which is referred to by Mr McCoy, and any future management arrangements that could be put in place as a consequence of this, there's no mention of this in the version of the plan that I saw and I believe that that is pretty important in life of the particular plan, but I wouldn't hold them to ransom for that point because we've got a little way to go in the negotiation side of it. The other one there is reference to an ongoing training programme, and this is beyond the facility that they provide of one student, is to equip the Norfolk Island people to take over the full management of the Park in the foreseeable future. I think they are 2 fairly important points, and I wish to make those points Mr Acting Deputy Speaker but I don't think we should hold the plan up just because of that, although they are extremely important. I'd just like to make a point on the issue of the Kestral control, and I accept everything that Mr Evans says about these particular animals, and the problems that are encountered in that, but in reality, they're not confined just to the Park, or Phillip Island and as Mr Evans has said they roam the whole island and therefore it will require a joint approach, not only by the Commonwealth Parks people, or the Parks and Wildlife people but also the Norfolk Island Government if we're to mount a control on these, and I've requested that these proceed Mr Acting Deputy Speaker. Hopefully we will have as good as result that occurred with the other unwanted invasions by birds such as the Plovers which the lads

have managed to control as they arrive on the island here. I would hope that there will be some action in relation to that in the very very foreseeable future.

ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Further debate.

MR BROWN Thank you Mr Acting Deputy Speaker. Time and time again we adjourn things. We talk about them for a little while and we adjourn them. As a percentage of matter coming before the House, I think this Assembly to date would have the highest rate of adjournment of any since 1979, and we're talking of adjourning this. We're talking of doing that in an environment where admittedly one copy of the final version of the report, and only one copy has been provided to us. It has not been possible for Members to compare that copy with the earlier drafts which were provided, but just the same this document has apparently been tabled, or we're led to believe that it's been tabled in the Federal Parliament. We've been invited to comment and we're sitting back adjourning the thing instead of commenting. We will not be able to stand back and complain if in a months time we sit down and start debating it again and find that there is nothing further to be done in the Commonwealth Parliament, that it's been tabled, hasn't been rejected, no views of ours have been promptly brought forward and we've missed the boat. I think that in the main, this document isn't too bad. I think it's got a number of things that we're not happy about, and maybe the best thing to do is to stand this item down on our Notice Paper until the end of the day, and for a few of the Members over the lunch time to try to write down the issues which they believe are unsatisfactory, and for us to then, this afternoon, pass a Motion recognising that we've been provided with a copy, complaining about the short notice, complaining about it being tabled in the Federal Parliament before we have had the opportunity to comment on the final version, pointing out the issues that at first glance seem unsatisfactory to us, and reserving the right to make further comment once we've all had the opportunity to read the document. Now if we were to do all of that, that would be a productive response to a difficult situation but I really urge Members not to continue simply adjourning things because it's all a bit too complicated. That doesn't get us anywhere. Thank you.

ACTING DEPUTY SPEAKER Thank you Mr Brown. Further debate.

MR McCOY Thank you Mr Bates. With respect to Mr Brown I'm not just complaining and I don't think it's all too complicated because I did respond to the original draft plans of management and I noted that one of my concerns was the fact that there was a push to only plant endemic trees, hence Norfolk Island pine trees in the forestry zone, and I believe that the forestry zone is to be managed by the Norfolk Island Forestry, the Government Forestry Section, and therefore if they decide to plant trees, such as the Australian Red Cedar in that zone it should be up to them. I note also that there was absolutely no notice taken of my comment to that regard when I responded to the draft plans of management. Also the issue of housing in the Mount Pitt area, well that issue was not in the draft plans of management, it's a new one that's cropped up, so it's not an issue of it being too difficult. I just wonder when flipping through this if Mr Brown has read it and how, when there is a push to upgrade the road to Mount Pitt so that more vehicles can get up there, how they ever expect to re-introduce ecologically important species, which have been lost e.g. Providence Petrels to the Mount Pitt section of the park. So, whether it's been put together in a complicated manner and I don't understand that complication, I'm yet to be corrected but I find things like that to be a little hard to stomach and I would be more than happy to see it put off until later this afternoon to continue the debate but I don't believe that once again we've, as Mr Brown indicated this documents been tabled in the House of Parliament by the Commonwealth that the Norfolk Island Government has to just lie down and say well, well done gentlemen, we'll go along with what you say.

ACTING DEPUTY SPEAKER Thank you Mr McCoy.

MR BROWN Mr Acting Deputy Speaker I'm certainly not suggesting that the Norfolk Island Legislative Assembly should simply say oh that's wonderful. What I'm saying is the Legislative Assembly of Norfolk Island should say something other than Aye to an adjournment vote. We need to get on and actually do things, not continue adjourning them. Thank you.

SUSPENSION

ACTING DEPUTY SPEAKER Honourable Members it is a quarter to 1, it seems as though there's some little indecision about whether we wish to adjourn it or whether Mr Brown wishes to put in some amendment and we note some issues about it. I wonder what Members think about suspending for lunch and coming back at 2.00pm. Honourable Members this House stands suspended until 2.00pm this afternoon.

RESUMPTION

MR SPEAKER Honourable Members we resume after the luncheon suspension. We are at Notice No. 2 – Norfolk Island National Park and Norfolk Island Botanic Garden Plans of Management. Debate is continuing on this matter. I think we are turning to you Mr Cook to pick up the debate in respect of this matter.

MR COOK Thank you Mr Speaker. I've endeavoured to find out some information. The best of my understanding of the situation from several sources, it appears that those Plan of Management was placed before the House of Representatives. I am awaiting final confirmation of that at the moment and expect to have that very quickly and no doubt there will be other discussion which will take place but I understand that to be the case. As soon as I can let that information come forward I will bring it forward to the Assembly.

MR NOBBS Thank you Mr Speaker. Just to move things along I'm suggesting the following amendment to the Motion as put by Mr Cook on behalf of Mr Gardner and it's at the end to delete "approved" and replace it with "supported subject to recognition that Members have 1) Not had the opportunity to compare the final draft with drafts provided earlier 2) Not approve the plan prior to submission to the Federal Parliament 3) Concerns that the transfer of title to the Park back to the Norfolk Island and subsequent management has not been considered in the plan 4) Concerns that an ongoing programme of training to equip Norfolk Island people to take over full management of their Park in the foreseeable future has not been dealt with in the plan 5) Expressed concerns that the building proposals within the Park, not being subject to the Norfolk Island Plan and 6) Request that mechanisms be put in place to control the Kestrals." I move that as an amendment, as an addition Mr Speaker if Members so agree.

MR SPEAKER Thank you. Is leave granted. Leave is granted

MR BROWN Mr Speaker the Chief Ministers amendment is a positive step. It shows that we are interested in the fact that we've been consulted even if it has been at late notice and it deserves support.

MR COOK I have no objection to that. It seems to me to be the appropriate course to adopt in the matter in the present state of the information available and so forth. I'd certainly not object to that.

MR McCOY Thank you Mr Speaker. I feel far more comfortable by taking this approach as alluded to earlier by Mr Brown. We continually adjourn things and thankfully the Chief Minister has picked up some of the concerns that I'd raised and has addressed them in the amendment. I am supportive of this particular move.

MR SPEAKER Further debate. No further debate around the table. First question therefore to put to you Honourable Members is whether the amendment is approved.

QUESTION PUT
AGREED

MR SPEAKER Thank you. We now have a Motion as amended. Is there any final debate on this matter. There being no final debate, I put the question.

QUESTION PUT
AGREED

That is agreed, thank you

PLAN OF MANAGEMENT FOR NORFOLK ISLAND AIRPORT.

MR BROWN Mr Speaker I move that the responsible Executive Member bring forward for the consideration of the Legislative Assembly at the earliest possible date a comprehensive plan of management for those parts of the Norfolk Island Airport as maybe available for commercial purposes.

MR SPEAKER Thank you.

MR BROWN Mr Speaker I think that some of the Members expressed a view in recent days that they would like to see the word "commercial" changed in some fashion, and I'm quite happy for that to be done if any of the Members have a particular wording they would like to use. The purpose of this Motion is to call for a plan of management to be prepared so that we recognise the valuable resource which we have at the Norfolk Island Airport because there is a lot of land there which is capable of being used for purposes other than simply Airport purposes. As well as recognising that the Motion is aimed at ensuring that we plan the use of it so that we don't do something today which spoils another valuable use for later on. Finally, sensible planning of the possible uses of that resource will enable us to derive the best possible value from it and if we look at what has happened in Australia and overseas in recent years it has become somewhat of a practice in many places for Airports to be privatised number one and number two for them to be then managed in a fashion that derives the maximum possible benefit over and above the benefits from aviation use and it is said that there are many airports now at which well in excess of half of their income comes from non-aviation pursuits. I don't wish to say anything more about the Motion but if another Member wishes to change that word "commercial" or to add a word to it I've got no difficulty with it.

MR DEPUTY SPEAKER Thank you.

MR NOBBS Thank you Mr Deputy Speaker. I fully support this proposal actually and I think I'm the responsible Minister in relation to this so I've got no trouble at all, in fact I believe this is something that's long overdue in the area and that particularly with moves now to change the, a new facilities going in in that particular area, I mean we're looking at some additional Government facilities going in there including a new Met office. We're looking at the possibility only of other industries such

as crushing and those sorts of similar activities. I think it's long overdue and particularly looking at the overall management of the rest of the land, not just that area that's around the Met office and down towards the Chapel. There's quite a deal of land apart from that on the airport that needs attention I believe and some sort of a plan to reduce the cost of maintenance at least. I would leave "commercial" in there because "commercial" relates to farming, I mean farmers are pretty easy going blokes, they can be commercial farmers as well if we're looking at a primary industry activity on there, so I would have no problem with that John. It's worried me a little bit that areas have been hived off from the airport and I don't really know how much surveying has been done to ensure that if your walking on that area your not going to be hit for a \$25,000 fine. There may have been some work done but I mean those are particular areas that we should be looking at as well. I fully support the proposal and I would be pleased to get it underway as soon as possible.

MR WALKER Thank you Mr Deputy Speaker. I'd like to support the Motion. I'd feel much more comfortable though if we could make a small amendment and after the word "commercial" insert the words "and other".

MR DEPUTY SPEAKER Is that a formal proposal.

MR WALKER If I may..

MR BROWN Mr Speaker I'm happy to seek leave to amend my Motion to in that form if that would simplify things.

MR DEPUTY SPEAKER Are members comfortable that the original Motion be amended in that form so that it would read "available for commercial and other purposes"

MR BROWN There is nothing more that I wish to say Mr Speaker. I was going to say that I was aware that Brian was keen for something to be added to the Motion which allowed for recreational use but the amendment has covered that and I don't need to add anything more.

MR SPEAKER Thank you.

MR BATES Thank you Mr Speaker. I think some key words in this and I think it say the "Norfolk Island as may be available", and I think that needs to be clearly defined because there are a lot more restrictions that apply airside than there is on the outside but I would suggest that, if the Executive Member move forward with this that he does, so that in the closest of consultations with the Airport Manager, especially in the areas where airside requirements may have to have some little more consideration than simply just thinking something's a good idea. But provided it is closely considered with the Airport Manager and airside security and airside areas are properly looked after then I have no problem with the Motion.

MR NOBBS I can assure Brian that the Airport Manager will be running it. I won't be running it, he'll be running it, with quite a deal of advice from Members around the table here as well as everybody else but I mean he's the Airport Manager and that as I see is part of his job so there's no problem in relation to involving him.

MR SMITH Mr Speaker I look forward to the Chief Minister bringing forward this comprehensive plan. I would like to say in debating the issue that I hope that we don't send out a signal that we're look at here is just because the Airport has a large piece of ground, and the largest piece that we have available to us as such

that it's going to be opened up for all sorts of use, because the paramount use of the airport is for aeroplanes and we've got to consider the safety factor of aeroplanes taking off and landing, and that, even though the airport is a large area we've got to be just really careful that we don't look to encouraging lots of other uses that may put the aviation part of the airport in some sort of danger in the future. Otherwise I support the move and look forward to the report that comes back.

MR SPEAKER Yes I'm not too sure whether that was encouragement for your particular words Mr Smith or not.

MR BROWN I think it was Mr Speaker.

MR McCOY Thank you Mr Speaker. I do support the Motion in principle but I am a bit like Mr Smith where I believe we must be careful that we are not sending out an indication that it becomes available for all types of commercial purposes based on the fact that some years ago tour groups were allowed to visit the airport environment to show visitors the lovely big Banyan tree there, but because some visitors just simply strayed onto the airside to view some of the small aircraft that were parked there, well that ceased the ability of tour operators to take their tours into that area. I just mentioned that because I know that there is still a desire by some to be able to take visitors and look at one of the largest Banyan trees in the South Pacific and I also raise the point that whether it will encompass the use by hire care operators to provide a place to park their vehicles when they are not being used as commercial hire cars. In other words I mean the area that's now been allocated to the hire car operators behind the, well it seems to have been allocated behind the Redleaf, whether the Government is providing a parking space there for some and not for others or not. I hope that will be covered as well. Thank you.

MR SPEAKER Thank you. Further debate.

QUESTION PUT
QUESTION AGREED

Thank you Honourable Members, that motion is so agreed

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY.

MR NOBBS Thank you Mr Speaker. I move that under Section 2 (b) 4 of the Customs Act 1913 this House recommends to the Administrator that the goods specified in the first column of the schedule imported by the person specified opposite in the second column of the schedule be exempt from duty. The schedule in column one, we have a bronze plaque for Bounty Model, amount of duty applicable is \$837 and the importer was the Millenium 2000 Activities Committee. Item two is Pyrotechnics, amount of duty applicable \$696-20 and that's for the Millenium 2000 Activities as well and then there's the third item is outdoor playground equipment, amount of duty applicable \$338-80 by the Banyan Park Playcentre. I think if I may proceed Mr Speaker that these are straight forward amounts, they comply with the provisions of the, the goods have been imported for use in projects or activities for the betterment of the community and the ownership of those will pass to the Government or a semi-Government body if the body ceases to operate and I am required under this arrangement to put anything above \$200 to Members for their approval and I so do with these three items.

MR SPEAKER Thank you. Debate. No further debate.

QUESTION PUT

QUESTION AGREED

That matter is agreed

SOCIAL SERVICES BENEFIT.

MR BROWN Mr Speaker I seek leave to move this Motion in a slightly amended form and I have distributed the amended form to Members.

MR SPEAKER Thank you. Is leave granted. Leave is granted

MR BROWN Mr Speaker I move that the responsible Executive Member take such action as is necessary to bring about a once only increase in existing Norfolk Island Social Services benefit to the equivalent level of payment which is presently made in Australia, and to change the level of allowable income before Social Services benefits are effected and the consequence of exceeding same to be equivalent to the present Australian provisions with the intention that thereafter the benefits and conditions shall be adjusted in accordance with the presently existing Norfolk Island system and without any other change in present benefits and entitlements.

MR SPEAKER Thank you.

MR BROWN Mr Speaker for the benefit of Members the words that are handwritten I've obviously just added and the words that are printed in bold have been added, the Motion is otherwise in the earlier form. Mr Speaker recently a cost of living increase was approved for members of our Public Service of \$72 per fortnight across the board. That was a cost of living increase rather than a productivity increase and today is not the time to be debating whether or not there is any longer room for such things as cost of living increases in terms of wages but clearly in terms of pensions there is room for that, because after all that is the purpose of the BAF adjustments which we presently make, but what happens when you start with a social service payment of \$155 per week, a little over \$7,500 a year for a married person and about \$9,000 a year for a single person compared to what was said at the time of the Public Service increase to be an average of about \$27,000 in the Public Service is that over the years as you apply straight percentages to increase a wage or a social welfare benefit, the social welfare benefit starts to fall very much behind because it has gone up, on the basis of a percentage applied to a very low base. The Public Service increase applied to everyone, whether they were single, single with children, married, married with children or whether they were married and both spouses or partners were employed by the Administration. So I believe that it is time for us to look at what happened to our social service beneficiaries over the same period that was considered by the Public Sector Remuneration Tribunal when it awarded the \$72 per fortnight increase to members of the Public Service. The increase that my Motion suggests is an increase of \$54-60 per fortnight for a married person and \$64-60 per fortnight for a single person less than the amount of the Public Service increase but it needs to be borne in mind that over the period of the last 3 years or so there have been somewhat minor, but nevertheless there have been increases as a result of the BAF factor. We are criticised from time to time by the Commonwealth for providing an inadequate social services structure. Frankly I reject that criticism. In Norfolk Island there are numerous benefits over and above those which apply in Australia which I'm sure are very helpful to those of our senior citizens who receive these benefits. Nevertheless there are also benefits in Australia, perhaps different benefits but benefits there too. During recent years one particular cost increase has been in relation to cigarettes and liquor and that was intended to be a tax increase. As a tax increase we would expect members of the Public Service to still pay it but we would normally sit back and think about whether we should shield our social service recipients from that, and this Motion will go some way

towards that and it is that shielding which in my view justifies that our social service beneficiaries under this proposal might be a few dollars a fortnight better off when you add this increase to their BAF increases than the Public Servants have been with their \$72 per fortnight. The second part of the Motion is aimed at allowing those of our senior citizens who are able to still earn a living, be it from perhaps part-time employment, be it from growing some vegies or from their palm seed or whatever but it will enable them if passed to earn a little more than they could have before, before their benefits begin to be reduced. This is aimed Mr Speaker at fairness. We cannot simply increase the Public Service wages and salaries on the basis of an increased cost of living without having a proper look at our social service beneficiaries. It is aimed at providing that fairness, it is aimed at being responsible and it's also aimed at instilling a bit more pride and confidence into our social service beneficiaries by enabling them if they can to earn a little more income. At one stage it had been suggested to me that the change that was necessary was to allow all of our social service beneficiaries to earn additional income and that was quite a noble suggestion because it wasn't really asking the public purse to contribute funds. It was simply saying please let us help ourselves. But a number of members quite correctly pointed out to me that the difficulty with that is that if someone is unable to work or earn additional income they wouldn't have received a benefit whereas done this way everybody receives what I suggest what is a fair benefit. The responsible officer in the Public Service has tried to assess the likely cost impact of this and he provided a memorandum to the Minister for Immigration and Community Services dated 18 April which has been distributed to us all. He estimates that the impact would be \$126,315-80 from the increase in the fortnightly benefit and he says that we should also assume that as a result of allowing the increased earnings there would be perhaps 5 additional people become entitled to receive benefits and if that occurred we would be looking at a further \$48,360 for that. Mr Speaker I put it to you that in the context of having agreed to a \$330 something thousand dollar per year increase for members of the service and bearing in mind that our social welfare beneficiaries would still be receiving quite modest total income compared to the \$27,000 average which we're told is earned throughout the service, the additional cost is justified, I believe it is not only justified but that it is essential if we are on the one hand to take a view that we acted responsibly in relation to the service and on the other hand to take a view that we do our best to ensure that we do the right thing by both the community and the social service beneficiaries. Thank you.

MR COOK Thank you Mr Speaker. I'm not too sure whether I should declare my interest and I think I'm certainly of an age that would entitle me to all these benefits but I better leave that unsaid, but I appreciate what Mr Brown has said and certainly so far as the interest of those whom I'm involved with in the social services area of my responsibilities I'd be certainly only too ready to support an opportunity for them to receive a greater income and accordingly and greater opportunities to have their other means or assets lifted so that they can, the income not the asset situation at the moment lifted so that they get increased benefits. I certainly would feel that that should be able to be supported by any proper and fair appreciation of the cost of living increase and matters of that kind. What I'm concerned about and I must be concerned about is the cost to the community whether this is capable of being able to be properly supported. I took upon myself when I was aware that this Motion would be coming forward to obtain from the authorised officer in social services area Mr Donaldson this information which I have caused to be circulated, I thought it would assist in the present debate and there is not much that I really want to say in respect of the matter at this particular stage except to indicate that I would in principle support some opportunity for the increase of benefits payable to persons entitled to them but I would like to be assured that the community is able to cope with such increases.

MR McCROY Thank you Mr Speaker. I'd seek leave to move an amendment to Mr Brown's Motion.

indicates that the increases will and I think Mr Brown read them out cost a substantial amount of money. It is also considered, it's not obvious from here that, I did have a little bit of a look at the chart and you start changing the amounts that people can earn and how it effects the pension and I think that's a part of this equation which is not clearly understood here, or not clearly described here and which could also be fairly costly and I'm not so certain that it's really what Mr Brown, it might be what he's trying to achieve but in relationship to increases to the Public Service, I'm not so certain that the change in the ability to earn in keeping with Australia is completely applicable to Norfolk Island. I'm just a little unclear on that. I certainly support the first part of it, I have no problem with that putting them on the Australian rates as a one off thing and then to be adjusted in accordance with the present scheme. I'm not one hundred percent convinced that it's a good idea to go along with the Australian income level or whether we shouldn't give a little more consideration to that and know precisely what we're dealing with, but I'll leave it at that for now.

MR SMITH Thank you Mr Speaker. I'm interested in Mr Brown's lead up to this particular Motion. There seems to be a lot of reference to the remuneration tribunal's determination that the Public Service got an increase in their salaries and I don't think he's trying to point at that but I'd just like to point out with that increase it was awarded last year by the Tribunal. Two things, one is that it works out about \$1 per hour per person and the other thing is in getting the information ready for that agreement by the Members, I did my very best to make sure we could fund it and I think we had it almost covered by the time, well in fact we did have it covered by the time the tribunal had determined and I'd like to hear what Mr Brown's ideas on what tax we will be using to make this payment which will probably be in the vicinity of \$140,000 I think somebody had said. I don't have any problem with people in these areas getting an increase but I think Brian mentioned something about the threshold that's allowable for somebody to work, if there is somebody that is on a pension and if they want to work x amount of hours does the threshold actually come up automatically with what we're doing or will they be able to work less hours because their getting more money.

MR BATES There is a formula in which a certain amount of their income and then they lose 25%, then they lose 50%, and then 75%. They stay with the base amount but depending on their income it's adjusted by their income, just having the actual figures that make it up and of course on that scale it gets to the stage where it completely cuts out, your income is too great to get any pension at all. But if your income is just below that threshold you might get a very small pension because the 75%, 50% and 25% do reduce the amount payable to you. It's a, there is a formula there, that's what I'm trying to say and without us looking at that formula and then looking at the Australian formula we are sort of shooting in the dark a little bit. That was the basis of my debate when I mentioned you know maybe we need to think about that a little more.

MR SMITH Yes it certainly needs to be considered because we don't want to disadvantage, we might disadvantage quite a few people that are already receiving the benefits but obviously that will be looked at. But the last thing I'd just like to say, I support what's going on here but there was a review to be done of the social services system and I don't know how far that's got or where that is up to. It would be nice to see all that happen at the same time as this is done if that's possible whoever the Minister is that's responsible for that. Thank you Mr Speaker.

MR BROWN Mr Speaker the review of the social service system has been going on for many years and it's not really likely that it's going to be concluded in the very near future so I would be reluctant to simply delay this while waiting for completion of that review. But one change that could perhaps be made to the Motion to take account of the concerns that several Members have raised would be if on the

fourth line the words "to change" were amended to say "investigate changing" so that we would resolve now to bring about the increase in the actual benefits and we would resolve to investigate changing the level of allowable income and if that would make Members happier I'd be happy to seek leave to make that amendment.

MR NOBBS Thank you Mr Speaker. Mr Speaker I haven't spoken already because I'm a bit embarrassed by the Motion actually and I was really embarrassed also with a similar Motion some 36 years ago on the old Council and do not seem to have progressed the issue very far. My embarrassment is that the older people, and I'm heading that way myself for sure but the older people deserve a bit more that having us debate an issue such as this in a forum like this I believe, but it seems to have come to this and we'll just have to progress it. My embarrassment also that there's been a lot of discussion over the years into a relevant pension or self-funding type pension scheme for the island but nothing's happened and it's an issue that I'm trying to reactivate again right now and I've got some people actually looking at the possibilities of doing that and whilst it doesn't effect the present people on the pension scheme and those coming up obviously in the next few years, it will assist in the future so that people can receive a pension without this sort of thing going on. I'm concerned that the social services committee of a couple of years ago made some very solid recommendations I thought in relation to how the scheme could be, the social services scheme could be better operated. There are some fairly, what I considered and the committee considered was some fairly substantial loopholes in it. The report was provided to the last Assembly but nothing has actually happened, and I thought that Minister Gardner was actually progressing this in with his health review at the present time and I don't know how far that's got and unfortunately obviously he's not here today. Mr Brown spoke of fairness and for sure that's where I'm coming from but there's got to be a fairness somewhere in the system that in moves of, in increasing costs of living on the island that all members of the community have the opportunity to claim some recompense in relation to wages or pensions. It's something that we need to look at and I don't know how the private sector, what gains they have got in recent times in the immediate past, we talk about the Public Service, and there's some criticism about it but they won it fair and square I believe through a supposedly and I'm sure he was an independent arbitrator and they got a fair hearing, and they came up with that. Now it sent some amber lights as they say to other areas in the community and I think that we should be fair and look at the whole lot. I've got no problem in supporting this proposal but I would really love to see some of these areas that the social services committee, and there are others around. I'll give you one example is that there does not appear to be mechanism to check the financial resources of persons who may have some financial holdings offshore. I think Section 30 from memory, and I can't remember the actual, allows the officer here to inspect a local banking facilities and the like and look at their records, but I understand and I may be corrected if I'm wrong but I don't think I am that this cannot be done offshore. And in this modern age of communications and the quick movement of dollars and cents which seem to be going on to avoid the F.I.L at least, if nothing else I would suggest that that is a area where we should look at very smartly. If this, and I would hope that Mr Gardner is actually combining this in his review of health services which I understand he was, I hope he can quickly come up with something, but I'll support the Motion and whether it's 120 or 220 or whatever we'll just have to find the money somewhere. Thank you.

MR McCOY Thank you Mr Speaker. I'd indicated earlier on that I wish to move an amendment to the Motion. My main difficulty is with the second part but Mr Brown has indicated that he will moving an amendment to his Motion and I am far more comfortable with what will be as I understand it, an amended Motion and I am quite in agreeance with there being an actual increase of pension rates, whether it's the threshold that's increased or other words are used but further on in the meeting this afternoon we'll be discussing, or there is a move to increase, to bring into the island

third party insurance and one of the concerns I had with that was the effect it will have on the pensioners on the island who may use their vehicle once a week to go around to do their shopping, or maybe twice a week but apart from that those people would have been penalized unfairly, compared to others in the community who are on the road all day, every day, so at the appropriate time I hope Mr Brown will move his amendment.

MR COOK Thank you Mr Speaker. Might I just draw attention of the Members to the fact, I think it appears in the first sentence of the authorised officers report that the proposed rate, the Australian amount appearing in the second column, takes into account the increase in the income threshold level for those particular individuals who's names of course and details are totally secret, not disclosed but it's a combined amount, both of the increase in the pension payable and the taking into the account that income threshold increase. I only make that point so that it be understood and not misunderstood.

MR SPEAKER Mr Brown I wonder if we could explore that prospective amendment that you have.

MR BROWN Could I seek leave Mr Speaker to amend on line 4 the words, to delete on line 4 the words "to change" and to insert in their place the words "investigate changing".

MR SPEAKER Is leave granted Leave is granted. Thank you.

MR BROWN I so move.

MR SPEAKER Thank you. We have that amendment in front of us Honourable Members. Is there any further debate before I put that amendment to you. The question is that the amendment be agreed to and it is as described the words in the 4th line "to change" and delete and "investigate changing" be inserted in lieu.

QUESTION PUT
AGREED

Thank you that amendment is so agreed. We now have an amended Motion Honourable Members, any final debate in respect of this amended Motion. No final debate. The question is Honourable Members that the amended Motion be agreed

QUESTION PUT
AGREED

The amended Motion is agreed thank you.

FIREARMS AMENDMENT BILL 2000

MR COOK Thank you Mr Speaker. Mr Speaker I present the Firearms Amendment Bill 2000 and move that the Bill be agreed to in principle.

MR SPEAKER Thank you

MR COOK This Firearms Amendment Bill, I've already indicated I think on a previous occasion when the matter was raised in the Assembly, is to bring about a situation of providing for shooters who may come to the island to engage in competition from New Zealand, or New Caledonia or other areas and it provides for the Executive Member to shorten the time normally of 28 days which would be applicable if a person came to Norfolk Island and applied for a permit to use a

firearm. Persons from Australia do not require to have such a permit granted to them and the situation arose in a recent shooting tournament or competition which was held here that it was realised that the permits had to be granted and the regulations were issued at that stage to cover that particular situation. This is to prevent such circumstances happening again. There are other provisions in the Amendment Act that relate to shooters and persons who come with special licences for target shooting and matters of that kind. It seems to be entirely to ensure that there are no difficulties for legitimate and appropriate shooting competitions to be able to take place with these possible difficulties or trouble for those who are registered holders of firearms. Section 17 which had some difficulties in the grammatical construction of it by reason of several amendments to it earlier has been tidied up and I commend that the Bill be in due course passed by the Assembly.

MR SPEAKER Debate. No further debate.

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

MR SPEAKER Honourable Members I put that question to you.

Aye.

MR SPEAKER The Ayes have it. That matter is so adjourned.

PUBLIC MONIES AMENDMENT BILL 2000

MR NOBBS Thank you Mr Speaker. Mr Speaker I present the Public Monies Amendment Bill 2000 and move that the Bill be agreed to in principle.

NR SPEAKER Thank you.

MR NOBBS Mr Speaker this Bill is to amend the Public Monies Act 1979 to bring it into line with changes that have taken place in management of the Finance Department of the Administration and in the method of accounting public monies. The designation of accounted was changed to Finance Manager some time ago and the person occupying the office of Assistant Finance Manager carries out some of the duties and responsibilities of the Finance Manager in the ordinary course of business. This has been questioned during internal audit and it is in the interest of the Department to change the Act to meet the conditions. There is need to put beyond doubt the ability of the Department to expend public monies from the Administration services fund, the trust fund and the loan fund without recourse to an Appropriation Bill. Mr Speaker the proposed amendment also provides for the Chief Administrative Officer to make a direction for the purpose of the Act and for a copy of the direction to be sent to the Executive Member who may revoke the direction and who shall lay a copy of the direction before the Assembly. As I said in that statement Mr Speaker it is to change the Public Monies Act. I think that in Section 28 is a, there are a lot of housekeeping issues in this but Section 28 is to clarify one particular point there and it refers to the expenditure of monies charged against the administrative services fund, and the trust fund, and the loan fund. By way of explanation, prior to creation of the Administrative Services Fund the Administration's G.B.E's were conducted in the trust fund. Section 28 (a) was excerpted into the Public Monies Act to allow the Administration Services Fund to operate without the need for an appropriation Act. However a previous Crown Solicitor was of the view that Section 28(a) not clear in that respect. The Crown Solicitor did advise that to avoid ambiguity a clear provision be put in the Public Monies Act authorising expenditure from the Administrative Services Fund, the Trust Fund and

the Loan Fund without the need for an appropriation Bill. That's the reason for that. The Section 32(a) is respective from July 1999. The Revenue Fund has adopted accrual accounting principle which brings this fund into line with the Administration Services Fund, that's the G.B.E's. The Revenue Fund Suspense Account Provisions contradicts recognised accrual accounting principles by distorting the financial years results. The proposed amendment will allow for a smooth transition from one financial year to the next and will assure that only real expenditure, cash plus genuine accrual is reported in the financial period, that is July to June in focus. The other one I guess would be, and other Members may have some queries but relates to the Chief Administrative Officer. I think 38 controls that and some comments were made here. The Finance Manager, in the past has looked for ways to better control expenditure of public monies but have failed to use Section 38 to meet their concerns. Also, MLA's are sometimes unaware of ministerial actions. Ministers are now required to table directions of virements and for the waiving of customs duty. This proposed amendment, along with the appropriate use of Section 38 has been suggested as a solution. Likewise even though the CAO is delegated powers under Section 38 more than one CAO has commented that as Chief Executive Officer of the Norfolk Island Public Service they feel they should have managerial powers under the Public Monies Act in their own right and not have to rely solely on the delegation from the Executive Member. I agree entirely with that Mr Speaker and I feel that the management structures have to be improved within the Government and the CAO and senior managers should have a greater flexibility in that particular area. However I will allow the matter to rest with you Mr Speaker.

MR SPEAKER

Thank you. Debate. No debate.

MR NOBBS

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

MR SPEAKER

Thank you and I put that question Honourable Members.

Question put
Question agreed.

YOUTH ADVISORY COUNCIL BILL 2000

MR SMITH

Mr Speaker I present the Youth Advisory Council Bill 2000 and move that the Bill be agreed to in principle.

MR SPEAKER

Thank you.

MR SMITH

Mr Speaker the object of this Bill is to establish the Youth Advisory Council to advise the Executive Member on matter of concern to young persons and policy and programmes concerning young persons, and to provide a channel of communication between the community and the Executive Member in relation to matters concerning young persons. I would not like people to be confused with the Youth Advisory Council as being a thing that is run by children. This is a serious attempt at providing a venue for people in the age group that is determined between 16 and 30 years to be able to have a say in island matters, particularly where it relates to young people. Youth Advisory Councils have been developed all around the world. Australia has quite a large number of Youth Advisory Councils which over there report to the Minister for Education or similar Ministry. I was talking to one Minister in I think it was a Western Australia Minister who said that they have 70 or 80 of these Youth Advisory Councils. They are finding them very useful in advising on matters that

sometimes, particularly if the Parliament is of an older age group may not always consider the younger persons views about things. I see this as a very useful Council and I would look for Members support for the setting up of a such a Council and we've already had some input into developing the legislation to provide it and I would like to see Members support the Bill. I do intend to adjourn it until the next sitting so that this has exposure and I'd like to look at passing it in the next sitting. I think I'll say little else at this point Mr Speaker unless Members have some other queries or suggestions with the Bill.

MR SPEAKER

Thank you. Debate Honourable Members.

MR BROWN

Mr Speaker this Bill has taken quite a deal of drafting time I can see that it's been through 3 separate drafts. It's a relatively lengthy Bill and it's purpose is to be able to obtain advice from young people who can give advice already. I'm not sure that this Bill is a justifiable use of the resources which have already gone into it because I really don't see that there is any advantage going to be gained from it. It's a Council which won't be an elected Council, if it was an elected Council I would think differently, but this is a Council that will be appointed by the Executive Member. Now let's look at a somewhat similar situation, tourism, the Executive Member has a tourist accommodation officer, he has a tourist board, but he has now appointed a tourism council of some such name which comprises the tourism accommodation officer, someone or some people from the board and perhaps some others and one says why are we creating all of these advisory bodies instead of actually doing the work that needs to be done. I'm not going to oppose this Motion or this Bill, I propose to abstain from voting on it but I think it is very disappointing if young people have felt it necessary to await the Legislative Assembly's passage of a Bill such as this before they can have something to say. Thank you.

MR SPEAKER

Thank you. Debate.

MR SMITH

Thank you Mr Speaker. I take not of what Mr Brown has said. I'm really really surprised that he's going to abstain. I would have preferred that he voted in the positive or the negative but as for the appointments to the Youth Advisory Council, I did consider if we could have people elected to this body, I think that would be fraught with difficulties if were to do that. I also, once the Council is up and running, it might be a recommendation from them that the composition be done differently and that the Minister, not necessarily be the person who appoints them. I think it's important so say that, I'll repeat what I said earlier, this is a serious Council. Now if you take people in the community who in those age groups that would fit into this category and I already have some that have indicated that they would really like to have the opportunity to have a serious say in the island's affairs, now all Members know that we're all accessible as much as we can be, but when a person contacts any one of us, usually on our own, it might be at home, or in the office, there is only that one person that they get to see, but when you have a group of people, similar to the Assembly, you could say well we don't really need a Legislative Assembly, there's a committee we could just have one person, but that's not the way it's done, and the same for an age group that generally, I mean you could say that the people in this age group could actually stand for the Assembly provided they are over 18, but how come they don't and some of the facts are quite obvious. If somebody is working they don't want to put their work in jeopardy or their educational training or whatever it may be at that age group, to put all that aside to be a member of the Legislative Assembly, but this gives them an opportunity to be in something, in a forum where they can have a say, where there are a lot of matters that we deal with that effect not only people of our age group but all age groups and they will have the opportunity to make comment on it and make recommendations, or other issues that we may not even consider in our daily thinking,

that they may be able to raise with the Ministers and make recommendations on those.
Thank you

MR SPEAKER

Thank you. Mr McCoy

MR McCOY

Thank you Mr Speaker. I will be supporting this Bill of Mr Smith's. For a long time I've been concerned that the youth or the age group that Mr Smith has indicated will be involved has had very little say in their own affairs and I harp back to not so many years ago when the youth of the island had a place call the Youth Centre which was opened by the Duke of Edinburgh for the youth of Norfolk, and by some moves that Youth Centre was then changed into a museum and I did fall into the age group of being the youth back then and I don't recall any time, any Members of the Assembly sought interest or comments from that particular group of youth on the island as to whether they would like to have their Youth Centre just taken away from them and their now left to find their own means of entertainment which we see problems with that everywhere on the island, and I believe this is a good opportunity for youth to become involved and to make some representation to the Assembly Members as to issues that they feel quite strongly about and also I see it as a means to give the younger people on the island an opportunity to be involved in a slightly more formal sense with a public council, so when someone reaches the young age of 25 and they've been on the Youth Council for the past 9 years, they may feel that they have the experience and the ability to provide some meaningful contribution to the Norfolk Island Assembly, rather than putting their hand up just to get slapped back down to say well, your too young, you don't have any experience and what benefit will you be on our Assembly. So I do support and hope the other Members will support Mr Smith's initiative. Thank you.

MR SPEAKER

Thank you. Further debate.

MR WALKER

Thank you Mr Speaker. I'd like to support the Bill also. I think that if we are serious about having this type of Council for the young people, it needs to have structured guidelines. I also think that this type of Bill will allow continuity past the life of this Assembly whereas it is possible if it was not so structured that it could be at the whim of the Minister of the day. I would like to support the Bill.

MR SPEAKER

Thank you. Further debate.

MR BATES

Thank you Mr Speaker. Yes I'll be supporting the Bill, I wonder about a few issues. It seems to me that 6 or 12 is a small number of people in the age group between they might be between 16 and 30, I see that a member can be re-appointed, that is elected for 2 years. I would hope that it was more likely 12 members than 6 and I would hope that there was a chance for a bit of rotation amongst the membership where people are interested. I wouldn't like to see it develop into a small pressure group without really fulfilling what is envisaged here. I don't know what, and it's probably in the Act and I probably haven't come up with yet but whether the Minister could pick his mates, or whether he's got to be a little bit more choosy and anybody that says to the Minister "hey I'd like to be part of that committee", I don't know if there's any real criteria in which he uses to say yes A can be part of that committee and B can't. I also wonder if 30 is not getting a little bit out of the youth area and whether to give it more of a training in the younger people, and to allow more people to participate if they feel that way, maybe that should be reduced to 25. I certainly will support the Bill I just think there are a few more things that could bear a little bit of thought over the next month. Whether that 30 should be reduced to 25 and whether we should be handling it a little bit more of the criteria of how the Executive Member makes the appointments and whether there should be some control over how long particular

members can be there, so that it gives others a chance to participate. They are only just initial thoughts though. Thank you Mr Speaker.

MR SPEAKER

Thank you. Mr Smith

MR NOBBS

Thank you Mr Speaker. I support the Bill. I've discussed it with George and I think that it provides input to, unlike Mr Brown I'm in favour of getting as much advice as I can from the community and these formalised type arrangements have value as well as informal situations but I support it and I hope that the youngsters will get behind it themselves. Thank you Mr Speaker.

MR SPEAKER

Thank you.

MR COOK

Mr Speaker I certainly support the Bill. I think it's an excellent idea. I think in forums such as this which are carefully structured, young people can exchange ideas, they can listen to discussion, and that's an extremely important thing I think that can take place in such a situation instead of just having their own idea that they can cling to, they can hear other people's ideas and either understand those and modify their own approaches, or decide to stick to their own point of view. I think it's an excellent training and if you look at it really, I mean if young people have an opportunity like this to exchange ideas and to discuss issues and come to consensus that maybe this Youth Advisory Council would be good training for future members of this Assembly.

MR SMITH

Thank you Mr Speaker. Yes that's a good point that Mr Cook has just raised and I meant to say that earlier on. Part of the planning process of all this is Members will be aware that we've developed the Norfolk Island's Youth Assembly which is a school concept from Years 7-10 and those young people come down here and they talk about their issues which not surprisingly reflect a lot of the community's feelings quite often and we tend to forget that sometimes, because somebody is not our age that they don't know what's going on and it does happen in my observation with the Assembly over the years that has been the case. I see it that people that may take that opportunity go through the youth assembly may want to be appointed to the Youth Advisory Council and certainly if they do that then they certainly would be getting really prepared or preparing themselves to be a good member of the Legislative Assembly, and that's the sort of thing that would be really good to achieve. I appreciate the comments being made around the table. The age group Mr Bates just queried, I need to point out that the age group of the NSW Advisory Councils are younger. They go from 12-26. I felt that we should bring the age group up to 16 or whatever we end up deciding it will be, but taking it up to 30 purely because there is not a lot of people in those age groups and the more that we have on the adult side of it, the more opportunity we will get to getting the real feelings out of the people. I'd just like to make a comment that Brian just made and it's been an issue for quite some years, something like friends of mine being appointed to the Council. I've always been wanting the opportunity it's very difficult if you do know a lot of people on the island if your pointing to a board, there's always somebody going to say that that's a mate of his or a mate of hers you know and it's unfortunate but it has to happen, your not going to put people that you don't know generally onto some boards, but I'd just like to point that out. But thanks for the support to this degree anyway and if there is anything seriously that Members would like to change we can certainly do that in the next sitting.

MR BATES

Thank you Mr Speaker. I think we canvassed this a little bit last week but we did pass the Motion about the resource and financial impact of Bills. I am still of the opinion that this one is lacking that to some extent. I mean simple little things in here, they seem simple at the time, and I'm not knocking the Bill on this at all, don't take me wrong here, but it says "to consult with young persons, community

weight, so the problem is that we need to fix this up, it's a safety issue and I ask that Members support the proposal.

MR SPEAKER Debate. No debate.

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

QUESTION PUT
QUESTION AGREED

TOURIST ACCOMMODATION MORATORIUM BILL 2000

MR SMITH Mr Speaker I present the Tourist Accommodation Moratorium Bill 2000 and move that the Bill be agreed to in principle.

MR SPEAKER Thank you. The question is that the Bill be agreed to in principle. Before we commence can I say Honourable Members that the report from the Business Committee is that it is met and determined understanding Order 158 that the Tourist Accommodation Moratorium Bill 2000 be declared urgent and its passage expedited.

MR SMITH Yes thank you Mr Speaker. Mr Speaker I suppose it doesn't come as a surprise to many people in the community that we've taken this action, or proposed action of putting a moratorium on any new registrations in the tourist accommodation area. There has been some disquiet, I suppose you could say in some areas of the community and that has been passed on to Members, and some more than others feel quite strongly about it. So the impetus for a moratorium on applications for tourist accommodation which the Bill takes up read to comes from those concerns. The history of tourist accommodation is interesting and anomalous and I don't intend to go into that today as no doubt some other will. Instead I'd like to focus on what the objectives are for the Government and therefore the Legislative Assembly's reasons for making adjustments to the industry from time to time. In the early 90's I'd taken the view that the time had come to loosen the necktie on expansion of tourism, and at that time I promoted replacing the beds lost to Paradise, Paradise Hotel closed in 1986, there were some 84 beds and I promoted the idea that we should replace those at that time by allowing a replacement facility to be constructed. At the time I believed that the replacement should be in the form of a hotel complex. However that was not to be, the Assembly weren't very happy with that idea at that time and I guess I was a bit ahead of my time at that time, but when it comes to changing something that has been in place for many years it's often difficult to get agreement to make a change, even though there can be lots of flaws in some of the things that have been around for a long time. So in the mid 90's the forward thinking Minister Mike King took the opportunity to loosen up that necktie and let a bit of economic reality take over and relaxed the pressure on tourist accommodation. Mike saw the potential that could be achieved by increasing the number of available beds for sale to our visitors just at the right time incidentally as one of the major airlines released itself from the Australia-Norfolk route. Two new airlines had commenced the run and the confidence they needed just right then was the expansion of tourist accommodation. The tourism strategy had proposed that there needs to be 340,000 bed nights by 2005 if the industry on Norfolk Island was to improve, and the best way to do that was by breaking the barriers that prevented new accommodation being built. Mike also wanted to see the benefits of tourism shared around by more of Norfolk Island people and de-registered the bed numbers and the sealing on units to provide for that to happen. He was also cautious about the impact that could occur if there was a sudden surge of building in a short period of time and he

wanted to spread the construction programme over a planned period, which is how he set it up. I too was cautious, I was in the Assembly at that time of the effects of open slathered building as I was still keener on a larger complex rather than many many small ones. As Mike pointed out that would not have shared the benefits around in the same manner in what he'd proposed. So did we end up with? Over the last three years we've gained 180 beds, new beds in 47 units that have actually come on line. Of those 28 of those are new properties many of which are just single units, or one a house with 124 beds and existing properties have added 19 units to their existing facilities and 56 beds. Bearing all that in mind we need to question what it is that's making us nervous about the tourist accommodation industry and why such a Motion is around. Is it the lack of rain and therefore the lack of water supplies, is it the fact that overnight accommodation houses are springing up on land that we probably never thought we'd ever see used for that purpose. Is it that there seems to be a lot of traffic on the road, well there does seem to be, we just can't find parking in Burnt Pine just when we want it. Is it that so much took place over the last three years with the previous Government that we seem to be not ready for such rapid expansion all at once, for example the two big projects that commenced, the airport terminal building and the Cascade Cliff project, we introduced commercial television, and started on the Burnt Pine upgrade all in that short period of time. Maybe it's a combination of all those, that we're still getting used to as well as seeing new accommodation being built right on top of that. I think it is. Although our numbers have increased over the last two or three years the numbers haven't really increased just because there has been new tourist accommodation. There has been a lot of other factors that have come into it. The island experienced competition on the Australian air routes for the first time in a large sense when Flight West and Norfolk Jet Express replaced Ansett on the Sydney and Brisbane routes and the amount of exposure that Norfolk Island received in that period was really impressive, thanks to those airlines and the Norfolk Islands Government moves in that area. So here we are a couple of months into our term and we're saying that we've got to stop and have a look at what we're doing with tourist accommodation. My first reaction when it was put to me was well let's just assess where we're going first before taking any reflex moves, but then the more I got into it, I realised the more difficult some of the problems are. There's problems within the legislation, regarding tourist accommodation, there's problems within the approval process, for example when people apply there's very little that I can do to stop somebody getting an approval from the Minister, which then goes through the planning processes and they've got to satisfy all those of course. There's many other issues that do come into it and I do support a moratorium for a period, we've proposed 12 months but I think that's too long but knowing how things do work it's probably going to take 12 months anyway to review the legislation, the effects of new accommodation, the assessment of the Norfolk Island Plan and the communities reaction, one way or the other. So in saying those few words I won't say anymore but as the Speaker said I'd like to take this through all stages today and I'll leave the debate to somebody else. Thank you Mr Speaker.

MR SPEAKER

Debate Honourable Members.

MR BATES

Thank you Mr Speaker. I won't be voting on this Bill for reasons which are obvious to everybody. When the ban or whatever you call it, the quota was lifted or whatever you like to call it, and I've said this before but I still have a feeling that the controls need not be in moratoriums or something like that, that if we do use the other controls that we have available to us and if we use them correctly then I think we can control this. I think one of the difficulties that I've seen is that when you get to the area of Category 3 applications under the Planning Act then they seem to get approved just a little bit too easily. Category 3 applications under the Planning Act I believe are, should really be approved, they are there so that you can get around it if it's absolutely necessary, but I think they should really be approved, not just a matter of having a public meeting and if nobody objects then you get approval, I think it should be

very difficult to get approval for those categories. I think also that if the other things at our control, and I mentioned them before that's the height of buildings, we've got a policy on 3 storey buildings, we've got rules on distances from boundaries, we've got rules on how much earth you can move to create a building platform and driveways and I'm not 100% certain that that latter one is being used correctly. I've been a little bit surprised at some of the cuts that have been made to create driveways and building platforms and without knowing much about it they seem to have been a lot more than the approved 50 cubic metres. However I'm not really up in that and I'm really inadequate to comment but I think if we do strictly adhere to the zoning requirements and the different category applications in the Planning Act, the requirements for water, the requirements for sewerage, the numbers of buildings on each block, and the other things that I've alluded to I think we can control this but we must be strict about it, we mustn't let those that get outside those parameters which we set in those places go ahead simply because nobody's objected to them. However, as I said for obvious reasons I will not vote on this. When I agreed to lifting it I had no intention of building a couple of units. I've done that as a retirement package for myself and my wife. I don't want somebody saying well know you've got yours, your o.k. and your going to prevent me from doing the same. As I said I had no intention of doing it when I agreed to the lifting of it, because it would be a little bit embarrassing for me to vote on the issue at the moment and I will abstain. Thank you.

MR SPEAKER

Thank you Mr Bates. Debate

MR WALKER

Thank you Mr Speaker. Unlike Brian I will be voting on this Motion. However, I agree with him on the basis that it's not the actual tourist accommodation that is at fault, it's the way in which we are administering the approvals for tourist accommodation. This Bill has been introduced to the House on the recommendations of the Executives, however I believe initially not all of them were in favour. For the benefit of members and the community listening to this broadcast my assessment of the events leading to and reasons behind the deregulation of tourist accommodation in the 7th Assembly by the then Minister innumerable and well founded. I believe this issue is not one for closing the door again on all new and redevelopment projects but more one of getting the approval process right in the first place. I do not support the manner in which numerous approvals have been given, regardless of the state of current tourism policies and marketing strategies. In an attempt to be brief Mr Speaker I have reduced the following to dot points of reference. In 1992 a report entitled Norfolk Island developing a tourism marketing plan highlighted weaknesses in our 60's style accommodation. In 1994 a visitor survey analysed by E. Patterson of the Department of Tourism, Tasmania produced comments that no destination can stand still and warned of losing our competitive edge. He went on to say a concerted effort to upgrade accommodation facilities and standard of service was essential. In 1995 the Norfolk Island Government Tourist Board commissioned a Mr Ken Chamberlain, Executive Director of PATA to assess our tourist industry. He made the observation of our accommodation being very much all of one standard, geared to the tastes of people for the most part born before the Second World War. Mr Chamberlain gave our number one priority as one of upgrading the standard of our accommodation. To achieve this he recommended that new hotels and accommodation units are required to set the standard. His report offers much in the way of advice for how we might control and plan any future development of the tourist accommodation industry. In 1995 this House endorsed a tourism policy, touched on by the Minister in which there is a section which states to bring tourist accommodation up to today's competitive standards and strengthen the competitive position of the tourist product generally. The same policy statement also endorses a balanced growth in tourism activity to a target of 340,000 bed nights by the year 2005. Also in 1995 a community wide survey was called have your say, identified that there was considerable support for deregulation of tourist accommodation and a general need for upgrading for our existing accommodation

stock. Mr Speaker in 1996 the N.I.G.T.B marketing strategy Unity 2005 was tabled and endorsed by the 7th Legislative Assembly. In 1998 the Norfolk Island Government Tourist Board under its new corporate identity, Tourism Norfolk Island tabled in the House through the Minister a new report call 1998-2000 Marketing and Business Plan. Mr Speaker I would remind Members that this document is the current marketing and business plan for the year 2000 and it is being used by our marketing arm for tourism. This plan identifies in the executive summary under key issues accommodation supply, Norfolk Island's approximate accommodation carrying capacity is 38,400 public stay visitors per annum. The lack of accommodation supply on Norfolk Island has the potential to impact on viability of Norfolk Island's air services and under accommodation standards 15-25% of Norfolk Island's existing accommodation units are of a lesser quality than visitors expect and demand in the 1990's. A need to upgrade, modify and improve accommodation and service levels to cater for increase in consumers sophistication to ensure that Norfolk Island remains competitive. These headings are expanded on in their text and some important recommendations for the guidance of the Minister when approving tourist accommodation applications, and they are important Mr Speaker. Firstly they are, preference be given to quality accommodation with a critical mass i.e. more than ten units. 2) Adhoc development whereby applicants proposing small development using standard houses for tourist accommodation should be prohibited and 3) recognition be given to high quality, boutique accommodation to fulfil niche markets. On page 12 under the Accommodation standards and marketing and business plan states "the poor standard of numerous accommodation establishments on the island is severely hindering Norfolk Islands overall marketing activities. This problem will continue to worsen if no corrective action is taken". It goes on to say "Norfolk Island is in danger of losing its market share in the longer term to operators, particularly accommodation proprietors failing to recognise the need to upgrade, modify and improve service levels to cater for increasing consumer sophistication". So here we have a current marketing and business plan stating similar warnings in 1998 as we were given in 1992 at the beginning of this process. Mr Speaker a report titled "A preliminary analysis to assessing the impact of deregulating the tourist accommodation industry" was commissioned by the 8th Assembly in late 1999 to identify the impact that deregulation of the tourist accommodation industry has had to date. Mr Speaker in the executive summary the report identifies the following main conclusions. 1) The impact to date has been positive, not negative, positive based on the average N.R.M.A ratings it has elevated the quality of the average new unit and consequently of the industry as a whole. 2) Resource management to date is considered manageable or insignificant 3) Minimal numbers of units have been converted from the rental market to tourist accommodation. 4) The number of new units operational since deregulation represents just 11% of the total tourist accommodation stock. Mr Speaker are we to ignore these conclusions and all the advice we have sought over the last 8 years without giving due consideration tot he future of tourism on Norfolk Island. Mr Speaker at this point I must note for the record that those accommodation proprietors who have continued to upgrade and make a concerted effort to stay abreast of the changing market are to be congratulated for their foresight. I have personally seen a number of units on the island that are first class and worthy of a very high rating. Mr Speaker whilst I am aware that a large number of applications for future tourist accommodation are held pending in the system, I am not aware of any attempt to assist these applications for their genuine desire to proceed. Would it not be prudent for the Assembly to request the Minister to canvass the pending applicants to ascertain their real intentions prior to any moratorium being set in place. It is my belief that the result of the assessment would reveal quite some proportion of those applications where there is no intention to proceed in the short term. Mr Speaker it should be noted by all members that any substantial project in the tourist accommodation area has an arduous and long planning process prior to any development beginning and eventual opening for business. Conservatively most substantial projects would require some years in the planning, application for approvals, obtaining supply and physical building processes, therefore in my opinion this

moratorium, if passed effectively delays future substantial new development for up to 5 years hence. Mr Speaker the problem as argued by the Chief Minister, whom I believe is the instigator of this Bill is that the Planning Act and the Norfolk Island Plan do not prohibit the development do tourist accommodation in rural areas, that is they are basically flawed according to the Chief Minister. Mr Speaker I am putting forward the argument that advice received and the considered decisions taken by previous Assembly's have been that we must move to upgrade existing and encourage new development in the tourist accommodation area to maintain our competitiveness. Therefore our task as I see it is not to put a moratorium on tourist accommodation development but one of amending the Planning Act to coincide with the endorsed tourism policies. In other words Mr Speaker it is a matter of controlling the development of our tourist accommodation stock through sustained management of the stated tourism policies. If there are flaws in relevant Acts that are contrary to achieving this end then we need to address those problems and ensure that we can carry out the desired level of control we require as laid down in the policy documents. In conclusion Mr Speaker over the last eight years we have had the industry under close scrutiny by experts in the field and similar warnings have been given by all, that is we either modernise or lose our competitiveness in an aggressive industry competing for the same market share. The previous 3 Assembly's have recognised this and moved to correct it. I say again that it would appear that the problem is more one of adhoc approvals rather than considered ones that comply with all the criteria sitting in the tourism strategy papers previously approved by this House. Mr Speaker the warnings of the last 8 years must be heeded. This Bill does not incorporate in it any method whereby we might continue to gain a modernisation of our accommodation stock, nor does it allow the introduction of new properties with sufficient critical mass to enhance our desirability in the Australasian market. I am not in favour of a total moratorium based on information which all points to the contrary. It is up to us to manage the tourism accommodation industry in such manner as to secure the viable future of our current economic base, tourism. I will not be supporting this Bill.

MR SPEAKER

Thank you.

MR McCOY

Thank you Mr Speaker. I have quite an indifference to Mr Walker. I appreciate all his hard work he's done in putting his paper together and researching but I believe Norfolk Island offers a unique tourist destination and if the Government is not going to act in a responsible manner to ensure that it continues to be a unique tourist destination then yes we will lose our marketing edge. I do have a concern with the proliferation of accommodation units out in the rural areas of the island and Mr Walker has alluded to the fact that there needs some adjustments made to legislation. I found it quite surprising where the Norfolk Island Plan allows people to fill the rural areas up with accommodation units and as I indicated earlier on I have been one of the ones who had constructed accommodation units but then when I look at my property and I looked at the fact that in my small area in the street alone there's six individual property owners and we all have every single right to build 5 units on our rural area properties and therefore if you drive down the road, if that was to happen it would be just like driving down a street where you just came from or a suburb. One of my main concerns here is the impact on the environment of increasing the number of units on the island which theoretically increases the number of people who will visit Norfolk and there are in the Unity 2000 marketing strategy, one of the main objectives or aims of that strategy is to ensure the lifestyle of the people of Norfolk Island through the steady and managed tourism industry, and of course it is desirable to achieve in the short to medium term a balance on the island, which while maintaining the tourist industry at an economically sustainable level, does not intrude on the unique lifestyle of Norfolk's community as a whole and yet offers a worthwhile future for all its residents. I am of the opinion that if we were to follow the, to some degree the wisdom (of experts) who visited Norfolk for maybe a day or two days and was whizzed around by a couple of

people, well I do believe that they may be experts in the field of tourism, but as far as experts in the field of what really suits Norfolk as a tourist destination I question that, and I also question how if the intention or the advice that has been given by the experts is purely based on or aimed at achieving mass tourism and that is very simple to do, but we would ruin, absolutely ruin what the present market that we aim at come to Norfolk for, and that's a unique tourist destination. So to some degree I agree with Mr Walkers concerns about the units being spread all around the island but one of my main concerns with the Norfolk Island Plan connected with that is the fact that the commercial area, or central area of Burnt Pine, you can't build tourist accommodation units in there under the Norfolk Island Plan which seems pretty strange when a lot of money, time and effort was spent on putting in a sewerage scheme to take in that whole area, and the rural areas of the island the sewerage scheme does not extend out to those areas, so of course when the review was conducted in the previous Assembly and the sewerage treatment plant was considered, well yes there has been no real impact on the ability of that treatment plant to continue to operate in a health efficient manner. The fact that we've had all these new accommodation units has not impacted on the sewerage scheme, but the sewerage scheme was put in to save the underground water table being poisoned. I know the new units in the outlying areas have new modern types of holding tanks but they are yet to prove themselves. The other consideration with those new holding tanks, is most of them I believe that they have 3 submersible pumps operating in them so there you have again a draw down or an impact on the electricity services to those areas. When we think about the electricity we've seen the cost that has been incurred by people who put new units in the outlying areas because the reticulation has not been upgraded out to those areas as yet. So to some degree we've done like they did in the early days as a practical joke, they've put the horse on the other side of the fence and then tried to hook the cart up to it, it doesn't work. You have to put the horse in front of the cart and then take it from there and I believe that is what this Bill of Mr Smith's will do. Also on the opinion that we only have enough capacity for 38,000 visitors or visitor beds per annum, well we did achieve 36,000 last year and that was on a estimated 60% occupancy rate so we've still got room to move but I again question the accuracy of the 60% occupancy rate. The other area that I have a concern with, I have may concerns is when we talk about the protected environment, well to some degree this Motion does create a protected environment but we must realise that people in the community have invested money and it would be a shame to see these very same people sitting out there with empty units and therefore we have to look at adjusting the immigration legislation so that they can sell their units off because there is a belief on the island that there are a lot of people here who wouldn't be able to afford to buy the units if they came on the market but I have a different view to that as well. Then we look at the Grants Commission, there were many indication made in the Grants Commission that Norfolk is not managing its best asset, and that's its natural resource, the island, in the area of waste disposal, thankfully the present Minister for Health has got some initiatives going to try and address the waste disposal problem of the island but unfortunately the measures that are being put in place will address basically the food scraps and garden Greenways, there are bigger problems than that which are directly related to tourism and that is the amount of cars that we have brought into the island because nowadays a lot of tourist accommodation units on the island provide a hire car as part of the service and the records show that there was an increase in the number of vehicles coming to Norfolk but all indications show that it has leveled out. Sure the other side of it was that a lot of people thought well there's a good opportunity now to upgrade their particular private vehicle because of the cheaper Japanese imports but there will come a time when a lot of the older hire cars will become scrap, go on the scrap heap and what usually happens to them is they go around to the airport where they're burnt out, if they do get burnt out and then they are thrown off the chute at Headstone. Now if anyone cares to see the amount of rusty steel that's piling out at Headstone I seem to keep harping on this, there's a pile of rusted metal out there against the cliff face as large as this Assembly building. Are we going to continue to let

that happen. Also there was mention there of the fact that this deregulation has helped to cause people to upgrade their accommodation, the accommodation standards. The shopping centre has never ever been deregulated but anyone driving through the shopping centre I'm sure will appreciate that the shopping centre looks a lot better now than it did only 5 years ago and had nothing to do with any deregulation. Every single person in the tourist accommodation industry who wants to be a leader on the marketing edge or to have a bit of an edge in their marketing ability has continually upgraded their units and I was glad to hear Mr Walker make indication to that because I think it is a bit remiss if we sit back and criticise people who are, the proprietors and say that they are not doing anything to look after their own industry, I don't think that's fair at all. Also we're all aware of a pending application made by the Colonial of Norfolk Island which indication was made this morning, it's been backward and forward to the Planning Board and there's only one sticking point there and that's the water catchment or holding criteria. Now I'm sure once that's has been sorted out we will most probably see those new units start to get constructed. I'm sure everybody can see presently in Queen Elizabeth Avenue there's a lot of activity around the proposed 55 new units to be built there. So there we have another lot of 55 brand new units. In Middlegate we see 5 new units being built there, so I do support the Bill on the grounds that 1) we cannot just role along on experts advice who are, as I appreciate experts in the tourism field, because in doing that we run the risk of what the visitors come to the island for. Also if you take a drive along place like Puppy's Point where you see nowadays more and more vehicles use that coastal scenic drive and because more people are using that scenic drive and you have larger buses, more regularity of buses driving along there, it has now become necessary for the Administration to frequently grade that road and anybody who wants to observe you can see the road that used to be up with that bank is now about a foot deep. Another couple of years you'll most probably be down to 3 feet deep and then we'll be looking at pushing the bank of so people can still see the view, so I believe that we need to step back and have a look at exactly where we are going with the tourism industry here and what we want to do with it and I would also suggest that it may be an appropriate time for the Assembly to look to the community again as they did prior to the Unity 2005 report being put out to have some indication as to where the community wishes to go with tourism on Norfolk Island. Thank you Mr Speaker.

MR SPEAKER

Thank you.

MR COOK

Mr Speaker I'm going to support this Bill. I don't think it's necessary for me to spend any time saying anything, I think in a great deal of, in a very substantial way and a great deal of what Mr McCoy has said is what I was going to in fact avert to, maybe a slightly different way, but the content is the same, so I won't find it necessary to do other than say that I support a great deal of what he has put forward as being the reason why he intends to support the Bill and I so intend also.

MR WALKER

Thank you Mr Speaker. I'd just like to put Mr McCoy right on one of the issues that he's taken up from my presentation and that is that he talked about the experts and those that have come here for one day and gone away and written a report. The greater bulk of the experts I was talking about here are the last 3 Assembly's who are not people who come here for 1 night and then go away. They have made considered decisions, they have brought forward through the Tourist Board two very comprehensive marketing strategies which include the policies of this House as part of those documents, so the experts, so to speak are the people who sit around this table. Thank you.

MR NOBBS

Thank you Mr Speaker. You don't sound too good sir.

MR SPEAKER

I could say that to you sometimes Mr Nobbs

MR NOBBS

Thank you Mr Speaker. That woke them up anyhow if nothing else. It's been claimed that I'm the architect of this Accommodation Moratorium Bill and if I were I would be extremely proud to be the architect of it but in actual fact it was an agreement between the Executives and it was brought to the Members and I believe that we had support in that particular forum as well. Now the issue Mr Speaker is extremely complex and as we've heard from speakers around the table, not one factor can be taken in isolation, they all should be considered. I don't believe that you can say that we'll just worry about the approvals and the like, there's nothing. What we have going on at the present time, and that members of the public are well aware of this, and we've told them what's happening is that the Norfolk Island Plan and Act are being reviewed, there's an immigration review going on, there's a health and social services review, there's a waste disposal proposal being developed, water requirements extend are currently to new construction, there's talk of extending these. There are proposals to extend the sewerage system, all these things are going on and this is not to stop tourism, it's not to stop the place completely, what it is is to have people make sure that we turn and look at what we're doing and to ensure that this island retains that edge which I believe it has, whether it's been marketed correctly and there's arguments how we should be marketing and the whole lot, and you could just imagine if we pulled one issue out and said well this will fix it, how long it will take us to stop the thing. In the meantime the whole world will just continue and there will be, we'll be having problems left right and centre. I believe that there has been an indication, the community's concerned about it, we the Assembly has been concerned about it, the last Assembly was I can tell you that and that's why the Planning Act and all these other things are in the process of being reviewed, and this is just a pause to look at ourselves and it may take 12 months but boy oh boy I think we're better off going this way than having it, just leaving it and trying to handle one little bit of this and one little bit of that at a time. The worry I know from Members and from members of the public is that this thing will hang around and nothing will be done. I can assure you that the Executive that we have at the present time, this is not the way that we are doing things, and I would hope that this would continue and as long as I'm in this position you can be assured that we will be getting through these things as quickly as we possibly can and I ask you all to support it and I hope that the community in general, and that accepts that this proposal has been put in good faith, that we need a pause to look at where we're actually going on the island here and all those considerations being the experts from long time, or short time, or been here 5 minutes or whoever they are will be looked at, and the whole process I hope will be pulled together within the 12 months as required under this Bill. Thank you Mr Speaker.

MR SMITH

Thank you Mr Speaker. It might be helpful to people around the table and anybody in the community that has concern on either side of the argument here that I did point out before that there are x amount of properties that have been approved and are operating and the fact is that the objective of this Bill is to put a pause on as Mr Nobbs has said, but that's only on the acceptance or consideration consideration of new applications we still have in the pipeline a large number. The applications that have been approved which is conditional registration at this point stand at 230 units at 585 beds. Now whether all those will be taken up past the cut off date which I think is the end of June or beginning of July or not I don't know but if it's assumed that they do we still have an awful lot of accommodation that can still be built under this moratorium. So if somebody's concerned that we're actually stopping the while thing, we're not, what we are doing is stopping any new applications, and even that in itself is not too bad because if you look at the approvals since 1996, or the applications by year, and I'll just quote those was 163 units in the first year 1996, 130 in 1997, 87 in 1998, 54 in 1999, and 28 so far this year. So there is a limit to how many people actually really want to get into this industry. So I don't know that that trend would

continue, I assume it probably would to a point where you'd only get 2 or 3 a year. I can't guarantee that of course. So I don't think this Bill is going to make a lot of difference to a lot of people on one side of the argument, but it will satisfy a lot of people on the other side of the argument Mr Speaker. I felt that I needed to point out what the objectives are, it's actually to prohibit the acceptance or consideration of new applications and I would expect that that wouldn't effect very many people at all from that side of it. I appreciate what Members have been saying around the table too. I've been in two minds about how we should handle it. I'm still in two minds of how we should handle the current applications that are before us, and we could end up with all of those conditional approvals being with units being built to that number which is quite a large number, but I still support the Bill.

MR BROWN

Mr Speaker I don't propose to vote on this Bill because I have an interest in the tourism industry but there are two things that I think may be relevant to say. The first one is Mr McCoy appears to have a confusion about the shopping centre and to feel that there is some form of regulation in the shopping centre. He told us on a number of occasions that the shopping centre was not deregulated. It might be helpful to me if Mr McCoy could tell me just in what respect the shopping centre has been regulated apart from the need as is the case anywhere on the island to make a planning application if you want to put up a building. The second thing that might be helpful to add is that when the tourist accommodation industry was originally deregulated, many have wondered whether it was deregulated out of spite rather than out of careful thinking, but when it was deregulated there was an intention that new construction would be staggered over a period of something like 5 years and there was a definite endeavour to try to ensure that the economy didn't overheat as a result of too much building activity in one year and not enough in the next, and also an effort to try to spread the work over a number of years in the hope that that would provide a degree of prosperity over a number of years for the building industry and for the various parts of the community which benefit when the building industry does well. But at a later stage, that staggering went out the window and it seems that anyone would then have been able to construct such a number of units as they wished, subject to them having been approved. But while the staggering was there, if someone were to walk in the door and wish to make an application, they would have been told that there was a waiting list of something in excess of 5 years and had the staggering continued we would probably see that some of the present approvals could be as far out as 10 years. So I can understand a desire to put the lid back on for the time being if we have decided the staggering system isn't going to work that we're going to have to do it some other way. I propose to abstain on voting but I think that the staggering question does have something to do with the perceived need to introduce the Bill. Thank you.

MR McCOY

Thank you Mr Speaker. If I may respond to Mr Brown. I may have a confusing way of putting things but simply what I meant is that if you drive through Burnt Pine you'll see that the shops, a lot of them look a lot nicer, have upgraded their fronts in the last few years, and yes they were not operating in a regulated area. So just like I said, I may have confused things, and it was just in reference to the fact of the mention that this deregulation of the tourism industry has helped to cause accommodation owners to upgrade their facilities. Thank you

MR SPEAKER

Further debate Honourable Members. The question before us Honourable Members is the Bill be agreed to in principle, is there any further debate before I put that question. No further debate.

QUESTION PUT
AGREED

MR BROWN

ABSTAIN

MR BATES

ABSTAIN

On those indicators Honourable Members the ayes have it. The Bill is agreed to in principle. Is it the wish of the House to dispense with the detail stage. Yes. Then could I then seek a final Motion Mr Smith.

MR SMITH

I so move

MR SPEAKER

The final Motion is that the Bill be agreed to. Any final debate. I put that Motion. The question is that the Bill be agreed to.

QUESTION PUT
AGREED

MR WALKER

NO

MR BROWN

ABSTAIN

MR BATES

ABSTAIN

On that basis the Bill is agreed to.

FIRE CONTROL BILL 2000

MR COOK

Thank you Mr Speaker. I present the Fire Control Bill 2000 and move that the Bill be agreed to in principle.

MR SPEAKER

Thank you. The question is that the Bill be agreed to in principle.

MR COOK

Yes may I please to the Assembly Mr Speaker through you the Bill is really been around for quite some time. I'm quite surprised to find that it was first introduced in 1995 and debate took place at that time as to the Bill and eventually it didn't proceed, there being a voting of something like 7 votes to 2 against. Seven for and 2 against. There are reasons advance for the Bill not coming into force at that particular time, they seem to touch upon the fact that there was an advisory board contained within the Bill, there were situations of fires being lit that might prevent people carrying out functions that had traditionally been carried out by them and so forth. I think it's appropriate to point out to the Members of the Assembly, and also to the public that it's a matter of very serious concern that there is no legislation in place at all which relates to fighting of fires or the control of fires on Norfolk Island. There was a fire as recent as yesterday morning and of course that had to be met with measures to extinguish the fire and persons had to attend on the land and do various things of course to put out the fire, but it's a serious concern that there being no legislation in place it means indeed that there is no real element of protection for those who are carrying out the functions of fighting fires, who have gain access to land, to have to take certain measures to restrict the spread of fire, if that has happened, or may even have to destroy property to save property, I don't have to go into details to explain matters of that kind which could clearly arise if there was a fire of some size. I should perhaps read the explanatory memorandum in relation to the Bill, it says a lot, and explains a lot, it's not lengthy. The purpose of this Bill is to provide for the control of fire. The legislation applies to all land, that means Crown land, Reserves, everything. One of its objects is to establish a Fire Advisory Board to provide recommendations to the Executive Member on prevention of fire, the spread of fire, and the protection of life and property from the effects of fire. The Executive Member may appoint a Chief fire control Officer whose main function is to control persons assisting in the case of fire, whose powers in the case of fire include entry onto land, with or without fire fighting equipment,

removal of persons or animals, removal of material that may interfere with the control of a fire, and power to take such measures for the protection of life and property as the Chief fire control Officer thinks proper. The Bill provides for the appointment of a Fire control Officers and authorised persons per purpose of the Bill. The Executive Member may declare periods of fire danger by notice in the gazette, or by public broadcast. Offences of lighting fires in the open, leaving fires unattended, failure to notify an uncontrolled or failure to extinguish a fire amongst those for which a penalty is provided. The Bill preserves common law rights to take action in the case of damage or injury caused by reckless or negligent use of fire. A person found guilty of an offence against the legislation may be liable for costs incurred in extinguishing the fire or restoring fire fighting or fire protection equipment. An officer or authorised person is exempt from liability for an action carried out in good faith in the exercise or performance for power or function under the proposed legislation. Now that last sentence that I have read I believe is a very important element and factor in the situation that we really do require, I am satisfied of a piece of legislation which endeavours to control the outbreak of fire, particularly by these fire danger periods being declared, they may be declared for areas of the island. The Fire Advisory Board obviously would consist of persons, it's only three in number, it's not a large Board, but they would consist of person whose experience and knowledge of the island through long life on the island, or specific qualifications, maybe ex-members of the Met Office, persons of that kind who can have a particular understanding of climatic conditions and the likelihood of those contributing of the outbreak of fire. I should note that in the three members of the Advisory Board there's room for the appointment of a Deputy to take the place of any such member of the Advisory Board who by reason of absence from the island or ill health is not able to function in rapid response to the demands that might be made on that Advisory Board. But the main function is to ensure that the Chief fire control Officer is given appropriate authority to act in a way which enables him, with the assistance of those working under him to effectively prevent fire, to extinguish fires, and to protect the citizens of this community from the undoubted disaster, the effects of fire which if it was started was not extinguished rapidly, or if it spread, might cause most considerable damage. One can only just think of the extraordinary dry conditions that presently obtain on the island to understand how a fire which got our of control fairly rapidly, assisted by strong winds might create very considerable havoc before it could be effectively brought under control. There have been objections raised to the considerations of such a Bill being in place, and no doubt other Members of the Assembly may want to bring those matters forward. I really commend this Bill to the Assembly. Mr Brown who was in a previous Assembly, the last Assembly I believe in late 1997 and early 1998 decided it was appropriate to bring the Bill forward. Unfortunately it didn't seem to come to the surface and I think it's time now that the island understood that it needs in place proper legislation to protect all those who are endeavouring to protect the community, and also of course to make sure that measures are taken to avoid the outbreak of fire which might come through carelessness or some other cause. One of the criticisms that were raised was whether a person who might come to the island as it were by aircraft or more or less step off the plane and go out to Anson Bay and light a barbecue out there, might be unaware of the fact that the Executive Member by means of the radio or the newspaper had declared a total fireban for that area and may therefore unwittingly somewhat contravened the provisions of the Act about the lighting of fires in such a period. Obviously if a fireban was declared in a particular area it would be the responsibility of the Fire Control Officer or those he delegates to patrol such areas and to really make sure that such an event doesn't occur, and of course the Fire Control Officer and the Fire Officers have authority to extinguish a fire immediately which is in contravention of any ban in that place. If there were small areas in which some criticism may be aimed at the total effect of the Bill and some small exceptions might arise which have not been fully addressed in the Bill, obviously at some stage if these matters emerge it might be appropriate to consider some amendment, but I commend to the Assembly the fact that this Bill is long overdue to be passed, the community deserves

proper legislation in place to protect itself from one of their most serious dangers that any community can possibly be subject to and that is the start of fires, or the spread of fires within the community. I commend the Bill to the Assembly.

MR SPEAKER

Thank you.

MR BROWN

Mr Speaker I thank Mr Cook for his kind words about the Bill I introduced 5 years ago, but unfortunately at the time it didn't get anywhere, as Mr Cook said it managed to get the support of two Members but seven of our Members at the time had difficulties with it. There were a range of reasons for those difficulties, but I do think that a very large one of them was what you may call the "Bounty Syndrome" of the members around the table simply taking a view that they weren't going to tell what to do and that they knew all that needed to be known about lighting fires at the time. And that's fine, because we've always got to be very careful that whatever legislation we introduce doesn't interfere with the rights of citizens, and doesn't assume that citizens are all a bit silly. I think that it is the case that 99.9% of the people living on Norfolk Island are extremely careful when it comes to matters such as fire, but you always have the risk of something going wrong that you not expecting. A house fire can start from electrical reasons, it doesn't have to start from someone having a fire going in the house. A incinerator in the backyard if left unattended for a little while, could result in a brush fire and in dry weather a brush fire can cover a lot of ground very quickly. I thought in 1995 that there was merit in introducing the Bill, particularly because it gave powers that were previously lacking, for example there is no present power to drive onto a property in order to put a fire out, the power is not there. At present there is not protection for the fireman, they drive onto the property and do their best, they might find themselves getting sued because there is no legislation to protect their genuine endeavours. There is quite a deal more legislation required Mr Speaker and it's my understanding that a package of emergency services type legislation has been in the course of being drafted in Canberra for perhaps a couple of years. In that situation I brought back with me from Canberra a Bill which had been introduced into the ACT Legislative Assembly after having spent a day visiting various of the emergency services in Canberra, and it seemed to me that that Bill was a sound basis for the additional legislation that we needed, and it was decided that perhaps an appropriate way to go about getting that drafted was to use the ACT people, because we had a relationship with them and they offered to assist us. Unfortunately we don't have the benefit of that Bill ready for us to look at, even at this stage and I don't really know where it got up to but I do think that completing it is a sound idea. One of the elements of this Bill which I've had second thoughts about is the question of the Fire Control Board, or Fire Advisory Board. It seems in Norfolk Island that we are continually appointing new Boards, new Councils, new Advisory Bodies of different shapes and sizes and there is a limit to the number of people who are available to serve on these things. If you look at the Court of Petty Sessions wearing different name tags the Magistrates of the Court of Petty Sessions sit as the Employment Tribunal and comprise virtually the whole of the membership of the Administrative Review Tribunal. Now I wonder whether we would have been better, instead of creating an Administrative Review Tribunal, and an Employment Tribunal to simply say "let's get the Court of Petty Sessions to do all of these things". And I wonder whether we might be better with the Fire Advisory Board to have a look at some of our other Boards that involve practical people, and perhaps if advice has to be given select one of those Boards, make sure that it always has members and get it to fill some of these other roles. This Bill isn't going to be dealt with to finality today, and what I've said doesn't have to be considered today, there is a month before it will come back to the House, but in principle I certainly support the Bill, I certainly support the job which is done by our Airport Fire Service and our Volunteer Fire Service, I think we need to give them all more support than we've given them in the past and if the passage of this Bill is seen as providing even a part of that support then it's to be commended. Thank you.

MR SPEAKER Further debate.

MR NOBBS Thank you Mr Speaker. I support the Bill, it's an essential Bill that is required, and even to the Fire Advisory Board, I don't think that different people have got different management ways of managing things, I like seeking advice from outside and utilising that accordingly. Others obviously and Mr Brown is right, that maybe we could combine some of these Boards and that's why we're attempting to get the structures of these Boards organised to the extent that where they have a sort of a duty statement, for want of a better word, in relation to their what's required of each member of that Board in carrying out the functions of the legislation which obviously controls them and maybe once those are available then we could look at combining some of these Boards together and going from there, but I fully support the thing, I believe it's something that's.. fully support the Bill. It's essential at this stage and I look forward to seeing it passed at the next meeting. Thank you.

MR SPEAKER Further debate.

MR BATES Thank you Mr Speaker. I recognise the need for a Bill for obvious reasons. I am a little concerned about some of aspects of it. I also haven't seen what I consider the resource and financial implications of the Bill. If you have a Board there will certainly be some financial implications, you'll probably need a secretary and you'll probably need a few things there. I think if your going to start putting firebans, or whatever they are on the radio and in the gazette I think you've also got to follow them up a little bit more than that, especially as I said earlier for the tourists, if they get off the plane and unwittingly want to have a barbecue in an area that has a total fireban or something like that. I wouldn't like to see the say when the well known barbecue areas on the island were closed for use to tourists. I think that we should have maybe must be other ways of making sure that those areas can be controlled successfully, and I am a little concerned that there doesn't seem to be much protection for any landowner in here, and I'm not suggesting that an Officer going into perform these functions should be personally liable for damage done but I am suggesting that the landowner should have some rights also, especially if it's in the dark of night and an area of his surrounds which he's spent a lot of money on developing or something is accidentally destroyed through the passage of a large fire tender vehicle, maybe through a newly planted crop of palm trees or something which are hard to see at night. I think it's a little bit rude that some compensation shouldn't be available where its genuinely sought but certainly not personally against the operators. So I think the Bill does need some more work on it. I, like Mr Brown think that if it could be done without a Board it could be just as effective and less resource and financial implications. However as I said I do recognise the need for this legislation but I think it needs a lot of refinement yet before it will be satisfactory. Thank you Mr Speaker.

MR SPEAKER Thank you. Further debate.

MR WALKER Thank you Mr Speaker. I've been pondering on the way in which you could communicate, whether there is a fireban in place or not to that person who has just stepped off a plane. It's not unusual on the mainland to have big billboards as you drive down a highway declaring what the fire status is. In some areas they are permanent type billboards with a indicator telling you where the fire danger is. So maybe we could have an appropriate board in the arrivals hall so that as people come through they are made aware of whether there is a fireban in place or not. Thank you Mr Speaker.

MR SPEAKER Thank you. Further debate.

MR COOK Thank you Mr Speaker. I think Mr Walker's idea is quite a sound one. There maybe ways of doing this, he suggested one of course of appropriate signing in the arrival area or a situation of at least 3 or 4 points which might be considered particularly vulnerable and people may have missed the radio or gazette notices, to have such indication or sign and I'll certainly take that under advisement.

MR SPEAKER Thank you. Further debate. No further debate.

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

MR SPEAKER Honourable Members I put that question.

QUESTION PUT
AGREED

That is agreed Honourable Members

CHANGE TO ELECTORAL SYSTEM

MR SPEAKER We're resuming debate on the question that the amendment proposed by Mr Walker be agreed to. Chief Minister you have the call to resume.

MR NOBBS Thank you Mr Speaker. I'm just about talked out on this electoral issue really, I mean it's coming one on top of the other and my proposal was for the first past the post but I'm quite willing to look at any of these amendments and particularly the one by Mr Walker seeking the views of the electorate through a referendum. The other one with the Minister for Tourism and Commerce, I find it a bit difficult to deal with his amendment in relation to what's proposed. However that's something for the House to decide as to what to do but the Select Committee Inquiry has been around for a few years now, there are a lot more issues in it than just the electoral system or the first past the post or we retain the 4 vote system that we have at the present time. So I look to the House for guidance in relation to this issue. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER Is there further debate.

MR BUFFETT Mr Deputy Speaker I know that there is an amendment before us which makes a proposal that the first past the post system go to referendum. That was Mr Walker's amendment. Let me just say this that the Motion as it stands now addresses only one prospect as far as the voting system is concerned, and it wants to pursue one way or the other that one prospect. The reality is that there are probably a number of prospects out in the community as far as voting systems are concerned and I think if we are going to revise the voting system then we need to give an objective assessment about what the community may want, and therefore I want to make another proposal to you which is something along these lines. That there is a request to the Minister to review the voting system in Norfolk Island, that there be consultation with the community on the issue with a view to determining which is the most appropriate system to meet Norfolk Island's current needs. Now that may turn out to be first past the post but on examination it may also turn out to be something else and I wouldn't want or preempt what it might be except to say that it should be properly examined. Can I just go back a number of steps. When we commenced the Governmental arrangements that we have now in 1979 we had a proportional representation system. The community didn't like that and there were a number of

number of votes to be cast, which sounds a mouth full but anyhow, what it means if you've got nine vacancies you have to vote for 5 at least. The other one is recommendation that in the event of recommendation no 22 not proceeding, the present Illinois system be retained and that amounts allocated to any one candidate should be reduced from 4 to 3. Now those issues were debated by the Assembly at the time and they couldn't agree on it, so obviously this thing has been sitting for a while. I still believe myself that first past the post as I said is the way to go and I have come to that conclusion on the basis of considerable consultation amongst the community, although there has been a proposal by some that we should only have that 5 vote system, that you need only vote for 5 on the 9 candidates, although you can vote for 9. So if we want to change the thing completely I will be sticking to my guns and going for first past the post. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER Is there further debate.

MR WALKER If it might help Mr Deputy Speaker, if we can couch a new amendment in such manner as Mr Buffett has indicated I'd be quite happy to withdraw my amendment to allow that to happen if that be the way to proceed.

MR DEPUTY SPEAKER Are you seeking leave to withdraw you previous proposed amendment Mr Walker.

MR WALKER Provided we are going to have an amendment come forward from Mr Buffett.

MR BUFFETT I'm happy to make

MR DEPUTY SPEAKER Is leave granted. Leave is granted. Do you wish to propose your amendment Mr Buffett.

MR BUFFETT Yes thank you Mr Deputy Speaker. I propose this amendment to the House. That after the introductory words "That this House requests the responsible Minister to" the balance of the Motion as it stands now be deleted and these words inserted in lieu , it would then read "That this House request the responsible Minister to" and the insertion is this "to review the voting system in Norfolk Island and consult with the community on the issue, with a view to determining the most appropriate system to meet Norfolk Islands current needs. The House further requests the Minister to report to the Legislative Assembly on this review within the next three months". Now if I can just, and they are the words. However before I finalise this 3 months Mr Brown made a comment about timing and I'm just wondering whether he had an alternative period in his mind. I'm happy to talk through a timing process if that's...

MR BROWN I don't think you'd do better than 3 months

MR BUFFETT Well on that basis Mr Deputy Speaker I would use the words that I earlier mentioned and that is "the next 3 months". That's my proposed amendment.

MR DEPUTY SPEAKER Is that agreed Honourable Members. That is agreed

MR BATES Could you read that out again please

MR DEPUTY SPEAKER Yes I'm just asking the Clerk for a copy

MR BUFFETT I'm happy to provide what's in my hand Mr Deputy Speaker but maybe I could read it again just for further clarification. The Motion in its amended form reads this. That this House requests the responsible Minister to review the voting system in Norfolk Island and consult with the community on the issue, with a view to determining the most appropriate system to meet Norfolk Islands current needs. The House further requests the Minister to report to the Legislative Assembly on this review within the next 3 months.

MR DEPUTY SPEAKER The question now before the House is that the amendment be agreed to. Is there any debate Honourable Members.

MR BATES Thank you Mr Deputy Speaker. I am a little bit, and I guess I could have a look at who that responsible member might be because if it's Mr Nobbs, he's clearly declared his hand and I think it would be wrong for him to conduct such a review on that basis. He's clearly declared his hand that he favours one system only and I'm not so sure that we'd get a properly considered coming back to this within the 3 months.

MR NOBBS Can I just respond to that. I find that quite abhorrent actually because I wasn't even going to vote on this thing because I'm the responsible Minister and regardless of this particular issue is taken off me or not, it was my intention to not vote, that's why I had to listen to what the Motion was really all about. As far as dealing with it I deal with a lot of things that I don't agree with but I have to deal with them in this job, but I would love to stand aside from this, there's no worries about that and have some other Minister conduct it for sure. I've got no problems, so I'm at the hands of the House, if they wish for another Minister to handle that proposal well that's fine with me.

MR DEPUTY SPEAKER Mr Brown you indicated...

MR BROWN Mr Deputy Speaker I hadn't thought of this aspect until Mr Bates mentioned it but having heard what Mr Bates said and what the Chief Minister said I wonder whether this is something which should be within the bailiwick of a Minister or within the bailiwick of Mr Speaker and if the House was of a mind, and if Mr Speaker had the time perhaps it is something that Mr Speaker could appropriately carry out.

MR BUFFETT As Mr Brown said earlier that he had not given consideration to some of these aspects until the matter was raised I've got to make the same sort of response. If the House wants that done under the arrangements of the Speaker I would obviously say that I am at the command of the House but I would make it clear that it should not be seen as a want on the part of the Speaker to remove it from the area of the Executive.

MR DEPUTY SPEAKER Is there further debate Honourable Members.

MR SMITH Mr Deputy Speaker I just want to comment on what the Chief Minister said because he proposed the idea that he didn't propose to vote on the issue I don't think there is any need at all for the Chief Minister to not vote on it because it's his idea, I mean that happens with just about anything we do that we introduce as Ministers. Just further to what's been discussed between Mr Brown and Mr Buffett, obviously there's going to be a ministerial role in it somewhere if there's going to be a change to the legislation but I don't know whether the Executive or the Speaker as a representative of all members is the one that carries it or not I don't know, interesting.

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

QUESTION PUT
QUESTION AGREED

MR NOBBS ABSTAIN

We have one abstention, Mr Nobbs. The question before the House that the Motion as amended be agreed to, is there any debate.

MR SMITH Yes Mr Deputy Speaker I foreshadowed in the last meeting that I wanted to add to the Motion and I looked carefully to see if Mr Buffet had picked up what I'd been saying in his amendment but I don't see that it is and what it was at that time was that and further that the responsible Minister conduct a review of other electoral issues as raised in the select committee inquiry into electoral matters that was tabled in an earlier Assembly. Mr Deputy Speaker the reason I raised that is because there's some housekeeping functions that need fixing. If we're going to make changes at all to the electoral system or to the Acts that apply related to those sorts of things I would propose, and I suppose we can do it at a later time, but I propose that we make those changes and I was suggesting that the Minister do those at the same time as the review is being done as the select committee did in the past. Things for example like, if somebody is not capable of voting, they still have to vote on the electoral role, that needs to be changed. The fact that the Returning Officer has to stand on the steps and announce the nominations of candidates at the same time as he's accepting them, and the time is 12.00 or something like that, that's the cut off date, but that's the same time he has to announce them, it's only a little issue but it's an anomaly. The things about postal voting and other such things, just I feel are needing to be looked at at the same time that the whole issue is being looked at. I suppose I could promote that as an amendment or during the review I suppose it could be something that could be taken up, although the Motion doesn't actually pick it up in here.

MR DEPUTY SPEAKER Is there further debate

MR BUFFETT Thank you Mr Deputy Speaker. I did interpret that the things that Mr Smith is talking about could be taken up with that examination. If it would be helpful I'm happy to add these words where it says "review the voting system in Norfolk Island and related procedural matters"

MR SMITH I would be happy with that.

MR BUFFETT I think they're the sort of things that you seem to be talking about. And if Members are happy that I insert that in really an amendment that we've already tidied, but if everybody is in agreement well then it's probably not a difficulty, but that would depend on Members' attitude about it.

MR DEPUTY SPEAKER Are you indicating an amendment to your previous amendment Mr Buffett.

MR BUFFETT Yes, well I'm trying to weave those words into the original amendment if people are happy with it. I'm trying to be helpful to Mr Smiths words.

MR DEPUTY SPEAKER I'd have to look to the House if they would be happy to take that initiative.

MR BROWN Mr Deputy Speaker I'd be happy to grant leave for the Motion as amended to be amended in that fashion to save us having to go through anymore complex procedure than that.

MR DEPUTY SPEAKER Is leave granted Honourable Members. Leave is granted. We have before us the amended Motion and is there any further debate.

MR NOBBS Thank you. I think I advised Members at the last meeting that there is actually a review proceeding in relation to the administrative support functions as Minister Smith, some of those are already being covered in a review at the present time, that's in relation to absentee voting, the Court House steps business and the likes, are already underway within the Service and I expect a report very shortly in relation to those particular issues. So I just wanted to advise that it is going ahead in that particular area already. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER Thank you Mr Nobbs. Honourable Members is there any further debate. There being no further debate I put the question that the Motion as amended be agreed to.

QUESTION PUT
AGREED

MR NOBBS ABSTAIN

One abstention, Mr Nobbs. I think the Ayes have it.

PROPOSAL TO AMEND THE FAIR TRADING ACT

MR DEPUTY SPEAKER Honourable Members we resume on the question that the Motion be agreed to, that this House requests the relevant Executive Member to introduce a Bill at the next meeting of the House to amend the Fair Trading Act so as to prohibit a person in Norfolk Island refusing to supply a product, unless a customer provides all of the business to that person. Is there any debate. Mr Brown you have the call.

MR BROWN Thank you Mr Deputy Speaker. I do not wish to add anything to what I said on the previous occasion.

MR DEPUTY SPEAKER Is there further debate.

MR SMITH Thank you Mr Deputy Speaker. I am inclined not to support this Motion without the information that that could be required to make me consider agreeing to it. Mr Brown did talk about it at the last sitting, I wasn't convinced that we should be changing an Act on what maybe a problem. If I was to get some evidence that this creates a problem for a lot of people, and constantly, I would probably be more inclined to support it, but at his point in time I don't think so.

MR DEPUTY SPEAKER Thank you Mr Smith. Gentlemen is there any further debate.

MR NOBBS I have some difficulty with the proposal as such Mr Deputy Speaker. I'm really unclear as to where we're aiming, where are we looking at what they call third forcing or something of that nature, or not, or what the actual reasons are behind it and I would like Mr Brown to, I know he went through it last time to just briefly outline his concerns in relation to that if you wouldn't mind John. Thank you.

MR DEPUTY SPEAKER Any further debate.

MR BROWN Mr Deputy Speaker this Motion is aimed at putting into our Fair Trading Act a provision which is found in the Fair Trading Acts of the Australian States and in the Trade Practices Act of the Australian Commonwealth. It's referred to as forcing, and it is to prohibit a situation where, let us assume I am a supplier of a particular range of products and one of my products is quite a popular product but the rest of them you can buy from 4 or 5 or 6 other places on the island, but most people who come here really want that one product from me. Now I could do one of two things there, I could deal with everyone on equal terms and say, of course you can buy just one from me or buy none from me, or buy the lot as you choose, or I could say, well you can go to hell, your dealing with this other guy on 3 of these products that I sell and unless you buy everything from me I'm not going to sell you this particular product that you really want to buy, and you can go to hell, your just not going to be able to get it. Now that particular type of behavior is regarded as an unfair trading practice because it seeks to create something other than a level market place. And it is that particular practice that the Motion seeks to prohibit. I'm not accusing any particular person of having engaged in that type of conduct, it is simply an endeavour to ensure that we pick up enough in our legislation to cover the most basic forms of unsatisfactory conduct while at the same time avoiding the need to pick up everything that's contained in the mainland Fair Trading Acts and Trade Practices Act, because if we started to do that we would rapidly find that our legislation would take rows and rows on a bookcase and it would be very difficult for the Public Service to do what it needs to do even more difficult for the Legislative Assembly without additional resources to do what it needs to do. So it's an endeavour to balance things that need to be done against available resources.

MR DEPUTY SPEAKER Thank you Mr Brown. Honourable Members is there further debate.

MR BATES Thank you Mr Deputy Speaker. Yes I intend to support this. I think Mr Brown has very clearly given an example of what it's all about and in the event, and I've got no knowledge of anything, but in the event that a situation such as he described does not exist on Norfolk Island, then nobody has anything to be frightened of or to be concerned about this Motion because if they're not planning in the manner described by him or anything then there is no problem, but in the event that something like that is happening on the island then I think we do owe it to the community to fix it up. So I can't see what the problem is in not supporting it because as I said if there's not a problem, this will do no harm, if there is a problem we should be doing something about it. So I intend to support it.

MR NOBBS The Fair Trading Act is a fairly you know, it's a difficult, and as Mr Brown said a fairly large document, I understand it's rather complex and I'm not against it as Mr Bates has just said, I mean if it's going on we should stamp it out, but I just want to point out that my advice is that it doesn't occur in the particular section of the tourism industry that was subject to some letter writing in the paper a few weeks ago by a pretty irate tour operator, it doesn't only extend to that sort of area. My advice is that if this sort of amendment extends to all the tourism operators, accommodation houses and the like and that people, if they're acting in that manner, and there are claims, there have been claims that it's not only the particular outfit that was targeted but there are others around the town that are doing exactly the same thing but are not being subjected to this barrage of criticism that occurred. What I would like to say is that we've got this Fair Trading Act, but there's never been an authorised person appointed to that Act, so my advice is, obviously we will have to fix that up as soon as possible, because the Act is in place but there is no appointed person or it's rather difficult to do and control the whole situation. I've got no problem myself in

supporting the proposal because it's, as Mr Bates said, if there's no problem, there's no problem.

MR DEPUTY SPEAKER Thank you Mr Nobbs.

MR COOK Yes Mr Deputy Speaker, I am quite ready and prepared to support this Motion. I do not believe who live in this community should find themselves in some lesser situation of advantage that obtained in our near neighbour over there on the Australian mainland, not that I think for a second we should simply follow everything that happens over there. I think you've got to look at what in this day and age is considered to be fair and right and proper practices and procedure, and that's in place throughout the mainland of Australia that Mr Brown has said and I have no hesitation in supporting the proposal.

MR BROWN Mr Deputy Speaker I would like again stress that this is not aimed at a particular person or a particular business, this is aimed at simply filling a hole in our law and as both Mr Bates and the Chief Minister said if there is no existing difficulty well we'll have filled a hole in the law but it won't have done any harm. If there is a difficulty, well so be it, but it's not the place of the Legislative Assembly to pass judgement on any difficulty it is simply our role to ensure that we have adequate law. The Chief Minister made mention of authorised persons. I haven't brought a copy of the Act with me but I think that if the Chief Minister has a look about half way through the Act he will find that there is a statement there somewhere that perhaps the Police and perhaps and some other persons do have powers under the Act and although we do have the power to appoint additional authorised persons, it's my understanding that it is not necessary to do that unless we want to do that. Thank you.

MR SMITH Thank you Mr Deputy Speaker. My opposition to this Bill is what I said before. I'm not saying it just came out of the blue, although in a sense it has because there is no actual, my concern with it is that there is no evidence of what this is all about. I mean we can go through all of our Acts and we'll find all sorts of things that there is a little hole in some areas but it's usually brought to your attention when there is an issue around and what I'm suggesting is if there is a very good reason for changing this at the moment I need to know what the issue is, this is myself personally. Others don't seem to mind the way that it's developing but we just, as it's now being talked about, that we're just going to make a change to this Act because it is not the same as what it is on the mainland and maybe this is going to happen. Well I don't believe that's quite right the way we're handling that because when you do these sorts of things you can catch other people up in something that you don't intend to do unless you know what the issue is. For example I'll give you an example. There's a document here that's been given to me which is freely available for one of the accommodation places and part of their deal is that they have special rates for people to come to Norfolk Island to stay at their property provided that they travel with a particular airline, now that happens. Now situation does that put the airline or those people in if we make this so that you would have to still be able to supply the products even though you have conditions, and to quote I think the Chief Minister mentioned something that was put in the paper recently about a problem that somebody had had with a tour operator. There was two sides to that story and I think we got both sides in the paper, but if you were to apply it to something like that you wouldn't just say oh well look like we've got to fix that up and change the Act. We would find out the truth about what the issue is all really about and then, if there is a real problem then we make the changes to it. I think we've got to be a little bit careful about just agreeing to a Motion, that sounds quite simple in its form as it is but just what it might catch up, when we go to put the Bill together, to amend the Act we might start asking these questions of how far do we want to go with this and we will end up with that ten bookshelves full of the Bill. It will end up probably like the Fair Trading Act that you'll find anywhere else. That's my difficulty with

it. If it's something that the member thinks it's a good idea so it's time to do it, well I don't support it.

MR DEPUTY SPEAKER Thank you Mr Smith.

MR BROWN Mr Deputy Speaker there is no difficulty with the situation that the Minister for Tourism and Commerce is referring to. There would be a difficulty if someone was being told you must give me all of your business, but there is no difficulty with someone running a particular special for a particular promotional purpose. It happens from time to time for all kinds of reasons, one reason might be that the people you are doing the special with might be contributing significant advertising funds for that particular promotion. It might be that there has been some other arrangement, for example there may have been a contribution of a significant number of airline seats for a particular promotion and in return for that some particular special arrangement might be being offered for a period. But if the Minister for Tourism and Commerce is concerned about that I would urge him to support this Motion, support the Bill and then he will be able to refer his letter to the authorised person and have it all checked, but there is no point in him saying, "deary me I want to protect someone because he might be breaking the law therefore I won't support this".

MR NOBBS Just in response to Mr Browns on the authorised officer situation. He's correct, the Police do have a role in relation to that but I don't think it's really a role for the Police you know, so this is when Mr Bates' requirements for a financial statement, of this is passed and we develop a Bill that would be quite appropriate at that time I think to look at the financial implications of the Bill.

MR DEPUTY SPEAKER Thank you Mr Nobbs. Honourable Members is there any further debate. There being no further debate I put the question.

QUESTION PUT
QUESTION AGREED

MR SMITH NO

I think the Ayes have it. The Motion is agreed to.

PROPOSAL TO AMEND THE COURT OF PETTY SESSION ACT

MR DEPUTY SPEAKER Mr Brown you have the call on this particular question.

MR BROWN Mr Deputy Speaker I do not wish to add a lot to what I said on the earlier occasion. The aim of this Motion is to bring about the introduction of a Bill to amend the Court of Petty Sessions Act so that documents generally, be they originating documents or otherwise can be served by post. Now to give you an example of the need for this, when the Healthcare Levy falls due, people have a certain time to pay it and then generally a significant number of summons' are issued when people don't pay. In fact it is generally a sufficient number to fill a cardboard box about 18 inches by 10 inches with each of those documents standing on its end. I'd be surprised if there were less than 100 documents in the ones that I have seen, and at present the Police serve the overwhelming majority of these documents and it can take a long while for the Police to do that. Frequently the people involved are new to the island and not known to the Police at all because they are in the main very good citizens and they don't come across the Police, it's just that every now and again you can have a little bit of bad luck with forgetting to pay a bill and end up getting a summons. It takes an inordinate amount of the Police time to get these things served.

That causes the Police to have difficulty with staying up to date with their other work, it may require them to work overtime, it certainly requires them from time to time to suggest that they need an additional staff member. The suggestion that I am making is that we adopt the particular sections from the equivalent A.C.T legislation which does make provision for exactly this, it makes provision for it to be done by the Registrar posting the documents and the reason for having the Registrar do it is so that it is beyond question that it has been done. The Registrar simply certifies the document as being posted and that's that. Now there are safety nets in the event that someone is away from the island at the time and can show that they couldn't possibly take delivery of the document from the mail, but at the same time there is not an easy excuse for someone that sees that it an envelope that they mightn't want to receive and simply decide not to collect it from the Post Office. The A.C.T. legislation has been operation for some time. I believe it is a sound precedent and I believe that this is a sound amendment to our Court of Petty Sessions Act. I'm not suggesting that a similar amendment should be made to our Supreme Court legislation, quite rightly those documents within the Supreme Court which are far less in number should continue to be served personally unless an order from the Court is obtained for substituted service. The purpose of it is to simplify the Courts procedure and to simplify the operations of the Police force in Norfolk Island. It is a thing which has been done in other places and it is in my view a worthwhile update to our legislation. Thank you.

MR DEPUTY SPEAKER Thank you Mr Brown. Honourable Members is there any further debate.

MR COOK Yes Mr Speaker through you to Mr Brown I think this concept is a valuable addition to the procedures already available in the Court of Petty Sessions. Input had come by request from various sources as to what may be the most effective way to implement a proposal of this kind. I support the proposal I'm trying to indicate that. The question at the moment is being able to provide the draft legislative counsel work on it. We don't have a Legislative Counsel starting until the end of this month, there's been a gap between the last Legislative Counsel and the next one starting. I appreciate what Mr Brown has said about copying, or taking on board the A.C.T legislation , which applies and he has indicated had worked successfully for some time, I certainly will be recommending that that be the case so that any Bill, if the House decided it should be introduced, it can be introduced as early as possible. I've indicated with discussions with the Crown Counsel that the priority of the Bill should be advanced from what it appeared previously to be and it has been advanced but it obviously will not because of other matters which seem to be quite urgent be able to be introduced as a matter of extreme urgency. The situation that Mr Brown has pointed out, particularly relating to the Healthcare notices, matters of that kind, obviously do demonstrate a particular problem that has to be met, but one has to be careful in endeavouring to attend to a particular problem of that kind doesn't provide larger and wider problems but I certainly have no hesitation in supporting the proposal.

MR DEPUTY SPEAKER Thank you Mr Cook. Is there further debate.

MR BUFFETT Mr Deputy Speaker this obviously seems a very practical and more up to date arrangements to be put in place in the lower Court here on the island, and on that basis I certainly support it.

MR DEPUTY SPEAKER Honourable Members is there any further debate. There being no further debate I put the Question.

QUESTION PUT
QUESTION AGREED

COMPULSORY THIRD PARTY INSURANCE

MR BROWN Thank you Mr Deputy Speaker. Mr Deputy Speaker I've circulated to Members earlier today some proposed wording changes and if Members have that paper handy at the request of the Minister for Immigration and Community Services I seek leave to make one additional change to that. That is to insert on the 2nd line after the word "third party" the words "personal injury", and then I seek leave to make the other changes already indicated in Paragraph No. 2 to change that to say "such certificates provide not less than an amount of cover to be prescribed" and in No. 3 "liability to be limited to the amount prescribed for any claim arising from any one event". I seek leave to move that amendment.

MR DEPUTY SPEAKER Is leave granted Honourable Members. Leave is granted

MR BROWN Mr Deputy Speaker this is not a long term third party personal injury motor vehicle scheme. This is intended to be an interim scheme which would be eventually overtaken by new Norfolk Island legislation. That new legislation would be needed because we really do need to have provisions for what's called a nominal defendant for example where in other places if you are involved in an accident and the other vehicle flees the scene and your unable to find out who it was, your able to sue the nominal defendant, and you need to be able to do that because you haven't got anybody else that you can sue at the time. The legislation in other places also makes provision for vehicle owners who might be regarded as bad risks and in a Norfolk Island environment we might find that the insurers regard some people as bad risks and don't wish to provide them with third party personal accident motor vehicle insurance cover. So there are a number of reasons why we would need eventually to adopt our own legislation, but as a measure to cover us for the time being the suggestion that I am making is that we make it compulsory under the Road Traffic Act for a vehicle to have third part personal injury motor vehicle insurance, that insurance be taken out with one of the existing insurers and when a Bill is introduced into the House it will be more comprehensive than what I've written in the Motion because it will need to make reference to just who will be an approved insurer, or how a person gets to be approved, but a person will need to produce a certificate of insurance on registering a vehicle, renewing registration or transferring registration and we would need to have a transitional provision to cover the situation immediately after such a Bill was passed, and it was suggested here that there be a transitional provision requiring a certificate to be provided within 2 months of assent to the Bill. The next provisions are to take account of the fact that the existing policies on Norfolk Island do not provide unlimited cover. In general they provide cover of either \$500,000 or \$1,000,000 except for buses which are I expect in most cases covered to a higher figure, which involves a higher premium but that's necessary because you have more passengers on a bus and therefore the potential risk, if your so unfortunate as to have an accident would be higher. So the Motion makes provision for it to be prescribed, that is, put into a regulation that the minimum amount of cover shall be x, that might be \$500,000 or it might be \$1,000,000 for a car, it might be a couple of million dollars, or 5 million dollars for a bus. They are figures that would be selected once the Executive Member had the time to carefully research it all, he would come to the Assembly with his draft regulation and the Assembly would hopefully go along with his recommendation. The final provision is one in which liability would be limited to the amount prescribed for any claims, so if we were saying to someone, you've got to have a minimum of \$500,000 of insurance we really need to also be saying, just as we do in the case of workers compensation that the maximum claim will be that amount, because otherwise we're at risk of requiring someone to hold half a million dollars of insurance and finding that he gets sued and has judgement against him for a million dollars, he's pretty upset with us because he thought he was fully insured and the injured person is even more upset

because they thought Norfolk Island had proper third party insurance and they went off to Court and got a judgement but only managed to collect half of the money. So as I've said it's intended to be a simple interim solution for introducing third party personal injury motor vehicle insurance. It will not cover every situation, so we shouldn't simply go slow on the long term project because this is introduced but at least from the time it is introduced it will give coverage for what I believe would be 98% of the risk that we would face. Thank you.

MR DEPUTY SPEAKER Thank you Mr Brown. Is there any further debate on the amendment.

MR COOK Thank you Mr Speaker. If I might say I support the Motion that Mr Brown has introduced. I think it's high time that there was a proper level of protection to people using motor cars on the road here on Norfolk Island in respect of personal injury, either if a person happens to be a passenger in a car which is driven in such a fashion as to cause injury to that person or persons in another vehicle are injured or even pedestrians are injured. This is surely, as Mr Brown has said a somewhat interim type of situation to provide appropriate protection. I have seen a scheme which was sought to be prepared in respect of Norfolk Island administering its own system of compulsory third party insurance matters such as a nominal defendant that Mr Brown has quite properly pointed out exist in other States and Territories. I think Mr Bates would be immediately demanding that we inform, the Executive Member inform the Assembly of the financial implications of such a scheme because they really would be quite serious but that may not necessarily of course, in the end prevent such a scheme being introduced if the Assembly considers its really necessary in our community. I'm satisfied that this provision that has been brought forward by Mr Brown is quite overdue in its real sense, that there ought to be legislation in effect. It seems to me to require a relatively simple amendment of the Road Traffic Act or the introduction of a Bill itself which is read in conjunction with that Act. It's a matter which I take on advice from the Legal Services. I might indicate to Mr Brown and to the Assembly that looking at the situation that it was more likely than not that this type of Motion would eventually receive the approval of the House. I've upgraded the priority that should be given to any such proposed legislation being aware of it being brought forward at the last meeting, and its been given such a priority as would require it to be available to the House in the next sitting in May. The new Legislative Counsel commences at the beginning of May in his duties here and this may be very well a matter in which he can cut his teeth and present us with the legislation that we can carefully examine at that time to make sure that it does really cover the situation that has been sought to be covered in this Motion. I support the Motion.

MR DEPUTY SPEAKER Thank you Mr Cook. Is there any further debate on the amendment.

MR BATES Thank you Mr Deputy Speaker. I don't have any difficulty in supporting this Motion but I wonder if Mr Brown would just clarify one point for me. He added the words "compulsory third party personal injury motor vehicle insurance". Does that preclude property damage, third party property damage.

MR BROWN Mr Deputy Speaker most of the policies to the best of my knowledge which are issued in Norfolk Island do in fact provide cover both for personal injury and property damage. I had been keen for this initiative to provide property damage cover as well, but I do accept that that is not normally compulsory in other places. The reason that I felt that it was worthwhile to have such cover in Norfolk Island is that if you were driving along the street and your car got hit by a vehicle that wasn't worth a lot of money, driven by someone that might not have been worth a lot of money either, you would be in some difficulty in recovering the cost of repairing your

vehicle, but what has been said to me is that even with the most expensive of vehicles, unless it's a Rolls Royce or an expensive Mercedes it is not likely that that particular cost would be more than 10 or \$20,000, whereas it is quite conceivable that the cost in a serious motor vehicle accident in terms of personal injury could be up at half a million dollars, that's not an unusual result these days. If the House wanted to do so it could make provision for it to be both personal injury and property damage. The Motion at present is limited to personal injury, but as I said the present Norfolk Island policies to the best of my knowledge provide cover for both in any event in quite an inexpensive way compared to other places. Thank you.

MR DEPUTY SPEAKER

Thank you Mr Brown. Is there further debate.

MR COOK

Yes if I might just through you Mr Deputy Speaker answer the situation raised by Mr Bates and touched on by Mr Brown. I do not know myself and I could be advised otherwise but through recent development but I do not know of any other system of compulsory third party insurance in any of the States or Territories on the mainland nor as I understand it even in New Zealand that relates to compulsory third party property damage. The situation has developed in this type of protection that has concentrated entirely on personal injury, it's up to an individual of course to gain some degree of property damage cover himself. I would imagine the situation is that in most instances, particularly on the mainland property damage premium rates, if one could isolate them are a much higher apparently figure than personal injuries because its thought that property damage occurs a great deal more regularly and comprises a very considerable part of the insurance pay out figure rather than personal injury claims. However that might be. It wouldn't appear to be appropriate to require people to take out third party property damage if one was endeavouring to insure that people on the island or that came to the island would find themselves in no less advantageous position than people on the mainland for this type of situation of receiving an injury. The points that Mr Brown has made is that most, what you might call comprehensive policies here on the island do in fact cover the third party personal injury situation and property damage and I think the sort of rates on might receive for instance personal injury alone of say a figure of about \$500,000 which would be somewhere in the vicinity of about 80 to \$90 maybe better that but certainly in that vicinity. If one added to it the third party property damage you would probably be looking at something around 130 to \$140,000 so your not looking at a very large increase on that you may be looking at sort of \$1 a week increase to have the peace of mind that if your driving a motor vehicle and you unfortunately either through sudden lapse of concentration or something like that cause damage to another vehicle you adequately covered for both personal injury to that other vehicle and property damage but that should be a choice of the individuals who drive motor cars but certainly they should be compulsory so far as personal injury insurance is concerned.

MR BATES

My indication on personal property was not confined to motor vehicles. It could be somebody's prized bull, or somebody's fence or their house or, it doesn't necessarily have to be their Rolls Royce that could get damaged. I just make that point.

MR BROWN

Mr Deputy Speaker I once worked in a place where the local fire station was on a right angled corner and on one occasion a big petrol tanker came around that corner and rolled over into the fire station and burnt the fire station down and if my recollection is correct the fire tender was in the fire station. Now I could be wrong on that part but the rest of it I'm certainly correct on but what that indicates is that the cost of property damage in other places is much higher potentially than in Norfolk Island. That is not to take anything away from what Mr Bates has just said. Personally I agree with him. I would prefer to see this cover property as well. To turn what the Minister for Immigration and Community Services has said in terms of

premium my own expectation is that if the present premium for \$500,000 cover for personal injury and property damage is \$80 or \$90 it's probable that you would only get a drop of about \$5 a year if you took out the property damage cover and I've got no doubt that the Minister, when he looks at all of this will try to get an indication of the differences, and frankly, if the difference is only \$5 I have little doubt that the Minister would decide to at least give us 2 versions of the Bill so that we would have the option of deciding to go the other way if we thought that the cost was justifiable because it most certainly does provide better protection for the community.

MR COOK Thank you Mr Speaker. I think it might be just a little more than the \$5 if there's a misunderstanding. I think it's about \$80 or so for third party personal injury and probably about \$140 or thereabouts for a combination comprehensive policy. So your looking at possibly about \$50. That's why I made that comparison about a \$1 a week is the difference for peace of mind.

MR DEPUTY SPEAKER Thank you Mr Cook. Is there any further debate.

MR NOBBS I just wanted to make a comment. It would be nice to have it but I hope that the insurance companies aren't listening to Mr Cook because I think they are a lot cheaper at the moment but they may have gone up. My sole comment is this. It's about 3 years ago nearly to the day when the previous Assembly Members sat before the election and all agreed that we would progress, this is the previous Assembly, which I was subsequently a Member progressed this third party issue. It was not progressed, so things take time but they do happen. So that's good. Thank you.

MR DEPUTY SPEAKER Thank you Mr Nobbs. There being no further debate on the amendment I put the question that the amendment be agreed to.

QUESTION PUT
QUESTION AGREED

MR DEPUTY SPEAKER We move now to the question that the Motion as amended be agreed to. Is there any debate. There being no further debate I put the question.

QUESTION PUT
QUESTION AGREED

SUPPLEMENTARY APPROPRIATION BILL 2000

MR NOBBS Thank you Mr Deputy Speaker. I introduced at the last sitting the Supplementary Appropriation Bill 2000. The Bill provides for a rejigging of the financial figures following a budget review process which comes in every year at about the halfway mark in the financial year about the 1st of January. It allows for rejigging, it includes a couple of issues, one is for \$225,400 in salaries and wages which takes account largely of the increase in salaries to the Public Service and then in Capital Expenditure, there's a rejigging there of \$1,100. The total is for \$226,500 which will, with some virements which I understand will be required at the next meeting once this Bill has been passed will complete the review process for this current financial year and leads us into the remainder of the financial year which obviously finishes on the 1st of July. Thank you Mr Deputy Speaker.

MR DEPUTY SPEAKER Thank you Mr Nobbs. Is there any debate. Honourable Members there being no further debate I put the question that the Bill be agreed to in principle.

QUESTION PUT
QUESTION AGREED

The Bill is agreed to in principle Honourable Members. We now move to the detail stage. Is it the wish of the House to dispense with the detail stage. Yes. I now seek a Motion that the Bill be agreed to.

MR NOBBS I so move Mr Deputy Speaker

MR DEPUTY SPEAKER Is there any debate. Honourable Members there being no debate I put the question.

QUESTION PUT
QUESTION AGREED

That is so agreed. Honourable Members we move to Fixing of the next Sitting day

LEAVE – MR WALKER

MR WALKER Mr Speaker if it be appropriate I seek leave from the sitting of 17th of May, 2000.

MR DEPUTY SPEAKER Is leave granted. Leave is granted Mr Walker

FIXING OF THE NEXT SITTING DATE

MR WALKER Mr Deputy Speaker I move that the House at its rising adjourn until Wednesday the 17th of May, 2000 at 10.00am.

MR DEPUTY SPEAKER Is there any debate. The question is that the Motion be agreed to.

QUESTION PUT
QUESTION AGREED

ADJOURNMENT

MR SMITH Mr Deputy Speaker I move that the House do now adjourn.

MR DEPUTY SPEAKER Is there any debate Honourable Members.

MR NOBBS Just a very quick one Mr Deputy Speaker. I won't hold Members up but I wish to recognise the contribution of Mrs Dorothy Kitching who at short notice accepted on temporary terms to fill in as Legislative Draftsperson. Mrs Kitching proved highly efficient and I thank her for the assistance she provided and particularly to me personally. Thank you very much.

MR DEPUTY SPEAKER Is there further debate.

MR WALKER Thank you Mr Deputy Speaker. I don't wish to hold the House up either but I have sought advice on my earlier err in the Questions Without Notice and have been told that it would be more appropriate for me to make the Statement now and I'd like to do so. It's very short. Some seven years or more ago a temporary licence to manufacture and brew for the sale of alcoholic beverages, namely

Boutique Beers was approved for six months to allow a review of the Liquor Act to be completed. Since its inception the Norfolk Island Brewing Company has endeavoured to produce a high quality product that the island can be proud of using local ingredients wherever possible. As you are no doubt aware Mr Speaker our local Norfolk Island Brewing Company, under Brewery master Richard Woodward has achieved the same and been awarded the highest accolade in the profession. In the recent International Beer Awards 2000 competition held in Nelson New Zealand by the New Zealand Hop Marketing Board, Norfolk Island Brewing Company won one of the few gold medals awarded with their entry of the pale ale beesting. I wish to congratulate the Norfolk Brewing Company in their achievement. However Mr Speaker the ability to market our very own gold medal winning brew locally is still hampered by the failure of this Assembly to address the licencing of alcoholic beverage manufacture in Norfolk Island. The potential for cottage industry is to impact on our economic base, tourism, is a mince and must be encouraged, not discouraged with unnecessary delays in getting the legislation right.

MR DEPUTY SPEAKER Thank you Mr Walker. Is there any further debate.

MR BUFFETT Yes Mr Deputy Speaker, this is the first that I've heard about Norfolk Island's gold winning entry and I'd like to add my compliments to them for making that achievement, especially as a Norfolk Island industry in a very high powered place called New Zealand.

MR DEPUTY SPEAKER Thank you Mr Buffett. Is there any further debate.

MR WALKER Sorry, if I may so inform Mr Buffett it was not a New Zealand competition, it was hosted in New Zealand, but it is an International Beer Awards 2000. If anybody wishes there is a copy of the certificate available.

MR BUFFETT I'd be interested to see it. Compliments to them.

MR DEPUTY SPEAKER Thank you Honourable Members is there any further debate. The question is that the House do now adjourn.

QUESTION PUT
QUESTION AGREED

MR DEPUTY SPEAKER This House stands adjourned until Wednesday the 17th of May, 2000 at 10.00 am.

