

**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

**CONDOLENCES**

There are no Condolences this morning

**GIVING OF NOTICES**

Nor are there any Notices

**QUESTIONS WITHOUT NOTICE**

MR McCOY Thank you Mr Speaker. I have a question I wish to direct to the Minister with responsibility for Immigration Mr Adrian Cook. Can the Minister inform the House as to whether all non residents on Norfolk Island apart from visitors are immigration permit holders under the Norfolk Island Immigration Act 1980. If not what does he intend doing to have these people deported.

MR COOK Mr Speaker through you in answer to Mr McCoy. I have had inquiries taken out through the Immigration Officer to provide me with explicit information as to the status of permit holders on Norfolk Island. This has only just come to hand. It's revealed a situation as best I can appreciate what has been placed before me that at the present time there are something like I think 81 persons on Norfolk Island without a proper status having been established. Of these a very high proportion indeed are in the process of being attended to through the Immigration office. They are persons who have had a previous permit which has expired and they are seeking an extension, they've been written to and are providing material. As best I can understand the material again and I want to make it quite clear that I'm most anxious to provide Mr McCoy with the fullest information and of course the House. There are only 4 persons who are in a situation where they would be in a position to be deported as it were. Three of those I'm sad to say, because it does create considerable problems and it may be that inadvertence or otherwise has led to it are close relatives of Norfolk Island residents and 1 is a person who had a GEP previously, who's GEP period of 5 years and 6 months has expired and that person has not applied for a declaration of residency. He has been written to and spoken to by the Immigration Officer and informed that if he wishes to remain on the island he must either reapply for a General Entry Permit. There appears to be some concern on this persons part as to his obligation to pay for an additional \$200 for such a permit application but quite clearly if he doesn't immediately move in respect of that he can forfeit his status and be required to leave the island immediately. So in response to Mr McCoy I can inform him that that appears to be the situation. I understand that this report that has been provided for me comes out weekly. It's in a position which shows the actual movement and it varies of course from applications that are processed and dealt with maybe during the week and such a list could be reduced by 10 15 or even 20 people who's applications proceed to final determination by the Immigration Officer. I assure Mr McCoy that in future I will ensure that I receive such a list regularly from the Immigration Officer and I will be in a position to discuss with him any problems which I see could possibly emerge. The process of deportation is a difficult one, it's an expensive one so far as the island is concerned but I assure Mr McCoy and the House that it will be used where it's appropriate and persons who have no status and continue to refuse to comply with requests for the completion of their applications and matters of that kind will find themselves removed from the island.

MR SPEAKER Thank you. Further Questions Without Notice.

MR WALKER Mr Speaker a question to Mr Gardner the Minister for Health and Environment. What opportunity for public submission or any other form of consultation process was undertaken prior to a gaming licence being issued for a main street, cash over the counter TAB outlet on Norfolk Island.

MR GARDNER Thank you Mr Speaker. This certainly I guess stems back to some time in 1998, if I recall rightly when my predecessor with responsibility for gaming Mr Brown took a series of pieces of legislation to the Assembly and they were duly debated, lay on the table giving I believe ample opportunity and adequate opportunity for people to make submission regarding the issuing of bookmaking licences and interactive gaming licences on Norfolk Island. That was in 1998, approximately 2 years, a little bit over 2 years ago in fact. I think it was in about April 1998 that that happened and the months around that date certainly allowed for sufficient public consultation to have occurred and certainly was the feeling of the House by passing unanimously the legislation at that time.

MR WALKER Supplementary Mr Speaker. Can the Minister inform us as to the relationship if any of the lotto outlet in the Mall to the Gaming Act.

MR GARDNER Thank you Mr Speaker. The lotto or scratchies activities are controlled under a different set of legislation and that is the Lotteries and Fundraising Act I think of about 1986, I would need to check that date and not controlled under the Gaming or Bookmaking legislation that was passed in 1998.

MR WALKER Further supplementary Mr Speaker. Can the Minister advise if an exclusive arrangement with Tatts Lotto in Australia still exists with the Administration.

MR GARDNER Thank you Mr Speaker. There was a formal arrangement in place up until I understand about 2 years or so ago. The advice that I received late last year in relation to that was that a letter had been forwarded to the Tatts people, I think there is another name involved in there somewhere but off the top of my head I can't provide that to you Mr Walker but the understanding was that there was a letter sent to them in essence agreeing to recognise the exclusive arrangement that was in place and Crown Counsel advice I understand at that time also supported that in a defacto way that exclusive arrangement was still in existence.

MR SPEAKER Thank you.

MR BATES Thank you Mr Speaker. This question is very similar to the one asked by Mr McCoy of the Minister for Immigration to the extent that it may have a slightly different version and I'll ask it anyway. It has been rumoured that there are 47 prohibited immigrants presently on Norfolk Island. Can the Minister inform the House whether there is any basis for the rumour and if so what is being done about it.

MR COOK Thank you Mr Speaker, through you to Mr Bates. I think I have already indicated that a request being from the Immigration Officer to be provided with the status of all Temporary Entry Permit applications and holders of such permits and any other permits on island, I have provided the information to the House in response to Mr McCoy. If the expression illegal immigrants is intended to mean prohibited immigrants which I take it from Mr Bates that it does then the situation is different to what he has suggested something like 81 persons as I have already indicated. These people are progressing through their applications. One of the difficulties that occurs if one looks at it in a technical sense as one is required to do so of course under the law is that persons who come from outside to the island, they come here on a visitors permit, they are entitled to enter Norfolk Island and then make an

application while they are here for a Temporary Entry Permit. If they commence work, as many of them do almost as soon as they arrive, if they work for a greater period than 7 days thereafter their visitors permit cease to have effect and they may be then of course in a position that their Temporary Entry Permit applications have not been fully processed and they technically become prohibited immigrants. I can assure Mr Bates as I did Mr McCoy that this situation is very closely monitored and will continue to be so monitored because I would intend to ensure that I have, although it's the responsibility of the Immigration Officer of course to process Temporary Entry Permit applications that I intend to take it upon myself to be provided with the list which is apparently prepared each week as to the status of such persons on Norfolk Island so that I can monitor the situation and satisfy myself that what is being done is appropriate and that there is no situation where there has been a failure to follow up promptly requests for information or the processing of Temporary Entry Permit applications. I'm satisfied myself that when I mean this is no reflection on anybody concerned, particularly in the Immigration Department that these applications should be processed rapidly and effectively so that the obvious situation, the person being prohibited immigrants may be able to be met at the earliest possible opportunity. The Act itself provides for the authorised officer or the Executive Member to grant a permit notwithstanding the fact that a person is a prohibited immigrant or may be in the position that I've just outlined of having worked for more than 7 days and technically being in that status of not being a permit holder and the Act allows for a permit to be granted. In the circumstances I think a very careful monitoring of this whole process is required and I intend to make sure that that is effectively and properly carried out..

MR BATES Thank you Mr Speaker. I have a series of 4 questions for Mr Gardner Minister responsible for Agriculture and the answers may overlap a little bit. The first one is what is the Governments policy regarding agriculture and how can a copy be obtained.

MR GARDNER Thank you Mr Deputy Speaker. In relation to that I'm not aware of a policy that's currently in existence. There has been much discussion early in the life of this Assembly for the Government to actually go out and document properly and formally a proper series of policies for Government purposes. Certainly high on my agenda is the development of a policy for agriculture as it was I think relating to a question that you asked some, either last month or the month before in the House regarding a policy for primary production. It is related and it is something that will be given attention, as I said it's high on my list of priorities and will come about as time and resources permit.

MR BATES Thank you Mr Deputy Speaker. The second question of this series for Mr Gardner is what is the Government doing to promote the development of the rural industry.

MR GARDNER Thank you Mr Deputy Speaker. I guess that relates to the answer I've given to the first part of that question to Mr Bates. It is a matter of sitting down with a number of round table discussions with people like the primary producers committee and igniting that and getting some interest going in that again. Also discussion from other growers around the island and certainly people that sit around this table and developing and encouraging assistance to the primary industry and agricultural areas.

MR BATES Thank you Mr Deputy Speaker. The third one is who should interested parties contact for assistance to get started in any new agricultural project.

MR GARDNER Thank you Mr Deputy Speaker. It would depend I think Mr Bates on what type of assistance, or what degree of assistance they were seeking, whether it be financial backing, in other words waiving of duty, the appropriate



complying with licencing requirements that it's expected that the Tenders Board will meet to select the preferred tenderer and seek then the formal endorsement for issue of a licence from the Commonwealth to crush on the Whaling Station site and then I would expect and hope that we will be in a position to make a public announcement regarding the successful tenderer and when it can be expected that crushed rock material would be available. Right through this process I have tended to give, I guess the best scenario time frames and dates for these happenings. We are probably 2 to 3 weeks behind on our expectations at this stage for the supply of crushed rock. I can only hope that the process that I just alluded to, in other words getting the endorsement of the Commonwealth will be finalised within a few days. Indications are from my discussions with most of those that were involved in the tendering process that dependent on who was successful that we could expect to have a crusher up and running on the Whaling Station site in a time frame that would span from 10 days from notification up to 4 weeks from notification. So I would certainly hope that if we are notified by the end of this week and able to make an announcement by the end of this week that I would expect at the latest we would have a crusher operating on the Whaling Station site within 4 weeks of that announcement. I don't know whether Mr Buffett, I can't recall now whether Mr Buffett touched on a permanent site but with your concurrence Mr Deputy Speaker I might just add that the application for Island Industries on Section 49b2 is a subject of appeal to the ART. It's been a matter of Questions Without Notice to me over the last couple of months. My discussions of recent weeks with the Secretary to the Administrative Review Tribunal, Mr Graeme Donaldson indicates that October as being the most likely timeframe for the hearing of appeals and just in relation to any other permanent site, whether identified or not is that I am not aware of any other application or proposal that has been received for consideration for a rock crusher to be established on any other permanent site on the island save for 49B2.

MR DEPUTY SPEAKER                      Thank you. Any further questions.

MR BATES                                      Thank you Mr Deputy Speaker. A question for Mr Nobbs Minister for Finance. Is it true that you suggested to Members the imposition of additional taxes to raise an additional \$2.m per annum over the next 3 years commencing next September, and if so what did you have in mind, what taxes did you have in mind.

MR NOBBS                                      Thank you Mr Deputy Speaker. In relation to that Mr Bates I was suggesting that if we were to look at redoing the roads in the 2003 with the airport, and bearing in mind that there was an estimate of some \$6.m which is about all that I could come up with at the time, although we are firming up on that and will be hopefully in the next month or so getting a firm estimate of costing in relation to doing the roads at that time in 2003. I put a figure of \$6.m on the particular proposal which was a need as I said to raise \$2.m in the next 3 years and it was discussed by Members, there were suggestions made that maybe we shouldn't put up the price of things, that we should borrow money, I was then instructed to go away and come up with a firm proposal taking into account the views of the Members at that particular point in time and that included borrowing, that included paying for it, raising money now or whatever format, I forget what the others, there was a third one I think if I remember of hand, I haven't got the paper here with me now. I'm currently doing that and hopefully we'll have something for you before at least the next meeting Mr Bates. As to the charges that are proposed well there are a wide variety of imposts that could be placed to raise \$2.m each year in addition to the current imposts but what the final will be, what the recommendations will be, I wouldn't like to speculate at that particular point in time. One further point I'd like to make it's very clear, as we are raising now in excess of \$10m that \$2.m is 20% of the current rate, there will be a need for some pretty solid community consultation and there will need to be an assessment of the actual value of doing the particular works at that time but that's a thought and I would prefer not to speculate at this time if you don't mind Mr Bates on precisely what the additional charges may be.

When I bring the paper forward as I say it will definitely be before the next meeting but it will be I'd say in about 2 weeks time.

**MR BATES** Thank you Mr Deputy Speaker. A question to Mr Smith who I think has responsibility for this matter. It relates to damage to the jetty which has resulted from the Cascade Cliff Project and also damage to roads that approach and come away from that area. Can the Minister please give us detail and timeframes to make good the damage and where funds are thought to be found for this work.

**MR SMITH** Thank you Mr Deputy Speaker. Yes I can. I can't give you a detailed answer on when repairs will be done in particular to Cascade Road, that's a matter at the moment between the Cascade Cliff Management Board and the contractors, likewise the damage that was done by the Cliff Project to the jetty. It's only a matter of time to sort out how much the contractors are responsible and how much damage was already done to the jetty just through high seas and heavy usage prior to the Cascade Cliff Project but the Cascade Road is one and the jetty is the other that needs to be sorted out and I expect that shouldn't be too long before we can actually give a timeframe to that.

**MR WALKER** Thank you Mr Deputy Speaker. Question to the Chief Minister Mr Nobbs. Having met recently with representatives of Flight West Airlines and Honeywell who indicated the system would be operational in early August, can the Minister advise this House when we might expect the new GPS landing system to be fully operational and in use by RPT aircraft given that the same representatives have stated in the Norfolk Islander that they don't expect to be operational until late October.

**MR NOBBS** Thank you Mr Deputy Speaker. Thank you Mr Walker for that. Yes we did meet, all Members met with, well Members that were available met with Honeywell and Flight West representatives, Honeywell being the producers of the landing system that was purchased for Norfolk Island and Flight West are the people that have indicated that they will, that are currently placing their first unit into one of their planes. Mr Walker the proposal that was put to the Members the other day was simply this. That there was a need for the Commonwealth Air Safety Authority to licence the facility and whilst they have done some work on the island here I understand with part of the equipment which is in situ on the island at present they will need to do quite a considerable amount of work in relation to licencing what goes into the plane and also where it connects to from the plane to the ground and so on. So that is an unknown and whilst Honeywell felt at the time that by the end of August that they should have a facility available they were unclear as to how long it would take CASA to develop that facility. Now CASA I also understand are unclear as to how long it will take them. There is a need for considerable testing and therefore the reason the date of October was placed in the paper was to take account of they were unclear as to how long, and they believe that if it was in by August that by October it should be all clear but that is an unknown and I think they spelt that out fairly clearly when they were speaking to Members the other day.

**MR WALKER** Supplementary Mr Deputy Speaker. For almost over 2 years we have seen long delays experienced by Flight West in the delivery of on board aircraft equipment kits pertaining to the system by Honeywell. What compensation if any, has Honeywell offered to the Norfolk Island Government for the excessive amounts of capital outlay made to install the ground station here on our airport, nearly 2 years in advance of any operational benefits.

**MR NOBBS** Thank you Mr Deputy Speaker. There have been none as yet, since I've been in this position I've attempted to get the project going. The situation with Honeywell is, I don't believe that it can be Flight West's fault, it's actually Honeywell I understand only delivered the first aircraft unit in the last couple of weeks, I

think the day before we spoke to them which was 2 weeks ago I think Mr Walker. The day before the first unit was delivered and therefore there has been no discussion in relation to what you are saying but if it keeps up much longer well there certainly will be.

**MR BUFFETT** Thank you Mr Deputy Speaker. A question to Mr Smith who I think has responsibility for this matter also. It relates to fair trading legislation. The House passed a Motion on this matter some time ago. Is the Minister able to give us a progress report as to amendments to this piece of legislation, as to when he might bring it forward.

**MR SMITH** Thank you Mr Deputy Speaker. Yes I can. Since the last sitting when I actually tabled a draft amendment to the Fair Trading Act I've taken certain action since that time, because I had doubts about the effect of what that amendment was going to do. I called 2 meetings to discuss the amendment as proposed and as drafted and what could be done to actually satisfy the Motion as promoted in the House by Mr Brown 2 sittings ago I think it was. At the last meeting I had the people that were called together were unclear on exactly what the Motion that was promoted in the House actually was intended to do. Since that meeting I wrote a letter to Mr Brown who is the proposer of the Motion to get clarification on what was really intended with the Motion. To date I actually haven't had a reply.

**MR BATES** Thank you Mr Deputy Speaker. A question for the Chief Minister Mr Nobbs. With the planned vacation of the At Random building what arrangements are proposed to accommodate those activities presently being carried out from those premises.

**MR NOBBS** Thank you Mr Deputy Speaker. At Random will still be occupied until October which is actually 6 months I understand, I think it's the first week in October. There is a proposal currently before the CEO at this stage, it includes a couple of things. The first thing is the resiting of the lighterage operation, resiting that from the building on Cascade Road up to the actual tar depot, next to the tanalith plant there, the relocation up to there and the construction of a shed on that site. In the current lighterage shed in New Cascade it's the line depot Telecom will move into that building. The tar facilities and road facilities will be moving to the airport to a site on the airport because most of the gravel is around there anyhow and that's the current mix. I think that placing the lighterage in a central position on the top of the hill up here will be an ideal situation as they can move either way to the various jetties. There will be still a requirement in the initial stages for some storage of lighters at Kingston but I would hope that they would all be consolidated into one area in the not too distant future if the proposal is acceptable and goes ahead, but as I say that proposal rests currently with the CEO, he's working through it with his Officers, there seems some support, there is a benefit and there also will be some costs involved but the final proposal hasn't been put in place as yet or brought to me as yet although I have had inspections of the areas under consideration and it seems a reasonable proposal to me but as I said there is nothing finalised as yet.

**MR WALKER** Thank you Mr Deputy Speaker. If I could take the Chief Minister Mr Nobbs back to my earlier question, I have another supplementary in relation to the GPS landing system. Has Honeywell given any indication or guarantees of other airport authorities in the South Pacific committing to their GPS landing system.

**MR NOBBS** Thank you Mr Deputy Speaker. Mr Walker they haven't given an indication that any airport has given a definite commitment to purchase their system at this stage although I understand from discussions with the representative concerned that other airports in Australia and to some degree New Zealand are interested in putting their proposal but it's not expected that this will occur for another 12 months at least.

MR BATES Thank you Mr Deputy Speaker. Further question for Mr Nobbs Minister for Finance. Given the deficit budget planned for the current financial year and the inadequacy of the Governments revenue stream what is planned by the Minister for the use of the \$50,000 provided to investigate revenue matters.

MR NOBBS Thank you Mr Deputy Speaker. Mr Bates the situation is that I'm still awaiting a proposal from the Service in relation to the GST proposal that has been around for some time, I'm still awaiting that, that's one proposal, the others are being worked through the Finance Committee and through other areas at that particular point in time but I have got nothing definite in relation to the expenditure of the \$50,000 at this stage apart from the fact that we understand that the GST proposal will be in the order of some \$30,000 but it could be more and the other \$20,000 was allocated in the budget only a couple of weeks ago.

MR BROWN Thank you Mr Speaker. I direct this question to the Chief Minister. Could the Chief Minister advise whether it is a fact that he has been promoting the introduction of land rates in Norfolk Island.

MR NOBBS Thank you Mr Speaker. I can assure you, thank you Mr Brown for that question, if that's a thought going on well I can certainly say definitely that that's not a proposal that I am promoting. In fact it was brought up in one particular forum which I was in a few weeks ago and I said I was definitely against it, the same as I was definitely against it in 1959 when it was mooted at that time. I don't believe it is a proper tax for Norfolk Island the same as I don't believe income tax is a proper tax for Norfolk Island even though I have paid both and I'm still paying both probably in Australia at this particular point in time. It is something that has been a no no as far as I believe and as I say it was mooted and it was part of a pretty dirty campaign in about 1959 prior to an election here and I still remain of the opinion as I did then that it's not a particular tax that we should be looking at for Norfolk Island.

MR BROWN Mr Speaker I direct this question to the Minister for Immigration and Community Services. Can the Minister please advise what action he has taken to properly fund and equip the emergency services on Norfolk Island.

MR COOK Thank you Mr Speaker. The question of the emergency services and the review of the whole situation as I understand it, presently I'm waiting a report which will assist me in being able to deal with that matter. I'm satisfied that the matter does require adequate attention. I'm not able to advance anything further at the moment than that reply Mr Brown. I certainly am conscious of the fact that it does require urgent and appropriate attention.

MR BROWN Mr Speaker could I ask another question of the Minister for Immigration and Community Services. Does the Minister recall quite some months ago now that difficulties were experienced when a launch had to be put to sea at night and does the Minister recall that grossly inadequate equipment was available to our people at the time. How much longer does the Minister propose to wait before rectifying the problem.

MR COOK Mr Speaker I'm aware of course that the emergency services committee had a meeting in which they resolved that there should be certain equipment made available for equipping the Government launch known as the Guppy to bring it to the point where there would be a basic kit available for use in such emergencies which Mr Brown has referred to which I'm sure everybody is familiar with. It is my understanding that the request was made for the funding of that amount of something like \$4,500 which did relate to a deal of equipment which was considered to be necessary and basic for a rescue kit which could be actually transferred in fact from the Government launch to some other vessel if that was necessary. So there has been, to my understanding provision made and for that equipment to be obtained and installed

and able to be used and that will go some way to meeting the problems that Mr Brown has referred to in his question. Certainly there can be no satisfactory acceptance of something which is less than fully appropriate and reasonable in all the circumstances to be available for this type of operation and that's a matter which I am quite aware of and will continue to do my best to ensure will be provided for adequately.

**MR BROWN** Mr Speaker could I ask a further question in relation to the same subject matter. Has the Minister intended to suggest that funds have been provided albeit in a modest amount to upgrade the equipment on the Government launch. If so how much money is involved and how have the funds been provided.

**MR COOK** Mr Speaker what I recall at the moment and I don't want to be in a position to not adequately answer Mr Browns question or put in any material which is not correct but the request that was made in respect of these monies was brought forward by me to the Executives meeting and discussion took place as to the funding of that amount that I've already referred to of some \$4,500 for these particular items and it was my understanding and remains that Mr Brown and if it is incorrect I will inform you immediately if a different situation has arise that funds were intended to be provided by arrangement with the Chief Executive Officer who was present for that matter to be investigated and those funds to in fact be made available.

**MR WALKER** Thank you Mr Speaker. A question for Mr Smith, Minister for Tourism and Commerce. Can the Minister advise what action has been taken to place a suitable sign identifying Bounty Square, so named at the dedication ceremony on the 1<sup>st</sup> of January 2000.

**MR SMITH** I have no idea Mr Speaker. I'll check it out for Mr Walker.

**MR WALKER** A supplementary to that Mr Speaker if I may. For some time now the lighting of the Bounty commemorative monument has not been functioning correctly in that the bulbs are blown and the fittings are pointing to the ground. Can the Minister advise what action has been taken to rectify this issue.

**MR SMITH** Mr Speaker I suppose I better answer the question more fully. I wasn't aware that these problems existed at the Bounty Square site but it is of high importance that we keep that area in the best of conditions and I will make a commitment that I will ensure that both those items that Mr Walker has raised will be fixed.

**MR MCCOY** Thank you Mr Speaker. I have a question I wish to direct to the Minister with responsibility for Health and Lands Mr Gardner. What effect does the passing of the Commonwealth Environmental Protection and Biodiversity Conservation Act have in relation to management and hopefully completion of the plans of management for the Norfolk Island Reserves.

**MR GARDNER** Thank you Mr Speaker. This is another one of those matters that I intended to make a, actually table some papers on this morning regarding the EPBC Act as it's called which came into effect on the 16<sup>th</sup> of July which I believe was the Sunday just gone. The papers that I intended to table this morning related to the regulations that are attached to that piece of Commonwealth legislation as well as the administrative guidelines for determining whether an action has, will have, or is likely to have a significant impact on a matter of national environmental significance under that Act. Those administrative guidelines basically outline what will trigger the Act and it's a fairly comprehensive document and rather than read it all and try and explain at this time I'll talk to it when I present the paper if that's appropriate and certainly endeavour and ensure that those administrative guidelines and regulations are available to not only Mr McCoy but the general public to enable them to make themselves very much aware of

exactly what impact the EPBC Act will have on the Reserves on Norfolk Island and also land in general on Norfolk Island.

MR MCCOY Thank you Mr Speaker. A further question I wish to address to Mr Gardner with responsibility for lands. Under the Commonwealth Plans of Management for the Norfolk Island National Park, Plans of Management for the Forestry zone within the National Park are to be drawn up by I believe the Norfolk Island Government Conservator. Has this process commenced and if not why not.

MR GARDNER Thank you Mr Speaker. Just trying to sort out how many questions were in that one.

MR MCCOY Three

MR GARDNER Yes under the joint, and I prefer to call them the joint Plans of Management Commonwealth and Norfolk Island Government Plans of Management that have been developed and jointly endorsed by both Governments for the management of the Parks. There is a requirement that the, I believe it was a Plan of Management for the Forestry zone is to be developed. Yes we are aware of that, yes that is required to happen. Again as I've already spoken to this morning, it comes down to a matter of resourcing and time. However under, again some papers and statements that I'll be making this morning I'll be referring to an implementation programme for the land initiative that has been determined and in the content of those documents and the presentation that I'll make in relation to those I will be able to touch briefly on the dates or timeframes for the finalisation of not only that particular Plan of Management but Plans of Management for all of the Norfolk Island Reserves.

MR MCCOY Thank you Mr Speaker. I have a question I wish to direct I believe to Mr Smith with responsibility of the Cascade Cliff Safety Project. Approximately 20 cubic metres of soil and rubble has been removed from the stockpile on Cascade Reserve. Who removed this material and under whose authority.

MR SMITH Mr Speaker that's a question I have needed to have answered myself. I was up there over a week ago and noticed that a certain amount of, I didn't know it was exactly 20 cubic metres or whatever Mr McCoy said, but I have not actually found that out yet but when I do I'll be the first one to let Mr McCoy know.

MR MCCOY Thank you Mr Speaker. Supplementary to that question directed to Mr Smith. Why aren't the gates locked to that area.

MR SMITH Mr Speaker that also is a question that ran through my mind when I went up to the stockpile and found the gates wide open with no ability to be locked and in fact there was only a piece of wire which I at that time closed the gates and twisted up the wire but I suspect it is because the area, where there is an entrance to that area was actually behind the cattlestop which was protected by an electric fence until a matter of weeks ago, so I suspect that's what's happened and nobody's really thought about changing that situation.

MR WALKER Thank you Mr Speaker. A question for Mr Gardner Minister for Quarantine. With the allocation made in the 2000/2001 budget for the introduction of a Beagle dog to be used for quarantine purposes has the Minister first considered any alternatives which might prove more cost effective, for example a warning information sign and random full searches of baggage here on Norfolk Island, or a contractual arrangement with mainland Quarantine Services whereby Norfolk's baggage is checked by their dogs prior to departure and suspect bags marked for inspection on arrival.

MR GARDNER Thank you Mr Speaker. I hope I don't appear rude by this but I would expect by the attached comments to that question that obviously Mr Walker would be aware that those items are being considered because I believe that they have been detailed either through internal memos with Customs and the Quarantine Service but they also were matters that were brought to the attention of my predecessor in relation to maybe requiring or identifying certain flights into the island that would be targeted for quarantine purposes in an effort to discourage what appears to be, and what seems to be reported in various sections of the community the importation of fruit, vegetables, plant material or otherwise via incoming passengers to the island. My understanding was is that in the last throes of the previous Assembly at that time didn't permit anything like that to be put in place. There was limited debate in the runup to the budget session this year for the retention or the funding of the \$40,000 for the beagle dog and I think anybody that is outside in the general community and got hold of the final budget document would have seen that that was all that was referred to was \$40,000 for Beagle, I think is the way that it's written in the budget document – for Beagle. So anybody in the community would probably be expecting that one of these days we're going to have a Beagle turn up. Certainly that is part of the response or the proper way of dealing with some of these concerns is to look at how it is done elsewhere and the Beagles in fact is one method that is used to discourage or attempt to prevent the importation of illicit plant and fruit and vegetable matter into various countries around the world. However I think it's necessary to say that before we run head long off into purchasing a Beagle dog, another mouth to feed, another operator to handle, that we need to very carefully consider what other options are out there. One of those options that is out there is indeed entering into a contractual arrangement of some form to allow for the pre-screening or pre-quarantine of baggage that's coming to Norfolk Island. Again there's legalities there that would need to be checked and a number of other issues that would need to be worked through, but the most responsible way of dealing with this problem, and as I understand it the feeling of the majority of the Assembly was to make funds available to try and curb what is obviously a growing problem in some peoples minds and have responsibly appropriated the necessary funds to enable and initiative to be put in place. It's probably just unfortunate that it had – for Beagle attached and didn't really expand any further on the initiatives that need to be pursued. Again I had hoped in relation to this issue that with the impending visit of Immigration Officers to assist in training in the runup to the Olympic Games a request from my office through the office of the Minister for Immigration had requested similar assistance in training for our Quarantine staff here on the island and an ability to be able to explore some of the other options that may be available in relation to quarantine and the problems that apparently do exist in the system that we have at the moment but I can assure you that I certainly won't be actively pursuing at all cost the importation of a Beagle dog right at this moment to do that. I'd prefer to sensibly and responsibly explore the other operation.

MR WALKER Supplementary Mr Speaker. Can the Minister assure us that he will investigate fully whether the useful life of any quarantine dog, if brought to Norfolk Island could be affected purely on the fact that it may not get sufficient work to keep its skills attuned.

MR GARDNER We may have to import some more sheep Mr Speaker to give a little bit more work to do. As I said in the answer to the previous, I've excited Mr Smith I'm sorry about that Mr Smith. I apologise for that I withdraw that comment. I think I covered that in some detail in my answer to the first part of the question in that it will be properly explored and I guess your proper business plan would be established before a final decision on whatever course of action is taken, is taken.

MR BATES Thank you Mr Speaker. A question for Mr Gardner Minister responsible for Fishing. The purchase of a recent fishing business has made representations to lift the band on fish exports to accommodate his desire to export 2 tonnes of fish per week. What is the Minister attitude toward this.

MR GARDNER Thank you Mr Speaker. My personal attitude towards it is probably related to the answer I gave in relation to policies for primary production and agriculture that they are related in a lot of ways in that if there is an ability to be able to advance for the benefit of this community a new industry that it is worth investigation. Currently as it stands the prohibition on the export of fish other than 8kg into anywhere else but Australia and 5Kg into Australia relates only to 3 species of fish that I understand and that is Trumpeter, Snapper and Groper that as the law currently stands there is nothing, at this point in time to prohibit the export of other species of fish from Norfolk Island in whatever quantities. The position that the gentleman that you refer to, or the business that you refer to was in that had a couple of references in the newspaper was that they had proposed to target a species of fish that dwells in very deep water I understand between 2 and 3,000 feet which currently isn't targeted by local fishermen of which this person was prepared to undertake the necessary surveys to determine whether there were sustainable amounts of that particular species of fish around Norfolk Island to sustain such an industry. As I believe you would be aware Mr Bates there is a proposal under the, I guess transfer of responsibility for the management of the fishing box around Norfolk Island to include at the same time as the development of legislation that would enable that to happen a proposal for a blanket ban on all fish species exported from Norfolk Island. That is yet to be a matter that will be no doubt debated at length in this House when that matter and issue arises but will be a matter for discussion between the Norfolk Island Government and the Commonwealth Government in relation to that but I guess the thrust of the question was my personal views on that. I tend to believe like any other new industry that it needs to be properly evaluated and if it is supportive, has a go, it reduces the impact on our current more traditional fish supplies, in other words the Trumpeter and Snapper and Groper it appears that it warrants further investigation I would hold short at this stage of saying that it warrants support because it needs to be properly investigated and the proper details, facts and figures need to be drawn out to make an informed decision on that.

MR MCCOY Thank you Mr Speaker. I have a question I wish to direct Mr Smith as he appears on our portfolio to have responsibility for Communications. Is it intended to allow television and radio reception to continue at the substandard being experienced or will this problem be fixed in the not too distant future.

MR SMITH Thank you Mr Speaker. Thanks Mr McCoy for that question. It's a subject that annoys a lot of people on the island right now at this particular time or particularly in the last week with the adverse weather we've had around, particularly rain and also some heavy winds that is actually destroying the signal that we receive from Optus B3 satellite. I think most people in the community would be aware that when the ABC changed from analog transmission of satellite signal to digital it was always going to be doubtful that we would get an excellent picture or radio service from the satellite. The satellite is so placed that we are really outside of the footprint that the satellite distributes the signals. So therefore we are very lucky in a sense that we actually get any at all under this new system which certainly doesn't favour Norfolk Island. However right from the very beginning we experienced problems with the reception and probably the most annoying one is the television signal when that drops out or freezes as it does. However in the last few weeks besides the weather it does appear to be deteriorating for longer periods and we've just been having discussions over the last 2 days of how we might attempt to fix it. It is possible that we can't do anything about it but we're going to have a look and see if the dish, our receiving dish needs some minor adjustments just to bring it back into line or whether that's just going to be a fact of life that the television and radio signals are going to continue breaking up like they do at particular times of the day.

MR MCCOY Thank you Mr Speaker. I have a question I wish to direct to either Mr Nobbs or Mr Smith, it's again in relation to Communication. Have

tenders for the carriage of communication to Norfolk Island been received and what is the present status of this process.

MR NOBBS Thank you Mr Speaker. I'll take that on board. Thank you Mr McCoy for the question. Tenders, I think I mentioned at the last meeting that tenders were to be called, they were called at the end of June for carriage of the equipment. They will close at the end of this month and the situation is that we have a consultant Gibson and Quay in Australia who have had representatives over here obviously. They supervised the tender process and they will be also putting the tenders through the hoops when they are actually received. There was a group which the Gibson & Quay actually sent the, and I'm busily scratching around here Mr Speaker to try and get the actual advertisement. There was an advertisement placed in the Australian papers and it requested the components of this tender included international telecommunication services for Norfolk Telecom including voice data and internet services, that's one. The second was the international link infrastructure to support the telecommunication services. Third requirement was the digital cellular modular telephone system infrastructure and services at Norfolk Island, and the fourth was for optional telecommunications billing system for Norfolk Telecom. As I say the tenders close at the end of this month on the 31<sup>st</sup> July 2000 at 2.00pm and if anybody's interested in putting in a tender they give them to Gibson & Quay in Brisbane. I don't think there's anything further to add apart from the fact that this will hopefully lead to the solving of our problems. It will lead to some new infrastructure for the island and it will lead to a reasonable follow on to an arrangement with Telstra which we're only just extending at a 6 months basis at this particular point in time. I understand when I say extending Telstra obviously are interested as are some other companies I understand are interested in fulfilling the requirements of the tender.

MR SPEAKER Thank you. Honourable Members time for Questions has expired.

MR WALKER I'd like to move Mr Speaker that time for Questions be extended by 15 minutes.

MR SPEAKER The proposal is that Question time be extended for 15 minutes. Is that agreed amongst Members. That is agreed.

MR WALKER Thank you Mr Speaker. A question to Mr Smith, Minister for Tourism. It is now a matter of course that new tourist accommodation must comply with the clean water catchment and storage standards in order to obtain their licence to operate and hopefully this will reverse the past total reliability on sub-terrarium bores. Can the Minister advise what action has been taken to ensure that existing tourist accommodation properties are upgraded to meet with the same clean water catchment and storage standards.

MR SMITH Mr Speaker I don't know that existing properties have to have the same requirements as new accommodation. For example when a new accommodation place is built it must supply enough water storage so that the accommodation house does not have to depend on or use underground water supplies. From what I can recall, off the top of my head there is no requirement at this point in time that an existing accommodation house that has been there for quite some time does not have to upgrade. However, having said that and if that is right, if I am correct during the moratorium period which we are 2 months into, one of the proposal that I have is that there be investigation of this and I will be talking to the Minister for Health who is already looking at those sorts of areas amongst the review of the Norfolk Island Plan. I must say that there is quite a number of accommodation house that only have bore supply.

MR WALKER Mr Speaker a question to the Chief Minister Mr Nobbs. In relation to the accumulation of recreational leave by members of the Public

Service under Section 25 of the Public Service Act is the Minister able to confirm whether a policy exists whereby any one Public Servant who has accumulated in excess of these stated maximums can cash in the amount of excess entitlement in lieu of physically taking the time off.

MR NOBBS Thank you Mr Speaker. Off the top of my head I can't actually that question straight away but I would think that it would be no, but I'll have to confirm that Mr Walker, but the question is topical at the moment as people are probably aware that there has been some instruction put out by the CEO which I haven't actually seen that the accumulation of long service leave is not to be condoned, or recreational leave sorry is not to be condoned and that steps are being taken to reign back this particular practice. As your probably aware with our change in accounting procedures, this will be shown as a debt to the Government under the new accounting arrangements.

MR WALKER Supplementary. Would the Minister, assuming there is no such policy in place would the Minister undertake to investigate any such breaches of the Act if these breaches have indeed occurred.

MR NOBBS Thank you Mr Speaker. I most certainly will Mr Walker. There are certainly some issues that require tightening up including travel arrangements need tightening up and I've issued instructions in the past few weeks that this has to be done. The Assembly have agreed to continue the policy as far as travel by all members need to be approved by the Assembly itself, by Assembly Members and I think that there is a need in the Public Service for some more stringent control in relation to travelling and actually the approval mechanisms so that everybody is clear where they actually stand.

MR MCCOY Thank you Mr Speaker. I have a question I wish to direct to the Minister with responsibility to Finance Mr Nobbs. In dollar terms how much does it cost Telecom to subsidise internet access for the School and Administration.

MR NOBBS That's a question that, thank you Mr Speaker and thank you Mr McCoy. It's a question that has been asked in the last month or so Mr McCoy in relation to internet. I understand, I was told yesterday that it's free to the School up until 4.00pm and after 4.00pm they are charged. Now I haven't got that in writing but I was only informed of that and the other situation is that the cost of running it was another point that was put to me is it's going to cost the Government, whether they use it or not. Now people may think the use of internet is a sort of a fun and games thing and that Public Servants will be utilising it full on instead of doing some work. There doesn't seem to be any indication of that. There may have been in the earlier stages an interest in the internet when it first came on but I think like everything else that that interest has probably died as I find internet quite boring really most of the time and that whilst it's handy in some circumstances it's not something that I believe that you would utilise all day but then again. So the costs involved in it are, I can't tell you the exact costs for the usage. I don't think there is any means in place to actually record the usage in the Admin but I will definitely follow it up Mr McCoy and let you know.

MR BATES Thank you Mr Speaker. A question I asked Mr Gardner back in May and was promised that I'd get some advice about it. I was wondering if he has that advice. The question was how much restoration as opposed to conservation has been done in the last few years and how much is planned for the coming financial year or this financial year.

MR GARDNER Thank you Mr Speaker. My apologies to Mr Bates for not being in a position to be able to detail his request to him. I have sent off, following that question in the House a request to I believe the Secretary to the KAVHA Board requesting some input from KAVHA and also from the Works Manager in KAVHA Mr Puss Anderson. I don't know the current status of that Mr Bates but certainly I'll take in

on board and ensure that that's followed up and you are provided with that information as soon as possible. I believe back in May I did direct your attention to the budget papers or the submissions that had been made which gave a pretty clear indication of what had happened in the previous financial year and proposed to happen in this current financial year and I understand that the breakdowns were pretty self explanatory in those papers. I think that my request that I did send off in relation to that I had asked for figures back for the last 5 years but maybe I'll have a chat to you later Brian and see whether you want that extended back further to provide you with more detailed information.

MR WALKER Thank you Mr Speaker. A question to Mr Nobbs Chief Minister. Some considerable time ago an amount of energy efficient lights were purchased. Can the Minister advise if these lights have been installed and what savings have been achieved.

MR NOBBS Thank you Mr Speaker. Some lights have been installed and some have not. In certain areas of Administration we've got lights installed whereas in others they have not been installed at all. Now the actual savings I've requested to find out where we're standing with these savings and actually what can be done with those lights that have been purchased and paid for, what can be done with them from now on but there is some reluctance in some areas to use the lights and it's not my position I believe to direct but I think we should be starting to demand that they be placed in areas which I understand were approved by the heritage people involved in the area and the lights were I understand approved by them and that they should go in.

MR WALKER A supplementary Mr Speaker. What was the total cost of purchase and installation of these lights and how long will it take to recoup that capital cost from savings made.

MR NOBBS Thank you Mr Speaker. at that particular point in time I can't give you an answer to those actual questions Mr Walker, I haven't got them here with me I'm sorry but I will definitely get back to you on that.

MR BROWN A question to the Chief Minister in relation to Electricity. Can the Chief Minister advise whether the power factor correction equipment at the Powerhouse is yet working and if not when will it be working.

MR NOBBS Thank you Mr Speaker. The last that I was advised which was recently was that it was not working and they were waiting on a part to have it operational again Mr Brown.

MR WALKER Thank you Mr Speaker. Again a question to the Chief Minister Mr Nobbs. Could the Minister please advise why it was that 6 members of the Electrical undertaking staff were seen to spend the entire day yesterday perched out on the ship during the discharge of general cargo when to my knowledge not only was it not necessary for them to be there, but I believe little if any of the generators or their associated equipment came ashore yesterday.

MR NOBBS Thank you Mr Speaker. I'm unaware that they were out there, 6 of them were out there but yet I wasn't out on the ship. I will have the CEO who is the appropriate person to investigate your claims Mr Walker and I will provide you with a response, but I must say that the removal of the generators from the ship has caused concern to not only the Lighterage people I understand, but also to the Electrical people and that they have had to make some adjustments including unpacking of containers and the like before they could come ashore. Now what the final outcome is I don't know. I understand that the first generator came of just prior to us coming into this meeting here and from trying to keep an eye on things out the window here it seems that

others are coming off during the morning but as to the claim about guys sitting around and that I will definitely have the CEO investigate it and give you a report.

MR SPEAKER Thank you. Further Questions Without Notice. We have concluded Questions Without Notice Honourable Members. There are no Questions On Notice this morning, therefore we move onto Papers. Are there any Papers for presentation this morning.

## PAPERS

MR SMITH Mr Speaker I would like to table the Inbound Passenger Statistics for June 2000 and move that they be noted.

MR SPEAKER The question is that that Paper be noted.

MR SMITH Thank you Mr Speaker. I'd like to report that the 12 monthly total of visitor arrivals into Norfolk Island for the financial year to the end of June was 38,298 people. Some may be happy about that, some may be unhappy. That is actually a record number of visitors to Norfolk Island in the while history of tourism. Also the month of June turned out to be a really good month with 3,091 people, which is 800 more than June last year, although only really up about 100 people on the year before. Overall a good performance but New Zealand also performed a little bit better in the month of June than what it has been in the past and I need to add to that that there has been meetings with the Tourist Board and New Zealand representatives of how to arrest the declining numbers out of that country. All in all I'd like to say that all that has been involved in the promotion of tourism over this last 12 months have done a good job. As I said before some people will say that's really good, we're having record numbers but I know there is also other views that some people are concerned that we're having so many numbers and I need to make that known. Thank you Mr Speaker.

MR SPEAKER Thank you. Any further debate.

MR BROWN Mr Speaker the Minister is to be commended in having indeed achieved record numbers in the current year. If one looks back over the years the growth is perhaps not as large as it might at first seem but nevertheless is growth, and that's a matter about which some people will be concerned Mr Speaker, not so much because they don't like the idea of tourism but thinking people will be concerned that in a year of record tourist numbers we've got very little in the bank and we're looking at a substantial budget deficit. At the same as doing virtually no work on the roads, at the same time as virtually ignoring the question of maintaining our infrastructure. So I want to express that concern. It is a matter about which all Members should be concerned because if one looks at history there are peaks and troughs and if we fall into a trough at some stage in the next few years Mr Speaker we need to ask the question how are we going to pay the bills. Thank you.

MR SPEAKER Thank you. Any further debate. The question before us Honourable Members is that this Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SPEAKER Further Papers this morning for presentation.

MR COOK Thank you Mr Speaker. Mr Speaker in accordance with Section 41 of the Interpretation Act 1979 I table the Social Service Amendment Regulations 2000 and move that they be noted.

MR SPEAKER Thank you.



think an appropriate and responsible approach and a realistic approach to achieving those goals that are desired by the Norfolk Island Government as far as enabling or putting in place a system that will allow for the transfer of Crown lands to Norfolk Island. The degree of that transfer has yet, and I need to add that, has yet to be decided upon. However it is move in the right direction and I draw Members attention to the notes at the end of that document which basically support my comments this morning in relation to the timeframes, the resources etc. This relates to establishing the timeframes for the review of the Norfolk Island Plan, the implementation of a number of other issues relating to public health codes, building codes and a Building Act 1996 and also a couple of other initiatives that are required that the implementation of the Norfolk Island Heritage Act, for example to be finalised and in place. The timeframes, I think the latest is expected in about 11 months time, June 2001 is to be the date furthest out but most of those other things it's believed can be achieved in the next 6-9 months and it's certainly a document of interest and I'll be certainly looking for endorsement for that document from Members of the Assembly when they've had time to digest it, and as I said it's going to need some tweaking at the edges but it's a clear indication at this stage of our desire to get on with the process and where we are to date and this document has been a result as I said of the Land Task Force that was established at the end of June which flowed on from discussions at the Intergovernmental meeting at the beginning of June.

MR BROWN Thank you Mr Speaker. I wonder if I could ask the Minister whether the dates, the target dates in this document are in his view realistic dates or have all of the time periods been shortened so as to accommodate the Chief Ministers desire to finish the transfer of land by January 2001.

MR GARDNER Thank you Mr Speaker. At this stage, as I said in my introductory remarks this is a Paper that has been developed by the Task Force, in their opinion are realistic dates that these things can be achieved. Certainly I wouldn't have any difficulty if the working group and the officers were in a position to be able to adequately deal with all of these issues by January 2001 but at the end of the day what that really boils down to is the time that we have available to us and the resources that we have available to us to achieve that. This is developed as I believe the thoughts of the joint task group, land task group as being realistic.

MR NOBBS Thank you Mr Speaker. I don't want to labour the point on this particular Statement but I do want to make some comment on what was stated just a minute ago in relation to the timeframe being changed to accommodate my wishes. If Mr Brown were to look closely at the document and read it he would find that it's nowhere near the date that I picked. I mean we're looking at not completing this before at least June next year. I have some difficulty with that but I understand what the Minister Geoff Gardner is saying and we will go along with it, but if we can shorten it I would certainly be very keen to do so.

MR SPEAKER Thank you. Any further debate. The question is that that Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR GARDNER Thank you Mr Speaker. The second Paper this morning I table is the Norfolk Island Crown Land Instructions including policies under the Crown Lands Act 1996 and I table those and move that they be noted.

MR SPEAKER Thank you. The question is that that Paper be noted.

MR GARDNER Thank you Mr Speaker. These documents that I've tabled which primarily are the Norfolk Island Crown Land Instructions including policies under the Crown Lands Act 1996 are the instructions that are provided by the Federal



MR NOBBS Thank you Mr Speaker. I table the Travel Expenditure for the Norfolk Island Administration for the quarter 1 April 2000 to 30<sup>th</sup> June 2000 and move that it be noted.

MR SPEAKER The question is that that Paper be noted.

MR NOBBS Thank you Mr Speaker. As has been practice these have been tables as total sum is \$17,028 and it includes travelling allowance and airfares for that period involved and I don't think I need to add anything more.

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

QUESTION PUT  
QUESTION AGREED

MR GARDNER Thank you Mr Speaker. I table the submission by the Norfolk Island Government to the Commonwealth inquiry into access to biological resources as they pertain to the Environment Protection and Biodiversity Conservation Acts 1999.

MR SPEAKER Thank you. Further Papers for presentation.

MR NOBBS Thank you Mr Speaker. I table the Airport Landing Fees Exemptions and I move that they be noted.

MR SPEAKER Thank you. The question is that those exemptions be noted.

MR NOBBS Thank you Mr Speaker. Mr Speaker the Airport Act requires the responsible Minister to table at the first Legislative Assembly after 1 January and 1 July in each year the total amount of charges waived during the proceeding 6 months. Mr Speaker I table the details of Landing Fees Exemption sought for the 6 months 1 January 2000 to 30<sup>th</sup> of June 2000. In total 1013 passenger movements applied to be exempt and at \$18-30 per passenger movements the total exemption sought for the period amount to \$18,629-40. Thank you.

MR SPEAKER Thank you. Participation. The question is that those exemptions be noted.

QUESTION PUT  
QUESTION AGREED

MR GARDNER Thank you Mr Speaker. I table the North Australia Quarantine Service and Australian Quarantine Inspection Service Plant Health Survey for Norfolk Island dated October 11-22 1999 and move that it be noted.

MR SPEAKER The question is that that Paper be noted.

MR GARDNER Thank you Mr Speaker. To try and keep this short but concise I'll read from the summary that's attached to that report that I understand has been circulated to all Members but I would appreciate a nod from around the table to ensure that that's been done because I know some Members do have it, I'm not sure if all do. This came about as a response to a request from the Administration of Norfolk Island for assistance in completing a survey of the pests and diseases of Kentia palms. The Australian Quarantine Inspection Service provided a team of 3 plant health Scientists. The team comprised Judy Grimshaw, Entomologist Barbara Waterhouse,

Botanist, and Vanessa Break, Plant Pathologist. The team visited the island between the dates of October 12<sup>th</sup> to 22<sup>nd</sup> 1999 inclusive and carried out a survey of horticultural plants as well as Kentia palms. A number of significant finds were made including new records of weeds, plant diseases and insects. Also the Kentia palm production problem, referred to as heart rot was investigated and some recommendations for its management were proposed. In the time available it was not possible to examine the large areas of crop related plants growing in the weed flora. Interim findings were reported at a public meeting on the island on the eve of the departure. More detailed results are reported here. However some identifications are still outstanding and these will be reported at a later date. A more detailed report on the impact of the weed flora on the islands ecology along with some suggestions for management will be provided at a later date and a completion date for that was July 2000 and that was anticipated by the author of the report. Mr Speaker some of the interesting aspects of this report and that refers back and briefly touches on Questions Without Notice in relation to quarantine initiatives is what appears to be since the last survey, I guess of this type was undertaken is the number of escaped garden ornamental plants that maybe now causing problems around the island, not just in pastures but also in the Parks and Reserves. There are concerns there. There also has been highlighted a number of new pests and diseases that have been identified for the first time on Norfolk Island. That doesn't necessarily suggest that everybody has been unavoidably introducing these sorts of pests and diseases into the island. They just may not have been identified or seen during the life or the term of the last such survey that was undertaken on Norfolk Island but certainly does raise some concerns and adds significant weight to the need to determine a more solid quarantine regime and just how we are going to protect our borders from cross border contamination by not only pests and diseases but also plants that would appear in other jurisdictions to be pretty flowers.

MR SPEAKER Thank you. Any further debate. The question is that that Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR NOBBS Thank you Mr Speaker. I wish to table documents which authorises transfer of appropriations from the financial year 99/00 to 2000/2001 and I move that they be noted.

MR SPEAKER Thank you. The question is that that Paper be noted.

MR NOBBS Thank you Mr Speaker. I've authorised the transfer of unexpended appropriation in the year 1999/2000 to the financial year 2000/2001 that's provided under provisions of the Public Monies Act. Under provisions for that Act I'm required to lay a copy of the directions before the Legislative Assembly and this I do. Mr Speaker we have seen the introduction of accrual accounting and in the year 1999/2000 the Revenue Fund was included in the net. Mr Speaker in the past it's been possible by what was called the Suspense Account to carry forward commitments of the previous year. The current transfer of funding from the 1999/2000 financial year is necessary to cover orders committed against funds in 1999/2000 but the goods were not delivered in that year, thus under accrual accounting cannot appear in the 1999/2000 accounts. It is proposed that the appropriation so transferred will be placed in a frozen supply account pending delivery of the goods in the year 2000/2001. Mr Speaker they are only small items but 2 significant items in the authorisation are an \$86,000 in relation to construction of new toilets at the School and stage 1 completion of the computer system which is a sum of \$127,000. Thank you Mr Speaker.

MR SPEAKER Thank you. I put the question Honourable Members. The question is that that Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SPEAKER Thank you. Are there any further Papers for presentation.

MR GARDNER Thank you Mr Speaker. I table the report on a visit to Norfolk Island dated April 2000 by Mrs Patricia Barkley who was formerly principle research Scientist for NSW Agriculture and move that that Paper be noted.

MR SPEAKER Thank you. The question is that that Paper be noted.

MR GARDNER Thank you Mr Speaker. Though I understand this report came about as a voluntary exercise by Mrs Barkley it is interesting. It relates mainly to citrus pests and diseases identified on the island that was recently copied to MLA's I believe yesterday. I've only just myself received copies of it. Whilst she was here on the island I understand that she also visited possible sites in the National Park and Botanic Garden that possibly contain infestations of felinis noxious, which is one of the root rot pathogens that we seem to have on the island to have a look at the damage and to make recommendations in relation to the treatment of that. Contained in that report is her report also on her meeting with myself to discuss strategies for providing year round supplies of fruit, mainly related to citrus fruit on the island. It was a very interesting discussion and we canvassed a lot of ideas, especially in relation to the establishment of a quarantine screenhouse or a similar type of facility on Norfolk Island and again getting back to the Beagle dog, looking at other options that might exist other than a quarantine screenhouse. All in all a very interesting discussion and meeting. She has made recommendations in this report which are interesting. Some of them would be of concern to residents on the island as they relate to some of the unidentified pathogens that are causing problems on the island as far as root rots are concerned. She's suggesting in her recommendations that surveys be conducted on the island, try to sort out whether fitothra is present on the island, that is a matter I will pursue with Parks Australia because I know that they have concerns about I believe not only fitothra but felinis noxious having an effect in the Park, and those further surveys should be undertaken. So I will endeavour to further discussions with the Parks Service in relation to both of those pathogens. It is also suggested that a broader survey to determine how much of root rot is due to not only felinis but ganoderma and rigerdiporous as believed that that's warranted, serious root rot diseases and pathogens that maybe with the re-establishment of the position of a Agricultural Officer on the island, or by some other means that we undertake citrus leaf analysis to determine proper fertilizer regimes. It also goes on to suggest that we should be looking at alternative root stocks for trial on Norfolk Island. I understand from these recommendations here that some of those have already been trialled. She may not have been aware at the time that those had been trialled on the island and that any new varieties or proposals for the introduction of new varieties or clones of citrus wood and that extended to other varieties of fruit trees etc, could be introduced as pathogen free budwood into the island and as far as the excesses with current citrus production on the island I think a recommendation that we may have heard around the table before that some enterprising young person on the island may be encouraged to enter into the juicing market to provide fresh squeezed juice for tourists that are visiting the island. Thank you Mr Speaker.

MR SPEAKER Thank you. Any participation in debate. The question is that that paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SMITH Thank you Mr Speaker. Mr Speaker I would like to table a letter and a list of names that are in the form of a Petition. I move that they be noted.

MR SPEAKER Thank you. The question is that the Paper be noted.

MR SMITH Mr Speaker I received this letter and this list of names, just this last weekend. It is in a form of a Petition but it is not on the required form for an official Petition which is why I didn't table it in the beginning of the meeting. I think that's appropriate. The Clerk will frown if it's not. But the letter I will read was dated 14<sup>th</sup> July 2000, to Mr George Smith MLA, the Administration Kingston. Dear Mr Smith we believe that we have to resubmit this Petition to you now that there is new Government elected. Please note there is a strong feeling that the lane name should not be changed. People of Harnish's Lane feel the same about their name change. It has nothing to do with the name that is suggested, that the Lane should be changed to. The change should not happen without the owners of property and residents knowledge and consultation. We hereby resubmit the Petition as enclosed. Await a favourable result. We remain yours sincerely, all signatories on the Petition, with a note, the majority of land owners and residents of Dead Rat Lane were not approached about the intention to change the name and have signed this form to request that the name Dead Rat Lane be changed. Further to that on the actual words of the Petition. To the Norfolk Island Assembly. We the undersigned believe that quaint names such as Dead Rat Lane, and it is one of the quaintest, the distinctive nicknames given to islanders and the colourful legends of this island with its unique culture and history all add to the charm of Norfolk Island to make this little island different from other tourist destinations. We feel it would be a shame to change the name of Dead Rat Lane and we wholeheartedly lend our names to this Petition and have the name Dead Rat Lane retained. There is 8 pages of signatures, made up of residents, GEP's, TEP's and visitors to the island. Mr Speaker Mr Walker is going to have more to say on this but I'd just like to say that at the last sitting this issue was raised and there was a proposal to have a Motion to make some adjustments. However it was raised by one Member that there may be some question over the actual ownership of the land in Harnish's Lane and Dead Rat Lane. It has been confirmed that Harnish's Lane does not belong to the Norfolk Island Government, or the Administration. It is in the name of a private landowner. The other Lane which is now known as Mitchell's Lane officially does belong to the Administration. I think I might leave it at that and let Mr Walker say what he's going to say because I understand he's going to move a Motion. Thank you Mr Speaker.

MR WALKER Thank you Mr Speaker. We have established as the Minister has quite rightly said that the Lane no known as Mitchell's Lane, the ownership is vested in the Administration. It has been difficult to establish as to whether the name by which it was commonly known Dead Rat Lane was ever officially vested on that Lane. It is probably more as the Minister has said that it was a nickname given to it. However it was known by that over several years. In order to allow consultation with all those concerned I would seek leave to move a Motion at this time in relation to what is now known as Mitchell's Lane.

MR SPEAKER Mr Walker I'm happy to ask the House if they would receive that in a moment, but the question before us is that the Paper be noted. We would need to dispose of that and then come to your matter. Is there any further debate in respect of the question that the Paper be noted. That is Mr Smith's Paper.

MR MCCOY Thank you Mr Speaker. I'm a bit confused with this. Is this a Petition or not.

MR SPEAKER It is not a Petition in terms of the Standing Orders. It is a Paper that the Minister has presented to us this morning.

MR MCCOY That's all I had a query on.

MR SPEAKER Further participation.

MR SMITH Mr Speaker maybe I just need to comment about that just for the people who actually put this in and I don't actually know who did. They may have thought that it was in the proper form and would hope it would be treated as a proper Petition and if I am wrong about my assessment of it I do make an apology to anybody concerned but in my reading of it, it wasn't a proper Petition but I am still treating the contents in the same vein as what a Petition would be where there are people on the island who want to make their views known to the Legislative Assembly and therefore the Government. I'm not intending to treat this with any less seriousness than I would a Petition in the proper form.

MR SPEAKER Thank you. Any further debate in respect of this Paper. I put the question that the Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SPEAKER Thank you. Mr Walker you wanted to seek leave in respect of a Motion.

MR WALKER I so do.

MR SPEAKER Could you identify the Motion so that Members may be asked about it.

MR WALKER That the Minister responsible for the naming of roads give consideration to signposting Mitchell's Lane with an appropriate street sign Mitchell's Lane with under this in brackets formerly Dead Rat Lane.

MR SPEAKER Thank you. That's the question. The question I ask Honourable Members if leave is granted for that Motion to be brought forward. Is leave granted

AYE

MR SPEAKER Leave is granted.

MR WALKER Then I so move.

MR SPEAKER Thank you. Do you wish to address the matter.

MR WALKER Mr Speaker in putting this Motion forward I am endeavouring to grant the wishes of those who have signed this paper, that they may have consultation with the Minister on the matter. It is not to change the name per say but simply to have it recognised that it was formerly known as Dead Rat Lane. The official name would remain Mitchell's Lane. I really don't have a lot more to say other than that.

MR SPEAKER Thank you.

MR BROWN Mr Speaker I have little doubt that Mitchell's family would love to see the end of all of this and I have little doubt that they would believe that there could be a far more fitting tribute than the name of that Lane. The fact of it all is that the consultation that most of us thought had occurred had not occurred. I think it is reasonable to take a view that the name should not have been changed. If there's going

to be a change back again I don't think that we should do it in a half hearted way such as Mr Walker has suggested. I think it should go back to the name Dead Rat Lane. But if there is to be an inquiry could I suggest that it be a wide inquiry and that it not be limited to a half hearted solution. Thank you.

MR SPEAKER Thank you. Any further debate. Before I put that question again would you just be kind enough to read it for us for clarification.

MR WALKER The Motion reads Mr Speaker, that the Minister responsible for the naming of roads give consideration to signposting Mitchell's Lane with an appropriate street sign Mitchell's Lane, with under this, in brackets, formerly Dead Rat Lane.

MR SPEAKER Thank you. Any further debate.

MR GARDNER Thank you Mr Speaker. I'm somewhat confused here that we've got a Motion that's asking us to, as I think Mr Brown put it go half way back to what the situation was, and my understanding of the Paper that was tabled previous to this Motion was a Petition that could be, I guess taken as been the necessary consultation with landowners and land holders and residents in that area that they didn't want that name change to have occurred in the first place. Can I just question Mr Speaker through you to Mr Smith. Is that correct, is that... If that is correct I would be hesitant in supporting the Motion where clearly written and signed consultation with a fairly significant number of people in that area would not be in support of Mr Walker's Motion, and that I would seek to have this matter adjourned so that proper consultation can take place. That we could have it clarified.

MR SMITH Mr Speaker I don't wish to really drag this out. I assume that if the Motion, or the Motion would get adjourned anyhow for it to allow for public comment and I have no difficulty with that from my part. I think it should be made clear that the Legislative Assembly only needs to have a Motion in the House to name a road. Whether we can do that on a road that is actually on private land I really don't know. I doubt it, but maybe we can, but on a road that is owned by the Administration I'm quite sure we can. That Motion was passed last year with lack of consultation which was totally unfortunate, which obviously did catch out some people with that name change. I don't wish to enter into any debate about the fact that the name change was made in case of Dead Rat Lane, as far as I'm aware and as I wish Mitchell's Lane would remain that name. I would not like to enter into any further discussion myself on that, for obvious reasons. But in having discussions with some of the people who have expressed concern about how they were not consulted with either Harnish's Lane or Dead Rat Lane I have spoken even as late as yesterday to one of the people who would be happy with a name change in the form that Mr Walker has proposed and I'll leave that to members to see what they would like to do with the Motion.

MR SPEAKER Thank you. Further debate.

MR NOBBS Thank you Mr Speaker. I would ask Mr Walker for an adjournment on this because it's, there seems to be some confusion going on and I don't think because of my position at the time, and still is, I don't think I voted on it at the time and I would appreciate some time to give consideration to this particular point.

MR SPEAKER Thank you.

MR WALKER Mr Speaker I'd be quite happy to adjourn the matter on the basis that consultation take place.

MR SPEAKER Thank you. Any further debate. Then do I interpret that as a Motion of adjournment. Thank you. I have a Motion of adjournment. The



a proposed new port. Certainly a proposed new port or wharf or harbour or something in the Commonwealth marine area or a shipping channel needs to be dredged through World Heritage area, a Ramsar site or an area containing nationally listed threatened species or communities or which involves modifying an area of important habitat for a nationally listed migratory species is likely to have a significant impact on a matter of National environmental significance, therefore would need to be referred to the Commonwealth or to the Commonwealth Minister. And under this new legislation the Commonwealth Minister is required to respond within I believe a 20 day period from actual submission of an application. There has been quite a substantial amount of debate, not only by our own Departments here but also other State and Territory Departments in relation to the amount of work that might be expected to flow across the Federal Minister's desk in the very near future in relation to those types of proposals and as I said the earlier one dealing with road verges and impacts on critically endangered or endangered plant species or communities that any application that may have an impact on them would have to go directly to the Federal Minister. This continues on this marine activities to do with dredging and dredging to maintain an existing navigational channels would not normally be expected to have a significant impact on the environment where the activity is undertaken as part of normal operations and the disposal of soil does not have a significant impact. I guess the difficulty with these guidelines and the Act from my mind is that in some instances they are not specific enough and maybe not clear enough in that there is a desire to want to dredge along side the Kingston Pier. My understanding of this is that if it relates to a normal activity or normal operation which is undertaken at the Kingston Pier for a proposal to dredge it wouldn't require, or wouldn't trigger the Act, but the reason I draw people's attention and maybe issue a word of caution is that when we go back to the document that talks about fines which is the explanatory document that is tabled with the Regulations and the Administrative guidelines mentions something about fines for taking an action that would have a significant impact without having permission and these fines may attract a civil penalty of up to \$5.5m or a criminal penalty of up to 7 years imprisonment. That's significant Mr Speaker that we obviously are going to be required to be damn careful about exactly what we do on Norfolk Island, and whether that significance would attract the attention of the Federal Minister I'm not certain. However the other interesting thing about this is that this also relates in part to not only persons such as local governments or individuals and the effects that the triggering of this Act may have on Commonwealth areas, not only land areas but also marine areas and Ramsar wetlands, this also relates and those fines are also applicable to officers of Environment Australia or authorities of Environment Australia if they were to undertake a proposal that was to have a significant impact of a significant environmental nature. I won't at this stage say too much more on that. There is a substantial amount of reading involved in those Regulations and the Administrative guidelines. There is also for those that have taken the opportunity to make themselves aware of the Environment Protection and Biodiversity Conservation Act a significant amount of reading in that Act alone. I certainly don't have the time today to sit here and go on at length about the effects on Norfolk Island but would recommend that people that have an interest in this matter make themselves fully aware of the impacts and I shall endeavour through the services of the Conservator Mr Peter Davidson attempt as best I can to have developed a paper for circulation to Members and those interested in the community as to the real impacts as they will no doubt effect Norfolk Island in the future. Thank you Mr Speaker.

MR SPEAKER

Thank you. Debate.

MR MCCOY

Thank you Mr Speaker. I've been concerned about the effects of the Commonwealth Environment Protection and Biodiversity Conservation Acts coming into force and what it will do to the island and as I've stated before I've felt that it would erode to a large degree some of the gains that have been made by the previous Assemblies in moving towards some sort of internal self-government and I believe Mr Gardner mentioned that if it's a World Heritage or National Heritage area that's effected it would have to be referred back to the Commonwealth Minister for

Environment and therefore if we ever consider dredging the Kingston Pier to improve lighterage facilities down there or to stop the lighters dragging along the bottom as they do at present that would have to be referred to the Minister for Environment because I believe that is a National or Heritage area.

MR GARDNER Thank you Mr Speaker. In relation, and I take on board John's concerns and certainly a lot of concerns that have been raised in relation to the effect of the EPBC Act on Norfolk Island. There are provisions within that Act for bilateral agreements to be entered into between the Commonwealth and State and Territory Authorities or Governments, so I understand which would allow some of the processes required to be undertaken by the Federal Minister to actually be dealt with on a local basis. My understanding at this time is that the States and Territories have been to date hesitant in pursuing those, the signing or formulation of those bilateral agreements until they themselves and their large support departments are fully aware of exactly what the impacts will be. There is to date no real clarity that's been provided in relation to impacts, however if we are going to live with this I would imagine somewhere down the track we would be making approaches to the Federal Government in establishing our own regime at some stage with dealing with this and if it needs to be under a bilateral agreement well that is an option that could be pursued. But at this stage Mr Speaker the EPBC Act replacing those 5 other pieces of legislation I referred to earlier is in force, it does extend to Norfolk Island, it's substantial in its makeup, it has substantial regulations that are attached to it and the administrative guidelines to a degree try and clarify just what will trigger the provisions of the Act. But as I said I'll endeavour to get a far clearer picture to Members in a brief form, if that's possible of exactly what the implications are and will be into the future.

MR MCCOY Thank you Mr Speaker. I'd just like to make note here that I feel this new Commonwealth Act will have a huge effect on Norfolk Island, and correct me if I'm wrong Minister Gardner but I believe it will replace the Migratory Birds Act as one of the Acts that it replaces and the fact that Norfolk is part of the Migratory Birds route. It therefore has quite a significant effect on the island and it will effect many other areas and I appreciate the ability to create bilateral agreements but that is why I asked the questions about the Reserves because I believe in order to complete plans of management for our Reserves now we will have to do them under a bilateral agreement or they will have to be reciprocal to the Commonwealth's standards for Reserves, and I have been concerned that we have been dragging the chain on getting our plans of management in place and I think now we've got ourselves in a bit of a deeper mess or a deeper hole to try and climb out of.

MR SPEAKER Thank you. Any further debate.

MR GARDNER I can assure Mr McCoy that as far as the application of the Environment Protection and Biodiversity Conservation Act has in relation to Migratory species, the Bill replaces something that is already in place. However it has I guess increased the level of fine or penalty if you were to undertake an activity that would have a significant impact on the roosting area or the nesting area of a migratory species now but those protection's were there anyway. So really in regard to that id doesn't really change matters to any substantial degree at all.

MR MCCOY Thank you Mr Speaker. Without prolonging this any further I am actually a supporter of the new Environment Protection and Biodiversity Conservation Act. The only reason I'm showing a bit of grievance at the moment is because I had trouble getting any information about the Act and what it will do through our offices in Administration and as I reiterate that I do support these proposals because I believe that we need to look after things on Norfolk a bit better than we have done in the not too distant past.

MR SPEAKER Thank you. Any further debate. No further debate. The question Honourable Members is that that Paper be noted.

QUESTION PUT  
QUESTION AGREED

MR SPEAKER Thank you. Any further Papers this morning.

MR SMITH Mr Speaker at the request of the committee I would like to table the chairman's final report of the Millennium Celebrations Activities from Millennium 2000 Norfolk Island.

MR SPEAKER Thank you. Further Papers to be presented. Papers are concluded. Statement Honourable Members. Is there any Statements this morning.

MR NOBBS Thank you Mr Speaker. In response to a question by Mr Walker at the last meeting which I said I'd get some information to him. In essence it says have the new generators been fully paid for. The answer to that Mr Speaker is that as Mr Walker is aware there was something like \$800,000 budgeted for the activity of buying them and installing the generators on the island here. To date \$455,438 has been expended. That includes the initial deposit which I'd spoken of and 2 progress payments, insurance and freight on getting the goods to the island here. Outstanding is yet to come is the lighterage, any extras required for installation, and then of course there is the powerhouse extension the storage shed, labour costs of installation, and staff training. So to date the generators have been paid for but there is still work to be done. Just on another point that Mr Walker raised this morning on Public Servants and leave. I've just looked up here that under the current Public Service Act which obviously will not be enforced for ever, we've just passed a new one but there will be a human resources policy which will take up issues like leave of absence. The leave of absence, an officer may accumulate leave for a period not exceeding 2 years in respect of a period not exceeding 2 years except with approval Chief Administrative Officer in which case the leave may be accumulated in respect of a period not exceeding 3 years. From memory I can't recall anything in the Act which says about paying a person out for leave. It may be a case somewhere hidden in there but what normally happens when a Public Servant leaves they can cash in what their accumulated recreation leave, should they so desire. But I'll take the rest of Mr Walker's question On Notice and get back to him by the next meeting.

MR SPEAKER Thank you. Further Statements.

MR GARDNER Thank you Mr Speaker. I've only a brief Statement this morning in relation to the advancement of the Norfolk Island land initiative and the review of the Norfolk Island Plan. I have a paper that I received I believe on Monday relating to the scope of the review and key issues and I will be seeking, once this paper has been circulated to Members of the Assembly agreement to the scope of the review that is being undertaken of the Norfolk Island Plan, the key strategic issues to be examined and the review of the plan and the transitional arrangements during the review period. Mr Speaker this paper seeks to discuss some of the key issues that should be addressed in the review of the Norfolk Island Plan, including the scope of the review and specific areas of land uses and management. It is concluded that the review should encompass an examination of the broader planning system and address key issues in a broad and integrated manner, with the aim of achieving a strategic planning approach to future land use and management of the island. It is again a lengthy document and an important document but really supportive of our determination to get on with this process and finalise this process as soon as we possibly can. It certainly absorbing substantial resources and time, not only Members of the Executive, Members of the Legislative Assembly but also officers of the Administration. It's important that we get on with it and finalise it and don't leave it hanging around for too long. Upon distribution of this to

Members I'll be, I hope over the next 3 or 4 weeks to firm up on some of the details of the review and have a firm document available for tabling for the House at the August sitting so that the community too are aware of exactly what will be involved and what issues will be canvassed and consultation sought within the community over the review of the Norfolk Island Plan.

MR SPEAKER

Thank you. Further Statements.

MR GARDNER

Thank you Mr Speaker. This is in relation to a waste management audit that will be taking place on the island from beginning tomorrow I understand. I received a not from Administration officers early this morning in relation to that and had intended to make a Statement regarding the waste audit here on the island. To provide some background into the waste audit that will be undertaken the Norfolk Island Government had commissioned the cooperative research centre for pollution control and waste management, in short called the CRC to undertake a comprehensive waste audit as part of the development of the Norfolk Island waste management strategy. Members would be aware that the Norfolk Island Government was granted last year \$250,000 by Environment Australia under the coast and clean seas programme to assist in implementing an improved waste management strategy. The improved system might include relocation of the central waste management facilities and acquisition of improved equipment such as a vertical composting unit to treat putricipal waste and a modern burning facility to thoroughly burn materials for which there are no alternative disposal options or recycling options. The waste audit is the first major step in the development of that strategy which will build on and update the work undertaken by the Uimelb Research Centre in 1994. As I mentioned earlier Mr Speaker the CRC or officers of the CRC arrived on the island yesterday and they will be conducting this waster audit between the 20<sup>th</sup> and 26<sup>th</sup> of this month. There are a number of issues that are probably appropriate to make people aware of at the moment. This waste audit will involve the sorting of rubbish into waste streams, so that weights and quantities can be accurately identified so in turn the appropriate machinery and equipment that will be required for the waste management strategy can be identified and sought for purchase. It does raise some questions I guess of privacy of peoples rubbish when you take it out to the tip you don't want people fossicking through your rubbish. Those people that are involved in this will naturally sign confidentiality agreements or papers or whatever the appropriate form is so that they don't disclose what's in peoples rubbish and sometimes it can cause some problems for some people. But it is necessary, those confidentiality agreements will be in place. There will be an article appearing in the Norfolk Islander on Saturday in relation to this and we are seeking the cooperation of those who go to the tip that there will possibly be some questions asked of them about the frequency of their visits to the tip, the quantities of materials that they would take to the tip, they types of rubbish that they deliver on what sort of basis that they would deliver that type of rubbish, and please it is urged by people visiting the tip or wishing to visit the tip not to stay away but to maintain the usual rubbish dumping arrangements. I'll be meeting with the officers of the CRC tomorrow morning and expanding on that, but there will be further information in the paper on Saturday in regard to the waste audit, and that's stage 1 of the phase of the implementation of the waste management strategy. There will be, in the not too distant future a requirement for a number of public consultation initiatives to be put in place and an educational programme to be undertaken. That is also a service that will be provided by the CRC in consultation with their other contact, and I might just point out at the moment Mr Speaker that the CRC and the people that are involved in this waste audit have been involved in the implementation and commissioning of the new system on Lord Howe Island that was commissioned only just in the last recent weeks. The CRC have done numerous professional waste audits and will thoroughly train and supervise assistants and provide protective clothing, gloves etc for those people on Norfolk Island that are assisting them in this waste audit. So the ball is rolling, we're on our way and I am confident again that in line with the implementation strategy for the waste management strategy that we are close to our target dates and

certainly on track to ensure that we have a suitable waste management disposal facility and regime in place prior to the 2001 Mini Games of December of next year. Thank you.

MR MCCOY Thank you Mr Speaker. I just wonder if the Minister could inform the House as to what the cost is for this waste audit and..

MR BROWN I Move that the Statement be noted.

MR SPEAKER Thank you. I think Mr McCoy is raising a question in respect of the Statement and that's fine Mr Brown thank you, but if it needs to go further than that I'll look to your Motion if that's all right.

MR MCCOY Thank you Mr Speaker. Sorry about that. I thought Mr Gardner had done all the right processes. If you could provide information on what it will cost the Government please.

MR GARDNER Thank you Mr Speaker. To date it's expected that the total cost from the beginning of this phase to the final completion of the assistance, the educational programme, the consultation programmes, the ongoing training of people on the island, and I forget the exact terminology for it but the green training so to speak to enable people on the island to be able to educate people in composting, recycling etc is in the area of \$70,000 in total. That's for the complete implementation, and that has been sourced from the Water Assurance Scheme at the moment for funding for this purpose as the disposal of liquid waste through the current Water Assurance Scheme is an integral part of the overall strategy for waste management on the island and hence the sourcing of funds from there at the moment. As I think I mentioned a couple of months ago in the House Mr Speaker there is also a proposal and the reason why the waste management committee will be getting together in the not too distant future to continue to keep the ball rolling was the discussion involved with a system of, a levy system if necessary or whatever options may be developed and whether we're able to provide the funding and the clawback of those funds to the Water Assurance Scheme in relation to the development and the implementation of the waste management strategy. It's also pointed out, as I said earlier the \$250,000 that has been made available for the purchase of some of the solid equipment I guess for the waste management strategy. That grant came about as I think Members in the previous Assembly would be aware of an undertaking by the previous Assembly and the Norfolk Island Government to provide almost matching funds that were provided by the Commonwealth over the period of implementation which included our contribution towards the maintenance and running of the tips at the moment and other areas of expenditure that are in line with the management of waste on the island at present.

MR BATES Thank you Mr Speaker. I suppose it's not for me to tell experts in a field how to suck eggs because..

MR SPEAKER I accept your Motion Mr Brown. The question is that the Paper be noted.

MR BATES Thank you Mr Speaker, because it's not really my intention but it seems to me as an overview of the thing that we should know almost precisely what is disposed of through our waste management because our waste disposal must be very closely aligned to what we import. I mean if we import a certain quantity of beer in cans well I think it would be pretty safe to estimate that the same quantity empty cans virtually go over the tip. If we import so many bottles of tomato sauce I think we could expect to see so many empty tomato sauce bottles going over the cliff. I think the strategies that might be appropriate on the mainland where you don't quite know what's being disposed of and that community, it may be necessary to hand, go through all the rubbish to analyse it but I just think, there's very little rubbish created locally unless it's vegetable matter or people taking clearing materials out there for

burning and all the rest of it but, and I'm sure we could all learn how to make more use of that by means of composting. I just wonder if it's completely necessary to find out what goes over the tip because I'm sure we must be able to get that from what comes ashore. Thank you Mr Speaker.

MR SPEAKER

Thank you. Any further debate.

MR GARDNER

Thank you Mr Speaker. I guess to a degree that's true. I'm not taking issue on Mr Bates on that. He did mention that very little local waste is generated well in fact to the contrary the bulk of the waste that goes through our waste management facility at the moment is generated by way of green waste in particular. The other problem is identifying just how much of that material actually does get to the tip, and that's important to be able to define and I take on board what Mr Bates says but my understanding of the mythology of this type of audit that is been taken place, is that yes they are particularly heavily reliant on import figures and facts. They are not always done by weight or quantity, often done by just value alone, so it's very difficult to be able to determine that but one of the important parts of this whole strategy is just seeing what is dumped and what isn't disposed of in some other way, and as part of the strategy being able to implement a process that will ensure that we are able to trace that and make sure that there isn't any untoward dumping that may have an effect on the environment that is taking place. Now that doesn't just relate to the paper waste, or the plastic waste, or the aluminium waste that Mr Bates has referred to. One important and significant part of our waste stream on the island is sewerage and that's very very difficult to be able to determine exactly how much of that ends up in the appropriate place. Whether that sheds any light on Mr Bates' concerns I don't know but there are real reasons why this audit has to be done they way it is but what he has alluded to is part of the mythology of the audit is normal practice as to try and derive as much information from those import figures as possible.

MR BATES

Thank you Mr Speaker. I hadn't assumed that sewerage was being man handled at the tip at Headstone but perhaps it is.

MR MCCOY

Thank you Mr Speaker. I question the \$70,000 that will be spent. Is that part of the investigations or is that what it will cost us to have the vermicular composting unit in place and the other thing is the Minister did mention that we generate a fair amount of green waste and I'm sure that problem could have been overcome by having a mulcher or a woodchipper in place at the top tip on occasions or virtually full time which may have meant spending a little bit of money on constructing a shed out there and that way, rather than we turn the green waste into smoke and therefore deplete the nutrients on the island we would be able to replace the nutrients back into Norfolk and I'm sure that we, I'm sorry if I'm being a bit like Brian telling the professionals to suck eggs or the experts but I'm sure that we could have helped to address some of our waste problems without having to go and invite someone else to the island to tell us what we should be doing. And the other major concern I have is the composting unit will not solve a huge bulk of our waste problem and that is whitegoods such as fridge, washing machines etc and also which we see piling up out at the top tip all the time the amount of cars that we tend to scrap every year here. How we will address that problem I don't think this audit will solve it at all, and the other side of the coin is we should have been looking at ways to reduce the amount of rubbish that we bring into the island and by saying that I mean the amount of plastics that we tend to let supermarkets and you name it import into Norfolk willy nilly and then we have to try and get rid of it and generally it's burnt and ends up washing back up on the beaches around the island. I've got some very good photographs if anybody cares to look at them showing the rubbish that we do have around Norfolk. So hopefully we can address that problem but I didn't see the reason to go in and throw in \$70,000 at quite a large company in Australia.

MR GARDNER

Thank you Mr Speaker. I'm not going to get into the nitty gritty debate over all of those issues. It's for exactly the reason, and the concerns that Mr McCoy has that our lack of expertise in all of those areas that we have, and we are forced to go elsewhere to get that type of expertise. The cooperative research centre is a system that's established in Australia for a number of different industries. It doesn't just relate to waste management, it might be nuclear industry, it might be electricity, it might be, there are a whole host of these business and community funded research centres in Australia that are initiative of the Federal Government and big business in Australia. They are not so much a company as Mr McCoy refers to. They are a group of people that have the expertise in all of these areas, who have an expertise in the method, the appropriate way to undertake audits, the appropriate way to be able to put in place a composting regime that works, not just a hit and miss affair, because we could bumble around for the next 20 years as we've been doing for the last 20 years and fiddle about with waste management and scratch our heads and think gee, this sounds like a pretty good idea, let's have a crack at that, and 9 times out of 10 it's fallen over Mr Speaker. What this is about is about taking a serious stand and saying we are going to do this, it has already been demonstrated by this cooperative research centre that they have the wherewithal to make sure these things are implemented, that the proper educational programmes are put in place, and that everything else that is a requirement in this day and age for responsible environmental waste management practices are undertaken. That's been demonstrated just recently by the commissioning of that plant in Lord Howe Island. Now that has been given the sanction of not only Clean up Australia and Environment Australia and lorded widely by Senator Hill, the Federal Minister for the Environment, but it's also significant that that's taken place in a world heritage location and has been given the sanction of all of those conservation groups, not only conservation groups but industry throughout Australia. I have every confidence that these experts, so to speaker, have the answers that are of concern to Mr McCoy and certainly others in the community. As you know, and as Members around this table would be aware I've had a passion for waste management over the last 12 to 18 months and was I believe instrumental in pursuing the grant from the Commonwealth to assist us in assisting them to keep their backyard clean, the Commonwealth waters and the Crown lands, for the purpose that I felt that this had gone on for too long. I believe that we are being proactive, we are doing it responsibly. I am not wanting, or intending to support in any way a retrospective step back in time to say well hang on here, we're going to put the hold on this and then 20 years down the line we're no further ahead than we are today. I believe that what is planned can be achieved. There is a responsible timeframe that is being developed and implemented and every confidence that what is proposed will happen and will give us the confidence for waste management on the island well into the future. I comment about the rubbish that lies around the island and I think has been demonstrated and reported on throughout the Pacific, and even in Northern Australia was the problems that they do have with flotsam and jetsam that appears on the shore line. Yes indeed some of it may well come from Headstone and I think some 2 years ago I had a series of questions for the then Minister for Health in relation to some syringes and drugs that may have washed ashore on Slaughter Bay. The tracing of those records indicate that they didn't come from the Hospital, they didn't come from any other area on the island, the only other explanation that I can think of for that was that maybe they were discharged from a ship and had floated ashore and those reports that I'm referring to are in relation to the number of thongs and pallets and pieces of timber and rubbish have been identified everywhere else on the planet as not necessarily been sourced from your local environment. In other words are deposited by ships, are deposited into the ocean elsewhere where they float by natural currents and I think anybody that's aware of dropping a message in a bottle would surely be aware that if one were to toss it in the ocean, as I think was recently evidenced from a group in South Australia if my memory serves me correctly, ended up in London and a message was sent from London, so that just really demonstrates the fact that if something can float, it can travel around the world and end up anywhere.



words he just said. Those of us who were Members of the previous Assembly will remember that Mr Gardner did indeed raise some questions about some medical things that had washed up onto a beach. At the time he didn't ask me when he had found out about the problem, he waited until there was an Assembly meeting and he endeavoured to ambush me with the question at the meeting, and it's all very well for the Chief Minister to sit over there laughing but the fact of it is that what Mr Gardner did at that time was cast a slur on the staff at the Hospital. From my point of view I couldn't give a damn, in relation to myself, but in relation to the Hospital staff he cast a slur on them which he did not erase until today's meeting when he has publicly said he's satisfied those things didn't come from the Hospital, and for the sake of all the Hospital staff at the time and those that are there now I'd just like to say thank you to him for clarifying that even though it is somewhat late. Thank you.

MR SPEAKER Thank you. Further participation. No further participation. The question before us Honourable Members is that the Statement be noted.

QUESTION PUT  
QUESTION AGREED

MR SPEAKER Thank you. Are there any further Statements to be made.

MR SMITH Thank you Mr Speaker. I have series of short Statements. I might just go from one to the next but if anybody wants to move that any be noted I suggest they make a noise at the time. Firstly is a Statement on Tourist Board appointments. I have reappointed 3 members of the Tourist Board for a further term and as a result of calling for expressions of interest, the 3 appointments that were due are those people expressed an interest in carrying on so I made those reappointments and the next intake which will be in November/December will be put to the Members from those applications that I've already received for the Tourist Board at that time. Those members who have been reappointed are Juliette Grant, Bob Goldsworthy, and Ray Sills and I'd like to thank them for accepting that reappointment. On Education we have the visit of the Superintendent visiting the island at the moment, that is Wayne Parkins. He has been visiting Norfolk Island this week. I have had some very good discussions with him on education matters. Wayne has indicated how the School was performing in general which was generally above State average, that's NSW as a comparison. We've also talked at length about vocational education and how it is providing far more and better options for kids on the mainland since the focus that's been putting on, providing them with alternative ways of doing their education. For example Mr Speaker a person can be doing 3 days at School and 2 days at a work institution which is the way a lot of things are going. It's becoming more and more important for students to become aware of what is required of them at the end of School education and it's good to see the moves that are being made and certainly in NSW. Further to that the Cascade Cliff and Cascade Jetty, although I've talked briefly about this morning, is to put on the record that although the Cascade Cliff Safety Project is basically finished and the project is in the defects liability period which will run for 12 months we have experienced some problems around the Cascade Jetty. Besides the fact that some damage was done to the Jetty during the project, a storm helped to damage the Jetty further last week when high seas accompanied the strong winds at the time. Waves had also washed over the road and damaged the barrier fence along the bottom of the cliff as well as blocking the main drain which was built during the project, blocking that drain even further. There are quantities of small rocks that continue to be thrown up by the seas onto the surrounding areas which have had to be removed from the Jetty each time the sea comes up. Otherwise the road down there has been sealed and the fishing crane has been reinstalled by the Fishing Club. Over the coming weeks the Works team will be doing concrete work on the Jetty and this will cause some inconvenience to fishermen and Jetty users at times, but that is unavoidable as urgent

work must be carried out. Finally Youth Advisory Council. Mr Speaker all is complete for the formation of the Youth Advisory Council that a legislation has finalised the application forms are complete and we've run articles in the Norfolk Islander about the Council. I have already received some applications and indications of applications as well. I would like to point out that the Youth Advisory Council does not need to mean that one has to be considered as a youth, if one is in the higher age bracket to be in the Youth Advisory Council but rather to advise on matters that are to do with young people. These days as the average age of Governments could be considered to be younger than in the old days, even of the youngest of us sitting around the table is in their latter 30's I think, certainly in their 30's and John's just turned 40. Young peoples views are often not taken into account by us and the Council is designed so that this particular section of the community has a voice that could be listened to. After all Mr Speaker today's young people will inherit what we leave them and what we're doing here today, be it good or bad. My experience of the views of the members of the other group, the Norfolk Island Youth Assembly to date has been enlightening, very enlightening, and although that is a different age group, they were all school age Mr Speaker, it has given me the confidence that the Youth Advisory Council will give the next age group the satisfaction of having their say, not only on general matters, but also I envisage things like laws that we intend to pass, that they might want to have input into. It should also give a good grounding for those who may want to further their interests by being part of this forum in the future Mr Speaker. When I say that though, I wouldn't want to discourage any perspective Councillor by painting a picture that may put someone off, purely by that I mean that the time that's involved in being as a Member of the Legislative Assembly. I don't see that that would be the case with Youth Advisory Council. Mr Speaker I do encourage anybody between the age of 16 and 29 to let any of us know if they are interested in being part of this new Council. Thank you.

**MR SPEAKER** Thank you. Are there any further Statements this morning Honourable Members. If there are no further Statements I'll conclude by providing you Honourable Members with a Statement that the 31<sup>st</sup> conference of presiding Officers and Clerks will be held in Norfolk Island from the 30<sup>th</sup> of July to the 5<sup>th</sup> of August. There will be presiding Officers from all of the Australian States and its Territories and by the term presiding Officers I mean the Speakers of their Parliament or the President of their Upper House and also the Clerks of those Parliaments, and also from the Pacific Nations which belong to the Commonwealth. The current figures of prospective attendants are some 58 attending the conference itself plus partners which will give us a figure approximately visiting Norfolk Island of just under 100. The work of the conference will be spread over the full week from Monday the 31<sup>st</sup> of July to Friday the 4<sup>th</sup> of August. This is the first occasion that this conference has been held in Norfolk Island, and it happens every year, but the first occasion that it has been held in Norfolk Island and so I advise you about that and also mention to you that I am sure that when you come in contact with these visitors that you will in your normal manner make them welcome here in Norfolk Island.

## **SUSPENSION**

Honourable Members the hour is 1.00pm. There is a proposal that we suspend now and reconvene at 2.30pm and that being the case, looking around the table, Honourable Members we will suspend and return at 2.30pm.

## **RESUMPTION**

Honourable Members we reconvene after suspension. We earlier had concluded Statements and I now report to you that I have received the following message from the Office of the Administrator

## **MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR – NO 8**

**SPEAKER** Honourable Members I've received the following message from the Office of the Administrator. It is Message No. 8 and it reads. On the 27<sup>th</sup> of June 2000 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the following legislation. Appropriation Act 2000 which was Act No. 14 of 2000 and the Fire Control Act 1999 which was Act No. 15 of 2000. The message is dated the 27<sup>th</sup> of June 2000 and signed A J Messner, Administrator.

## **NOTICES**

### **CASCADE CLIFF LOAN AMENDMENT BILL 2000 – DECLARATION OF URGENCY**

We are at Notices Honourable Members and I firstly report to you that the Business Committee has met and determined under Standing Order No 158 that the Cascade Cliff Loan Amendment Bill 2000 be declared urgent and its passage expedited

### **CASCADE CLIFF LOAN AMENDMENT BILL 2000**

**MR NOBBS** Thank you Mr Speaker. I present the Cascade Cliff Loan Amendment Bill 2000 and move that the bill be agreed to in principle. I would just like to clarify a situation that was notified in the paper at the weekend that Mr Smith would be bringing this Bill forward. It is however a finance Bill and it is the normal practice for the Finance Minister to bring it forward although Mr Smith is actually responsible for the Cascade Cliff area and I guess he will be speaking to it very shortly. The purpose of this Bill Mr Speaker is to increase the amount required to be borrowed from the Commonwealth to complete the Cascade Cliff Safety Project. On 16 June 1998 the Cascade Cliff Loan Act 1998 was assented to authorising the borrowing of money not exceeding \$3m for purposes related to the stabilisation of the Cascade Cliff. The Legislative Assembly of the time enacted this legislation as a result of a grant of \$3m interest free finance facility from the Commonwealth Government to allow the stabilisation of the Cascade Cliff. The subsequent tender process and project management disclosed that an additional sum of \$340,215.75 would be required for project costs and additional funding was sought from the Commonwealth Government to recover these costs plus an additional \$300,000 for project contingencies. Mr Speaker advise was received on the 29<sup>th</sup> June last as an additional half a million dollars was approved by the Department of Finance. The final cost of the Cascade Cliff Project is at this stage unknown but it is expected to be approximately \$3.15m. The final amount will not be known until the purchase and installation costs of a weighbridge which has been included as part of the project are determined. the amount expended from the Cascade Cliff Loan Act as at the 30<sup>th</sup> June 2000 was \$2,888,798m which is close to the limit of the loan and hence the request that this matter be declared urgent and its passage expedited. Thank you Mr Speaker

**MR SMITH** Mr Speaker, Thank you. Ron said exactly what I would have said. Mr Speaker this should come as little surprise to most people sitting around the table here, except for our newest Members who were elected this year. During the time of the Cascade Cliff Safety Project the previous Minister, Mr Gary Robertson had mentioned on various occasions that the costs were probably going to exceed \$3m and that it was proposed as far back as March last year as an option that the Department of Transport and Regional Development be requested to assist in the preparation of a submission to the Commonwealth Department of Finance seeking additional finance to cover the costs of the project and as the Chief Minister has stated, already the bills that are paid are quickly approaching \$3m and there are still more bills to be paid over the time of the contract and we are probably looking at the order of around \$3.2m so even though another half a million dollars has been approved by the Department of Finance we probably won't need anything like all of those funds and this is a necessary Bill to tidy our own books where the original motion was only for \$3m







MR BATES Mr Speaker I think the question that Mr Walker is asking is the question that I alluded to is why are we asking to have the figure of \$3.5m here when the figure of \$3.2m will probably do the job

MR SMITH Mr Speaker I will attempt to answer that. I guess it's like when one of us goes to the Bank and wants to borrow x amount of dollars for something, whatever it may be, and the Bank might have a limit of how much you can borrow. Now it might not cost that much to do that but you may get that loan approved for that amount of money. I'm not sure it works like that all the time, however, what we are talking about here I've got to reiterate. The borrowing has already been approved by the Commonwealth to the Cascade Cliff Board. They have said if you want to you can take it up to half a million dollars. I need to explain also that we have never been given \$3m to put in our Bank. We are certainly not getting another half a million dollars to put in our Bank. Even though it is a loan, the accounts are always paid by the Department not by Norfolk Island so we are not actually going to get half a million dollars put into our bank account and be told, there you are Norfolk Island now you can spend it however you want. What we are talking about here is ratifying our own legislation which prevented us from going over \$3m. If we don't agree to the motion and to Members, then today we then need to look to an Appropriation Bill of our own probably in the Revenue Fund for whatever the balance of costs to the Project will be. I don't think anybody is silly enough to want to do it that way. Obviously there are a lot of questions in people's minds Mr Speaker as to how it came to this situation and maybe that does need a lot more explanation but I don't think it would serve any purpose for me to try and wade through all the information that I have inherited to satisfy Members concerns about it. I would recommend that we deal with this motion whichever way Members want to do with it and then whatever information Members need after this, it can certainly be supplied to any Member who requests it as far as I'm concerned

MR SPEAKER Thank you. Debate.

MR BROWN Mr Speaker the whole Cascade Cliff Safety Project could have been done better. The work could have been widely spread around the Island. I have no doubt that parts of it could have been done by the Administration staff and the fact that the overwhelming majority of the workers who were engaged on the project were in fact residents of Norfolk Island only goes to prove that what I'm saying is correct. It would be interesting to see how .....wasn't any nice flat base of land on which the rock pile was constructed. The land on which the rock's been stored is all over the place immediately before the rock was put there. But that doesn't take away from the fact that the bill has to be paid. Clearly it is unlawful under Norfolk Island's present legislation for that borrowing to presently go beyond \$3m. I don't really have a problem whether the bill is passed at \$3.2m or \$3.5m. If we have an opportunity to come back and go beyond \$3.2m if we need to that would certainly enable the Assembly to insist on accountability, accountability that hasn't really existed in terms of the Legislative Assembly throughout the project. On the other hand if we are only going to get one bite at it we are going to be stuck with seeking the whole \$3.5m approval because there is little doubt in my mind that the cost of this project is about as accurate as the timing expectations and you will remember Mr Speaker that this Project was going to be finished by Christmas and here we are into July and the Project as we sit here is in fact incomplete. There is repair work yet to be done and by the look of it, there is landscaping type work yet to be finalised. We haven't been told what the weighbridge is going to cost, either to purchase or to install. We've been told that Cascade Road can be fixed for \$24,000. Well if that's the case I don't understand why we have any problems with the roads on Norfolk Island because surely the whole of the Island could be fixed for about \$100,000 perhaps \$120,000 at the most Mr Speaker. The Cascade pier if that could be fixed for \$15,000 I'll be a monkey's uncle but we've been told that it can and no doubt at some time further down the track we'll be told either that the work that was done didn't fix it or that the work cost a lot more than \$16,000. So if one of the executives could tell me whether there is an ability to pass the Bill at \$3.2m

today and come back for a second go at it later on if need be I'll be interested to hear that. If the executives don't know the answer it will be disappointing but I think in that event I would be inclined towards supporting the \$3.5m but very strictly on the condition that the backbenchers are told a lot more in the future about this project than they've been told to date, thank you

MR SMITH

Mr Speaker I think Mr Brown is right about a lot of the things he said. I'm not too sure if he wants to be that type of uncle that he suggested but it is quite possible that on accurate figures that I have that it probably won't cost an awful lot more than what the figure that I've mentioned before because as I said, the contractor is to contribute x amount and the Norfolk Island administration has to contribute the rest so you might end up being that sort of uncle Mr Brown because that is quite a possibility. Also with the road, now that was spelled out a few times last year by Gary that there was never an intention that the contractor was to bring the road up to a standard that it never was, previous to the contract. The road like many of our roads wasn't in tip top condition and what they are supposed to do as I understand it under the contract is to make good the repairs according to as Mr McCoy pointed out before, there's a video showing the condition of the road pre the contract and they are to fix up the damage that's been done as part of the contract. I don't as I understand believe that they were told that they had to upgrade the road back to a condition that we would like to see it brought up to. Whether we make this figure \$3.2m or not I think we would look pretty silly if we said \$3.2m and we find out it costs \$3.2m and \$60,000 or something when the Commonwealth has already said that we can borrow up to this amount from us. What we are doing here today is saying, yes well, we'll make it so that we can borrow up to that much money if we want to. I think we would be silly to say \$3.2m today and find out that the final costs were more than \$3.2m in the end and us having to come back, go through the same debate again I think Mr Brown mentioned about accountability. I think that is a very strong point. I'm certainly very keen to keep the royalty costs down, the royalty costs that has been put on the rock that's been extracted. I'm certainly not going to be the one that is going to be promoting that we spend \$3.5m on something. What I'm saying is that I don't want to fritter away some money that is going to have an impact on the cost of crushed metal in the end Mr Speaker. If Members want to make it less than \$3.5m it's only a figure that we are adjusting for our legislation, that's up to them but I would recommend that we allow it to be the \$3.5m and we can all keep a close eye on it

MR BATES

Mr Speaker I think I've said on previous occasions that when it comes to money matters backbenchers are virtually helpless. It's do difficult for them to do anything around finance. It's almost impossible. The only time I ever get a crack at the whip is when a piece of legislation comes forward. To me agreeing to expenditure up to \$3.5m when we're told that \$3.2m is sufficient, is really that we are being asked to given an open cheque to whoever, the Executives or whoever is handling the project, an extra \$300,000 of public moneys. Because it is public moneys. The public has to pay them back. I'm a little uncomfortable in giving an open cheque of \$300,000 although I understand that it won't necessarily be spent. I will agree to this Bill in principle and when it comes to the detail stage and I don't know whether as a backbencher I can even do anything then but I certainly will not be supporting the detail stage Bill if that figure is anything over \$3.25m. The extra \$50,000 is just incase it runs over the \$3.2m but unless whoever has the power to reduce the \$3.5m to \$3.25m I will not be supporting the further passage of the Bill, thank you

MR SPEAKER

Thank you. Debate. No further debate? If I can just clarify this situation for Mr Bates. Mr Bates I'm not interpreting that this is a financial measure in which we have received a message from the Office of the Administrator and therefore some of the constraints that you may be thinking of the Bill in that context I just draw your attention to that by way of clarification. There is no further debate Honourable Members I will put the question that the Bill be agreed to in principle





have a copy Mr Speaker. The Cascade Cliff Safety Project. Mr Robertson spoke to the memo to him of 2 March 1999 from the Policy and Projects Officer Mrs Alma Davidson on the matter of requirement of additional funding for the Cascade Cliff Safety Project. I don't know whether all Members were at that meeting but I assume that certainly the majority were otherwise there would not have been a meeting. It was agreed to proceed to the lowest tender price of \$2.8m plus \$9,928 on top of that. Right there and then we knew that the tender price was going to be \$2.8m. We borrowed \$3m. On top of that we have all the other associated costs like SMEC. Now further on from what was agreed in the interim the Norfolk Island Government to proceed with the Cascade Cliff Safety Project on the basis of option 1 to avoid delay in commencing the project. Option 1 is the Norfolk Island Government to bear all the additional costs of the project. The last dot point that Members will see is that the Department of Transport and Regional Development be requested to assist in the preparation of a submission to the Commonwealth Department of Finance seeking additional finance to cover the cost of the project. Now I think that somebody has mentioned that the Committee has gone off and borrowed an extra half a million dollars. Well that is not correct and it should be struck from the records if anybody has said that because at a Meeting of Members it was agreed there and then. The following day a letter was sent off from Mr Robertson which gave an expected cost of the project to be \$3,640,215. Now I assume that Mr Robertson made it clear at the time that the costs were going to be in the vicinity of that amount. I recall him saying that at times around that time. I certainly recall that there was going to be a request for additional funds. If that figure does turn out to be the end figure then we are going to look pretty silly if we are going to just change the number now just because people can't remember what was discussed by Members of the Assembly last year. I don't really mind whichever way we do it. If we reduce it to \$3.2m or \$2m or \$3.5m It's not going to make any difference. We're the one's who approve the Minister approaching the Commonwealth for an extra half million dollars more than a year ago. We agreed that an the Minister wrote off and asked on that basis. And today all we are doing is adjusting our figures in our own legislation that was put in place in the first place because we wanted to keep an eye on the costs of the project and we felt funny about borrowing more than \$3m at the time. The result is that it has cost more than \$3m. We know that. We are all aware of that so we have the ability if we need to, to go a further half million dollars to finish paying for the project. We can take two views. We can say let's not borrow any, let's try and find the money out of the Revenue Fund at the cost of something else or accept what was agreed by the Legislative Assembly and by the previous Government that we do certain things. All we are doing today is changing the number of the legislation where it was \$3m to a proposed \$3.5m. It was already agreed. Admittedly, with the previous Legislative Assembly, the previous Government, to go to that figure and I've got no problem at all with Members saying well they didn't know, the ones that were in here, but I'm a bit surprised I suppose Mr Deputy Speaker. I won't be supporting Mr Bates' amendment on the basis that we are going to look pretty silly if we have to come back in four or five weeks time and say, hmmm we should really have made that \$3.4m or \$3.5m

MR BATES

Mr Deputy Speaker thank you. I've made no reflections on the Committee allowing this to be over. I've been aware that it was going to run over and I don't find the Committee at all responsible but the facts are, as I've said before, backbenchers have very little control over things. If we agree to \$3.5m then everybody has the ability to go and spend up to that amount without us having any further control. Now the figures that have been spoken today are \$3.15 and \$3.2m. They are not figures of two years ago or six months ago, they are figures that came out of the mouths of our Executives here today. That's the best information I have and the same Executives I think have been silly in saying the figure's \$3.2m but we want you to approve \$3.5m. I think as a responsible Member of this House I don't intend to give the Executives more than what they think they need. now if they have egg on their face at the end of the day and want to come back for another \$1.5m, that's not my fault. I will probably agree to it if the circumstances are right but just to be irresponsible and to give



DEPUTY SPEAKER

Thank you. Further debate. Mr Smith

MR SMITH

Mr Deputy Speaker before we go to that degree with this Sitting and I have no difficulty with that at all, I keep hearing things that kind of amaze me. In the last Sitting, well I suppose it doesn't amaze me. I made a statement about the Cascade Cliff the amount of rock estimated to come out of the project a total of 163,075 of crushable quality rock has been won which I mentioned in my Statement. I understand that Members don't listen to what we say because we all go through that but Mr Buffett has raised that and that amount of rock has been known. Admittedly the figure says about, so it might be less and as Mr Brown pointed out it could be an awful lot less or an awful lot more. that I don't know at this point in time. there seems to be some kind of conclusion around the table at this time that the Project is finished. the construction phase is what is finished. they finished working on the job down there but the project still runs. it's got at least twelve months to run because of the defects liability period. This is if anything goes wrong or something falls over, that's picked up in this time. The project is not finished. The construction phase of the project has. I'm not going to defend what happened in the previous Government because I seem to be doing an awful lot of that and I don't know why I'm doing it but I do refer back to the information that was given at that time over a years ago where most Members around the table, a proposal was put to Members by the Minister, he followed up on that, he made a request to the Commonwealth through the Cascade cliff management Board to the Commonwealth the Commonwealth has taken a little while to agree with it but they obviously were assessing the situation, obviously realised that it was going to cost more than \$3m and just as I said, in June it was approved. I agree that we can make it whatever number we want to and it is really no skin off my nose, it doesn't really worry me but the fact is we were told, or most of us were told last year that it would probably cost \$3.6m. I was kind of heralding the fact that it is looking like it will only cost \$3.1-\$3.2m which is really good because not only the Board, not only SMEC but the contractors and everybody who has been involved in this have kept the costs down to a minimum and it's looking like it will be a lot less than what the Minister of the time said it was going to cost but I'm happy to go away during the next motion I guess and see what will happen. if the Commonwealth says no, if you change that now that will be the final figure I'm quite happy to go and do that right now and if they say yes or no, if I can find that answer out in the time I've got left here today I would be most happy to do that. Most of us have known the information a long time and the project isn't finished. that's the point I was trying to make before so if it ends up being \$3.25m so be it. I was just trying to save us the process of if we have to, come back and go through this process again

MR BUFFETT

Thank you Mr Deputy Speaker. I just wanted to pick up two points. Firstly if I had missed the more careful indicator of the crushable rock I'm sorry about that. it appeared to me not as clear as you have painted but if I'm wrong about that I withdraw what I said earlier. the second point is that I don't see it as any embarrassment whatsoever that the Members should ask to be kept fully informed of detail and if that doesn't come to pass then it needs to be extremely careful about the authorisation of funds and that's really the stage we are at now and I don't see that as a difficulty

MR BROWN

Mr Deputy Speaker the Minister for Tourism has suggested to us that we've been given a definite figure for the amount of rock from the Cascade Cliff Safety Project. That's a little different to my recollection of it. My recollection is that early in the piece we were told that there was going to be something like 120,000 tonnes of rock. As time progressed we were told the figure was going to be closer to 220,000 tonnes of crushable rock and that there was just so much rock flowing from this project that it wasn't going to fit on portion 5a and that's when there was talk of finding other land to fit this massive amount of rock on. I'm certainly not accusing the present Minister for Tourism of having lapsed into such inaccuracy Mr Deputy Speaker, nevertheless, it is a fact that these things were said to us. It's also a fact that it's very



New Zealand and would be a normal course of function in the obtaining of a visa or some such application to travel so that persons overseas could be satisfied that anybody who is intending to enter into their country was not a person who had been subject to any serious convictions or punishment for criminal offences. That's one aspect of the Act but the primary and most important aspect of this Act is to ensure that the persons who do come into Norfolk Island are really able if they chose to travel and enter into Australia on one of the quite numerous types of visa's or classes or visa's which are applicable to entry into Australia. It would appear that persons who are in this category are not a very great number. At the time of giving instructions to the drafting of this legislation I think for the month of May the best of my understanding of all the persons who came into Norfolk Island or visited Norfolk Island there would have been seven persons out of all the visitors in that month who would have been in the category of I suppose one would describe them shortly as non Australians or non New Zealanders. Now it's a very relatively small number but that doesn't get away from the question that there could be a situation that could develop fairly rapidly of a considerable number of persons who may desire to come into Norfolk Island. There would be considerable difficulties at the present time of ensuring that these persons were suitable and appropriate even just to come into Norfolk Island let alone just to make application for the permits which they are entitled to hold to continue to remain on Norfolk Island. I might point out that the Commonwealth of Australia has expressed its concern because of its obligations to maintain its own migration zone of which Norfolk Island is not a part, that Norfolk Island not be able to be used as a backdoor form of entry into Australia. This isn't the sole reason by any means for the introduction of this Act but it is a consideration because the Australian Government on my understanding of the material available to me from Officers who attended in Canberra last week for the purposes of consultation with the Department of Immigration Officials, particularly Mr Dario Costello, and from the Minister for Territories Officer Representatives that they were concerned to ensure that the two systems of migration which apply in Australia and in Norfolk Island work as it were side by side and not in such a way as to create difficulties between the two systems. It is my understanding and it has been stated to me fairly clearly particularly by Crown Council that the Commonwealth expressed the view quite clearly through their officers that they had no intention of wanting to as it were take over or control our immigration situation but they wish to be satisfied that there was going to be the greatest possible meeting of the needs of both systems and they operate side by side. I might point out, and I think it is not an unimportant consideration that we have a considerable problem that the HREOC Report of the Commission which was held here on Norfolk Island as a result of some complaints by some Norfolk Island residents as to the operation of the Migration Act reported to the Commonwealth that there were breaches of the international covenants which govern the movement of citizens within their own territory and there was a strong recommendation of that Commission that Norfolk Island have taken away entirely the right to control it's own immigration and that that should be placed entirely under the control of the Australian authorities and the Migration Act should extend to Norfolk Island and that Norfolk Island should be able to control those who come into it by means of planning regulations and matters of that kind. That Commission Report as it was bound to, reported to the Commonwealth Government on the legislation which was in the Territory of Norfolk Island as to whether or not it required any attention by the Commonwealth as being a matter that it couldn't allow to continue to be in a force because it effectively broke these international covenants. Now the Commonwealth has not formally considered the implications arising from that recommendation which has been made to it about our Migration Act. What I'm concerned about is that we are not as it were succumbed to that threat which emerges from the HREOC Commission Report. Consultants who recently prepared material for the review of the Immigration Act on Norfolk Island and suggest that there was some quite serious flaws in that report because certain things hadn't been considered or hadn't been considered adequately but that is the view or the opinion of the person who was retained to give us a view or oversight into our Immigration Act and of course the Commonwealth may in due course be advised in a different fashion and if the consequence flows that we effectively lose our immigration rights or right to control

immigration I think a most serious blow is aimed right at the very heart of the preamble to the Norfolk Island Act which guaranteed us certain matters to give us the opportunity to control our own future and come to the proper levels of self government which I'm certain everybody in this House aims to have achieved for Norfolk Island. So far as the Bill is concerned I would be seeking of course in due course that it at least lie on the table for a month so that full and careful consideration can be given to it, I will be receiving a full report from the Officers. I thought it may have been available to go before the House on Monday for its usual meeting with members. That wasn't possible to achieve that but as soon as it's possible for me to do that I will make sure it is available so that at least Members can form some assessment of the outcome of those discussions and find in those I'm certain from what I've been told support from the matters that I've raised here in introducing this Bill this afternoon. I believe that it is significant and important that we do without any loss of our independence or our opportunity to maintain separateness and our distinct immigration regime. That we do work in close and effective co-operation with the Australia Government. I have received information from those officers who are present that the Commonwealth is prepared to provide us with a considerable degree of assistance in managing immigration matters such as hardware which will be very effective and appropriate at the point of entry into Norfolk Island with training forces and matters of that kind which can only in my judgement lead to an opportunity for us to really have an effective and fully operational and desirable immigration regime on Norfolk Island so I don't think it is necessary for me to say anything more at this time. I recommend the terms of the Bill. I put it to the Members for their consideration that this Bill does require reasonably urgent consideration. It was the view of the Commonwealth conveyed to the officers that they would certainly feel a great deal happier in the very considerable rush of visitors and persons travelling to this part of the world which will occur over the Olympic Games period that there was something in place which we are able to ensure that both migration borders were secure from unwanted and unsuitable persons endeavouring to enter so I don't think it is necessary for me at this particular stage to say any more, thank you

MR BROWN

Mr Speaker one of the difficulties with new Members becoming Ministers is that they do not have a knowledge of the lessons of history. That's not meant to be a criticism but it's a fact. And they don't have a knowledge of the years of hard toil that have often gone into the transfer of the various powers to the Norfolk Island Government. Without doubt immigration is one of those very important powers that shouldn't simply be given away. Another problem that new ministers have is that it is very easy for them to really get to feel that they are fairly important when they get to meeting Commonwealth Ministers and State Ministers and head off to Ministerial Meetings, head off to meet Ministers in Canberra, Ministers at Conferences, Ministers wherever it may be. They get to know these people by their christian names at times Mr Speaker but what happens frequently is they lose track of what it is that they are really here for and they are really here to represent the people of Norfolk Island. What this Bill is about, whether the Minister realises it or not, is giving away a significant part of our immigration power. Now to be told that the Commonwealth immigration barrier is under threat if it's not done, is a load of poppycock. If by that we are being told that by passing this Bill we will be able to prevent a boatload of people arriving on the shores of Norfolk Island then surely the Minister has had time to think that one through. And let's have a look at how good Canberra is at stopping that sort of thing in any event. Let's have a look at their little effort in Cairns only in recent days, where not only did the boat deliver a load of foreign people door to door to a house in the Cairns area, but the boat was nearly back to Indonesia before the Commonwealth realised it was even there. Now that's Cairns Mr Speaker. One of the great cities of Australia. And this boatload wasn't the first boatload to arrive there. They had another one that probably would have got back to Indonesia had it not run aground so let's not fall for that. The Minister has suggested to us that we need to pass this quickly or the Commonwealth will look the HREOC Commission Report. Well could I suggest to the Minister that nothing in this Bill helps us in relation to that Report. What we need to be doing in relation to that Report is to be understanding that well before that Report was finalised the previous Norfolk Island

government had engaged competent consultants to provide it with advise and to provide it with a draft of a new Immigration Act aiming at overcoming any possible deficiencies in the present legislation. Now that work was completed Mr Speaker. If my recollection is correct it's comprised in three quite lengthy admittedly but three volumes. Now the Minister's response to that has been, oh this is too complex for Norfolk Island and largely as I understand it, he has shelved that work. But that is the proper response to the HREOC Commission Report. We need to look at what is wrong with our legislation if indeed there are any deficiencies and we need to fix them. And that work was aimed at enabling us to do that. We are being offered lollies. A pocketful of lollies from the man in the big overcoat. We are told that if we agree to this the Commonwealth is going to give us all kinds of goodies. They will give us their alert system. Well as I understand it there are certain privacy requirements imposed on all Australian Government entities and I greatly doubt that there is a power of the Commonwealth to give to the Norfolk Island Government access to that alert system. it would be the most gross breach of privacy in my view for it to be able to be provided to the Norfolk Island Administration. If we look at all the other goodies that have been promised. Are they of any use and are they going to come at the end of the day in any event. this is not the first time Mr speaker that the Commonwealth has endeavoured to entice the Norfolk Island Government to do various things normally to the detriment of self government. Not the first time at all. Just why is it that the Commonwealth wants to say whether or not a person outside of the Australian or New Zealand citizen can come to Norfolk Island and what would be the consequences. For example we have a Presiding Officers Conference very soon. Weeks. Now if our colleagues from the various Parliaments of the Pacific don't have a current Australian Visa are they going to be told they can't come. Because that's what this Bill would do. What is going to happen with the Games next year. Are all of these people going to have to obtain an Australian visa and if so, will it be possible, because when we've looked at this sort of thing in the past we've been told by the same Australian authorities that it is not possible for an Australian Visa to be issued to someone who doesn't plan to go to Australia. You can't just send letters around the world saying, oh well, just in case I ever happen to call in being it on a refugee boat or something else I would like to have one of your visa". They are not like postage stamps Mr Speaker. You can't have a collection of them. Mr speaker I'm concerned. I think the Bill is naïve and I think that it is an insult to self government to ask this Legislative Assembly to pass it. Now if we can be convinced that there is some absolute merit in passing it at some stage then so be it, but even then, I would suggest that we would want to be able to enable a person who has a visa to enter New Zealand to come to Norfolk Island. the New Zealand authorities have done a far better job or had far more success in keeping unwanted visitors from their shores and when we hear of people who have perhaps attempted to get to Norfolk Island and not been allowed to board aircraft, if my recollection is correct, in every one of the cases it has been the New Zealand authorities that have intervened. it has been the New Zealand authorities who have either said to people, no you can't jump on an aeroplane in Hong Kong or some such part of Asia or who have not allowed people to board an aircraft in Auckland, so I'm sorry, I won't be supporting the bill but I would like to know what is being done about the Bronwyn Paddick Report. I would like to know what is being done about the Bill that's drafted as part of that and I would like to know what is being done to overcome any difficulties which may have been revealed by the HREOC Report but I'm not going to play a part in giving away the power over immigration

MR COOK

Mr Speaker through you to Mr Brown I really choose to ignore the less than thinly veiled personal attack on my, on my intelligence, on my integrity or otherwise. I choose to do so because I don't wish to take the time of the House in endeavouring to answer what Mr Brown has put to the House. I only wish to make it quite clear that so far as his assertions about certain matters is concerned I don't think he's entitled to expect that we shall expect them at face value or accept them as being accurate because he has made the statement that you can't get an Australian visa unless you're about to travel to Australia. I've checked with the authorities in Australia and you certainly can get an Australian visa at a foreign embassy with out the

requirement that you are immediately going to travel to Australia. It's a qualification for entry should you choose to enter Australia during the time of the visa that you have obtained is current so I find it difficult to accept a lot of what Mr Brown has said when I have that basic inaccuracy put forward as an explanation of his opposition to this Bill. He says that there is a serious erosion of self government taking place with presenting a Bill of this kind. I have put forward the Bill because it seems appropriate and seems to protect the situation here on Norfolk Island. It may be considered that we should have more lax rules here. People from Vanuatu or Fiji. I think we should have the opportunity to have a measure of control of the persons who we are prepared to have join our community. this Bill will go to another Sitting and I will present all the material in due course and hopeful this Bill will be passed

MR WALKER Thank you Mr Speaker I would just like to express a couple of concerns. the first I would ask the Minister to maybe take on notice in section 4 and maybe report back to us with some detail that it would appear to me while we have a very good rapport with New Zealand and we have a lively passenger service out of Auckland it appears to me that somebody who may be holding valid entry to New Zealand or holding a New Zealand passport would have to have entry into Australia to come into Norfolk Island. I guess that's what Mr Brown has been saying, but that's how it appears to me. If a New Zealand citizen is holding a New Zealand passport, well let me tell you that there are a lot of people in New Zealand who have entry to New Zealand but who do not hold a New Zealand passport and may wish to take a holiday on Norfolk Island. The second concern is with section 6 and my problem here is not in trying to not support the thrust of section 6 which I think is commendable but my problem is that when somebody is coming to the Island and going to take up a Temporary Entry Permit they are being employed under that permit and the employer is really in the driving seat. here we have a situation where the employer is shackled in a way and he cannot contravene other places or jurisdiction discrimination laws and so therefore cannot ask the applicant if they have a criminal record. however he has to ensure that when their application comes for a Temporary Entry Permit that a accompanying piece of documentation is done by the Police Department of where he has originated to ensure that he does not have a Police record and it is only in the mechanics of section 6 and I really do have a problem there that when advertising in Australia or New Zealand that strict discrimination laws apply and I understand that you could be up for some penalties if you discriminate in any way when you are making the selection of your employee. I would only ask that maybe you look into those two matters for me and if you can satisfy me that those two are not the case then I would be supportive, thank you

MR COOK Mr Speaker I will endeavour to do what Mr Walker has requested me to do in due course

MR SPEAKER Thank you. Debate

MR WALKER Thank you Mr Speaker I just forgot one small point to section 6 which tends to imply that this police clearance must be obtained prior to arrival on the Island when we all know that it is very possible for a visitor to come to the Island on a visitor's permit, maybe staying with a friend or is related to somebody here on the Island and comes to stay and once here decides that they may seek employment and I understand that in this community that is a quite common occurrence. This section appears to be saying that they have to then leave the Island, get the clearance and come back again. maybe again there is a mechanics within that legislation that needs to be looked at

MR COOK Mr Speaker again through you I inform Mr Walker that that matter will be taken into consideration. It has been considered by I will provide him with whatever material I am able to meet his concerns



regard as being of a serious nature such as to warrant a disqualification. it's only on the basis of major offences. One of the things which immediately comes to mind under the Act is that if a person has been convicted of an offence punishable by more than six months imprisonment then they become on the face of it a prohibited immigrant into Norfolk Island. The problem is that in some instances such persons have come onto the Island, made their application for a Temporary Entry Permit and it is only then that these checks are able to be carried out using the Police facilities here and it's found out that there have been these problems. What this section intends to try to alleviate or overcome is the situation that when an application is actually filed it will have this information available for immediate consideration and of course it would be preferable one might imagine that such persons would bring their applications before they actually came to Norfolk Island so it would be clearly understood who was intending to come to Norfolk Island to engage in employment in Norfolk Island. I would have thought that in some instances quite apart from the protection of the community generally that employers would have welcomed such a situation as being available because it would mean that in effect there was an unlikelihood that somebody would come who may have seemed quite a suitable person but turns out to have had some past history of misconduct which seriously affects their capacity to engage in the employment in which they've been engaged to carry out. I will speak further about this matter of course when this Bill comes back at a later stage

MR WALKER Thank you Mr Speaker I would just like to refer back to something that the Chief Minister said in reading No 6(13)(2)(b) he was saying that the General Entry Permit shall be accompanied by a Police Clearance Certificate. the part that I was actually referring to was 13(1) in section 5 above it where it says ..provided that a prescribed person shall not travel to or enter into Norfolk Island to make such application. And if you refer to the Act Mr Minister you will find that that is added to a part about making a Temporary Entry Permit application so therefore this Act is in fact precluding anybody from entering the Island prior to having made the application

MR COOK Mr Speaker that is the person that we seek to have before they come to Norfolk Island to be the person who qualifies for entry into Australia by holding an Australian visa and so it is the prescribed person who is restricted from travelling to or entering into Norfolk Island not an ordinary person who is entitled to be by reason of their citizenship of Australia or New Zealand to make an application for a Temporary Entry Permit General Entry Permit or visitors permit

MR BROWN Mr Speaker could I suggest in the event that Members are of a mind to agree to any parts of this Bill that section 5 of the Bill be given further consideration by adding a requirement for an application to be dealt with within a certain period. At present there are many applications which have been hanging around for a long while. Some because we haven't gotten around to dealing with them. Others because we perceive that there is a shortage of information but it would be beneficial to everyone if there was a requirement that an application be dealt with within a relatively short period in the case of a Temporary Entry Permit, obviously a little longer in the case of a General Entry Permit, thank you

MR COOK Mr Speaker through you it is my own personal intention to ensure that there is a definite time scale laid down in which these things must be dealt with. There's always going to be some problems or difficulties or otherwise but there must be a basic appreciation and understanding that these matters must be processed speedily and that persons are entitled in the proper administration of administrative law or with decisions being made or have judgements made speedily and effectively and I of course take on board what Mr Brown says and it may be possible to consider in due course some such addition as will ensure that there are some degree of time scale which at least appears in the Act but certainly in the matter of procedures and the guidelines there should be clear time scales for all steps of the processing

MR SPEAKER Thank you. I think we have just about concluded debate Honourable Members. Mr Cook can I look to you for a motion of adjournment

MR COOK 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

MR SPEAKER Thank you. Honourable Members I put that motion to you

QUESTION PUT  
AGREED

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

### **FEES AND CHARGES VALIDATION ACT 2000**

MR NOBBS Thank you Mr Speaker, I present the Fees and Charges Validation Act 2000 and move that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill. Mr Speaker the Government Gazette notice of the 24<sup>th</sup> June 1999, that is last year, announced that the then Government intended to introduce legislation increasing a number of fees and charges to apply retrospectively from the 23<sup>rd</sup> June 1999. I understand that formal advise was provided to relevant Administration Section Heads in late June. The Statutory Amendments Fees Bill was introduced into the Legislative Assembly on 30<sup>th</sup> June and the Bill was eventually passed through the Legislative Assembly on the 22<sup>nd</sup> September. The Statutes Amendment Fees Bill was commenced on the 30<sup>th</sup> June 1999 however only sections 1 and 2, that's the title and the procedures for commencement were the only sections commenced. It is obvious some section heads were unaware of the non commencement and continued to charge the new fees and charges as they had been instructed in late June 1999. These charges have continued. The balance of the Statutes Amendment Fees was commenced last Friday 14<sup>th</sup> July and gazetted on Monday the 17<sup>th</sup> July. It appears that some Administration Sections were charging the new fees from June 1999 in accordance with the intent of the Government. The Bill before us today validates the increased charges in the intervening period. I advise that the increased charges are all confined to specific sections. It appears particularly services were charged at the new rate. There was no mix up of old or new rates within charging for a service. Consequently it is the intention to validate all fees and charges as required to be paid in the period 23<sup>rd</sup> June 1999 to 17<sup>th</sup> July 2000 when commencement of the Fees Act was gazetted. That is the Statute Amendment Fees Act. I seek the support of the House to clear up this anomaly

MR SPEAKER Debate Honourable Members

MR BROWN Mr Speaker from time to time mistakes happen. This is one of those occasions. No-one will be prejudiced by this Bill being passed as I see it because everyone was given notice that it was going to be done as from the earlier date, it was simply a paperwork error that everything necessary was not done at the time. On that basis I'm happy to support it

MR SPEAKER Any further debate. There being no further debate I'll put the question Honourable Members

QUESTION PUT  
AGREED

The Bill is agreed to in principle

MR NOBBS Thank you Mr Speaker I move that so much of Standing Orders be suspended as would prevent the Bill from being passed through all stages at this Sitting

MR SPEAKER Thank you Mr Nobbs and I put that question to you

QUESTION PUT  
AGREED

Thank you. Then I put the question that the Bill be agreed to in its final stage. Firstly I should ask Honourable Members if you want to dispense with the detail stage. Yes. then I seek a final motion that the Bill be agreed to

MR BROWN Mr Speaker I move that the Bill be agreed to in principle and that the Bill be agreed to, if it is necessary to agree both

MR SPEAKER Yes, have voted on the matter that the Bill be agreed to in principle Mr Brown and we are at the detail stage if that is desired. We've just dispensed with that and so we are at the final stage that the Bill be agreed to

MR BROWN Mr Speaker I so move

MR SPEAKER Thank you. Is there any final debate in respect of that. No final debate, then I put that question

QUESTION PUT  
AGREED

That Bill is agreed thank you

## **ROAD TRAFFIC AMENDMENT BILL 2000**

MR COOK Mr Speaker I present the Road Traffic Amendment Bill 2000 and move that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill. I present the explanatory memorandum to the Road Traffic Amendment Bill. I would like to point out that this is a piece of legislation which has been sought, not necessarily in its exact form at the present time but the principle behind it has been an initiative of Mr Brown for some time and since I've been in the Assembly I've supported that because of my concerns about the need for such legislation in this community and the attempt to do something about it without delay. This Bill contains provisions that make the obtaining of compulsory third party personal injury insurance CTP a prerequisite for registration of a vehicle. It further establishes the offence of driving a vehicle, which is not, insured that does not have a current registration sticker or label attached in the prescribed form. The Bill requires all motor vehicle owners to insure for CTP prior to obtaining or renewing registration of vehicles and will insure death or injury cover to passengers or other persons involved in traffic accidents. Sections 4 and 5 require the provision of a current CTP policy of insurance as a prerequisite to the Registrar of Motor Vehicles affecting registration of vehicles. Section 6 requires the CTP policy as a prerequisite to transferring registration of a vehicle. Section 7 requires a CTP policy as a prerequisite to registering a hire vehicle. Section 8 creates a new section 7a of the Act which makes it an offence to drive a vehicle without insurance or a current registration label. It provides that the new registration or transfer of registration without the existence of a CTP policy for the period of registration or renewal. The new section describes the type of insurance that must be obtained and allows the executive member to determine liability limits and approve a list of insurers for the purposes of the Act. It requires that the vehicles are exempt from registration including Administration vehicles shall have CTP insurance and provides for

administrative and transitional procedures. Mr Speaker this Act is an endeavour to ensure in the quickest time that cover be available to persons who may be either passengers to persons in motor vehicles or involved in a motor accidents which is not their fault and may have received injury or pedestrians or other persons who suffer injury arising out of the use of a motor vehicle that there is in place an insurance which will enable them to at least endeavour to recover satisfactory compensation for damages for medical expenses, for all those things which normally apply. One of the grave problems that seem to have arisen and an earlier attempt was made I think quite some time ago in one of the earlier Legislative Assembly's to consider the introduction of a comprehensive scheme on Norfolk Island for the compulsory third party insurance. It rapidly became obvious that there was an extraordinarily high degree of expense associated with such a scheme, in setting it up and maintaining it, and a lot of difficulties associated with it. Normally schemes of this kind would have the requirements that if a vehicle was driven on the road and was uninsured at the time of an accident there would be a fund upon which the person who suffered injury might be able to draw in due course. Those are normal situations which are obtained in the mainland where third party insurance is compulsory I believe in all the States and Territories. The situation of course that this Bill endeavours to bring about is that there will be required at the time of registration of a motor vehicle the production of a certificate showing that suitable insurance cover has been taken out to an amount which will really be able to cover most circumstances if not all circumstances. Obviously there would be difficulties in endeavouring to fix such a sum as could cover every conceivable circumstance of injury or severity of injury but what is intended to endeavour to make sure that in almost every instance a person would be able to recover if they were the victims of a motor vehicle accident. The Bill itself in section 7a as it is drafted, in section 6 particular, refers to the executive member by an instrument published in the Gazette determine the minimum of liability covered. On reflection I believe that should be by regulation and that's so that all members of the House could be involved of course in the determination of what is considered to be a suitable sum which is regarded as a minimum liability cover. There's a problem as I understand it with insurance companies that some of them are only prepared to issue a cover for motor cycle riders which is a good deal less than what they would issue for a motor vehicle. And I think also that section 6b should be subject to regulation and again in section 7 on reflection if the executive member may be in instrument in writing published in the gazette approve a list of approved insurers. I believe that should be by way of a disallowable instrument situation so that again the House can participate in the determination of those matters and be very much involved in the determination of those who go forward into the community as an approved insurer. I should point out immediately that the Act itself refers to a current registration sticker or label being required to be attached to a motor vehicle. It was my intention and I believe it was going to be able to be brought about that there would be introduced at the same time as this Act has come forward to the House an Act which would endeavour to affect the amendment of the Road Traffic Act in that it would provide for such stickers to be introduced and required to be attached to the window of the motor vehicle. I believe the Registrar of Motor Vehicles has strongly urged this and so have the Police also. It appears for instance that the cost of printing the stickers has been estimated at 30 cents each for three years, 400 per month on the average for registration purposes which is approximately \$4,320 which would appear to be a cost which would be justified in that you would allow at least some reasonably ready identification of vehicles which are not registered and are not carrying the appropriate sticker as required by law. It is also intended to introduce because it seems to be available through the gun buy back scheme and the equipment being available for the introduction of photographic licences so that a Norfolk Island Licence would have the photograph of the person endorsed on the licence as is the usual practise on the mainland and also the police have sought consideration as to whether there should be classes of licences which qualify persons for instance to drive very heavy vehicles or only lighter type of vehicles or buses or matters of that kind. I wish to introduce such a Bill for the consideration of the House in line with the advises that I have received and I would tend to do that at the next Sittings and it's my intention to ask that this Bill lie on the table until the next Sitting so that at





night and those trailers should always have lights on them. I think that would be a basic safety measure

MR COOK Mr Speaker so that I can answer this, under the Road Traffic Act at present for motor vehicle read mechanically propelled vehicle intended or adapted for use on the roads or that is reasonably capable of being used on roads and includes a trailer attached to or intended to be attached to a motor vehicle so I trailer is included in the definition of motor vehicle under our Act at the present time. There are as I understand it, not in the Act but in the regulations, provisions as to the equipment that should be present on trailers

MR BROWN Mr Speaker, I was going to endeavour to support the Minister in that regard. the Minister is not endeavouring to bring in new regulations in relation to what a trailer must or must not be equipped with, nor is he attempting to change the legislation as to what a trailer must be equipped with in order to be roadworthy. The Minister is purely looking at this stage at the compulsory third party insurance side of things. Mr Walker was indeed correct in saying that issues such as indicator lights are no doubt covered by the present regulations, they indeed are

MR GARDNER Thank you Mr Speaker, just very briefly I will comment. I know it's very dear to the heart of Mr Bates and that is in regard to cost implications of legislation that comes before the House. I guess the cost implications of this is not so much what its going to cost the Administration to implement but rather the cost to the individuals out in the community and I'm just wondering for the benefit of the listening community if the Minister is able to bring back firm figures as a clear indication to members of the community just what it's going to cost as far as the implications of legislation to them personally in regards to obtaining compulsory third party insurance for their motor vehicles, trailers, boats, motor cycles etc. that requires these so that they are on the table of the next sitting o the House. Just one point I would like to touch on and that is in relation to the Minister's proposal to bring other legislation to the House. I think he referred also to the Road Traffic Act and bring some amendment regarding driver's licencing and different classes of licences. I think Mr Bates, I'm not picking on you Brian but Mr Bates questioned whether it was wise to just allow somebody with a multi class licence which is obviously very easy to pick up to be able to go out and take charge of a bus that seats 42 passengers. We are I think starting to open up a bit of a hornets nest there in just how far we are going to go in the regulation of that. I'm not saying that we shouldn't be responsible but certainly to open up that argument opens further argument on people who take others fishing in boats in charge of four tourists in a boat that goes out thirty miles, and are we going to start to back ourselves into a corner that we can't get out of in relation to having to take a responsible and long hard look at licencing issues, registration issues etc for those type of activities as well. That's all I want to say at the moment

MR COOK Mr Speaker through you if I could just reply to Mr Gardner. I've endeavoured to get some preliminary idea of what such cover might cost the ordinary person say up to a cover of a minimum of a million dollars which certainly wold seem from some of the forms of accidents and the cost of some injuries is not absolutely extreme, but I believe without pre-empting some opportunity to get a response from the insurers in due course that such cover could be obtained for personal injury only and not relating to third party property damage in the vicinity of \$100-120 per year which is considerably different of course to the cover that is required to be taken out on the mainland where it is not uncommon for such cover in the schemes which exists on the mainland to be at least \$500-600 for CTPI

MR SPEAKER Thank you. Further debate. Mr Cook



I'm sure shared by Members, an area that I've had my ears whacked around a little over in recent weeks and is a concern. This is a necessary matter for us to be considering this legislation today but not entirely for that purpose. I prefer to look upon this bill as presented today as simply a pause. It is proposed to have effect for the duration of the current reviews. We need as well to consider the future of crown land as discussed in a governmental meeting, particularly the future of residential and rural/residential leasehold properties and a firm decision will be required as to whether those will become leasehold tenure in right of Norfolk Island or secondly become freehold. Whatever the decision it will impact and require further consideration as to whether existing subdivision minima are appropriate or applicable. I believe this approach is sensible. It presents a similar net for the moratorium on leasehold subdivision under the Crown Lands Act as I discussed this morning when I presented the Commonwealth's direction to the Administrator in regard to crown land dealings. That was imposed by the Federal Minister and the application of that and as is similarly proposed in this piece of legislation is that there are subdivision matters that may be dealt with in exceptional circumstances and examples of those were touched on briefly by Mr Brown this morning when he had some concerns about the moratorium on leasehold dealings or subdivisions and I'll just repeat those for the purposes of debate this afternoon, that those exceptional circumstances would be considered where it could be demonstrated that the personal hardship was occurring to reflect court orders as Mr Brown touched on this morning and another of that, disposition of land by will. As I've said these follow similar guidelines to those under the Crown Lands Act moratorium and I think those guidelines if we refer back to that paper I tabled this morning are very clear. Concerns of overdevelopment and the effects of subdivisions that are beginning to detract from the rural character of Norfolk Island are being voiced loudly and received clearly I think by each and every Member of this Legislative Assembly. I seek this pause for a specific period aiming for specific goals to be achieved within realistic time frames. I seek my colleagues support for this moratorium and commend the Bill to the House Mr Speaker

MR BATES

Mr Speaker, I understand and support what the Minister is trying to achieve because I too wish to retain Norfolk Island's character as far as possible but I am uneasy about the number of moratoriums we seem to be quick to put into place. To me it would be preferable if we could act to fix the problem without scooping up and catching those planning some form of activity or action which is not really part of the problem we are trying to fix by this rather heavy handed method. I don't know how many young Norfolk Island families could be affected by this moratorium who may have had planned a legitimate subdivision in keeping with the plan that this House has approved and for a genuine need. There is no doubt that the present plan that we have looked at all the pros and cons when it made certain rules for subdivision and people I think are entitled to look at that plan and plan their future around it and then very quickly overnight we might destroy some plans and those people may not be really doing what we are trying to achieve by this action. Moratoriums are quick and they are often not well thought out and not planned too far ahead. They are usually to fix up something that we've been a bit slack or a bit lax in handling in a more efficient matter in a previous period of time. I already had one example and I'm not too sure if I discussed this with the Minister or if this will actually affect this situation but I've already had one young Norfolk Islander who wished to make a deal with his uncle in shifting a common boundary between their properties making his plot a little bit more suitable for his purposes and the uncle was happy to do it. Now if he cannot do that, and he is not changing the outer boundaries or increasing the number of blocks it's really just a realignment of boundaries, but this young Norfolk Islander cannot affect that because we've put this moratorium on then his future maybe put back several years in the planning stage of getting on with what he wants to do, and that is to build a home for his family. These are the things that concern me that we are catching up people who are not the cause of the problem and who have an expectation under the plan to do something because of other areas we've had problems with. I did say that I would support this on Monday but having given this further thought I don't think I can support it. Nor do I wish to see Norfolk Island cut up into small pocket sized blocks. That can't

happen under the present plan anyway and I believe the present plan restricts subdivisions in some rural areas to two acres and in others to five and I'm not suggesting that that should change at all but if people have an expectation that they can do that and they are not causing problems then I think we are doing some of them an injustice. I think it's been suggested that some people are subdividing rural blocks so that they can put more tourist accommodation on them than what is presently planned and if that's a major problem then I think that problem should be attacked and I would support it but doing it this way is not the way to go. I think this needs more thought. I think the reason we are where we are is probably neglect on our behalf and I think that we could be hurting people that we don't intend to hurt

SPEAKER

Thankyou. Further debate

MR McCOY

Mr Speaker whilst I share some of Mr Bates's concerns and I guess that in the community some concerns are because this relates to freehold land and of course there is an assumption that freehold means ownership to do with as one pleases. But freehold might also mean not having to pay a lease and therefore no conditions on usage of the property or land is attached. The Norfolk Island Plan was effected to give effect to planning Norfolk Island so that development and subdivision of Norfolk Island was not done in an ad hoc or uncontrolled manner but unfortunately the Norfolk Island Plan was disregarded by some in the community and the Planning Act was not enforced. And I'll draw Members' attention to portion 3d in Stockyard Road or in the Steeles Point area where a four metre strip was taken of the land next door or subdivided from the land next door to enable the next property to increase their size and therefore be able to divide their property into two two-acre blocks. Now the four metres that was taken off I believe portion 3d did not equate to two acres so therefore that should not have happened under the Norfolk Island Plan or the Planning Act so there is a problem with the Norfolk Island Plan. It's not being adhered to. Considering that land matters and planning the future development of Norfolk Island is a major component of the land package and affects very much the ability of Norfolk Island achieving any further degree of internal self government and that is to make laws for the peace order and good Government of the territory we must not only be seen as attempting to be responsible but clearly demonstrate that responsibility before we can expect the Commonwealth to transfer all land matters to the Norfolk Island Government. The Norfolk Island Plan is under review and I believe will not be reviewed for another twelve months and at the outset I questioned why there was not a moratorium on subdivisions or even transfer of titles. A step that the Commonwealth Government has implemented in regard to leasehold land. I guess as I said earlier, if we cannot demonstrate a clear ability to be responsible to land matters, the Commonwealth may be impelled to withdraw or withhold the further transfer of powers relating to land matters and I do support Mr Gardner's initiative in bringing this matter forward and of course I do have sincere sympathy for people who may be affected but Mr Bates has mentioned has mentioned that we may affect the ability of some young Norfolk Islander to subdivide their freehold land and better themselves but Mr Speaker I'm afraid it's not the young Norfolk Islander's out there subdividing the land of Norfolk Island to better themselves because unfortunately we are in the situation now where most young Norfolk Islanders don't get inherited land and can't afford to purchase land on the Island so I think this is a good initiative and we might see some real benefits come out of the review of the Planning Act where we do get out to planning Norfolk Island as they started doing back in the '60s where they created a subdivision in the Middlegate area and that to some degree would help to save the rural areas of the Island which are quickly being destroyed and being chopped up into small pieces and I would not like to see this being continued

MR NOBBS

Thank you Mr Speaker, I support this initiative. I believe that whilst we might be accused of being a moratorium Legislative Assembly of some description I suppose there'll be some word coming out in the next week or so and some smart guy will think up something to call us along those lines but I think it's most



specific subdivision application, I believe and I understand that the decision in this case was made by the Administrator and I have nothing further to say thank you

MR BROWN

Mr Speaker, it's regrettable that this Bill has had to be brought before the House. Unfortunately you always seem to find that a few people spoil it for the majority and I can understand the Minister's concerns to ensure that things are not spoiled for the majority. It is unfortunate that it is necessary to seek a moratorium for this length of time but I think it is important for us to give support to our executives when they have gone to the trouble of explaining to us just what it is that they are on about and just why it is that some form of change is necessary. This Bill will not be dealt with to finality today so there will be time for public comment and I know that there has been... I'm sorry. I understand that it is proposed to deal with this Bill to finality today. That doesn't leave time for the degree of public comment that you would like to have and in particular it doesn't give time for us to look at issues such as, do we intend by this Bill to prohibit a boundary adjustment. Maybe that's not our intention but it would seem at present that a boundary adjustment is a subdivision and that it would be caught up by this particular legislation but that could be fixed at a later time I daresay. We may find that when we do get public comment about this that there are a number of things that we think are worth changing and provided we are prepared to look at them if they arise then that's probably fair enough but if the Minister is telling us that he really needs to have this through today I am prepared to support it in its present form although I do regret that but I do think that it may be necessary to look at some changes in order to allow things such as a boundary adjustment which can hardly come into the exceptional circumstances clause and I think would need some specific provision, thank you

MR GARDNER

Thank you Mr Speaker I appreciate the support of Members and the comments that I've heard around the table. If I could just touch on the comments of Mr Walker previously regarding the time frame of the moratorium and my assurances I guess that it is intended to try and deal with these matters and these concerns as expeditiously as possible. Well certainly I'm prepared to give that undertaking and it certainly was the intention as discussed with Members the other day. The twelve month time frame basically complements the time frames that have been established for other moratorium so one which I'll comment on shortly, but also complements the time frame that has been developed for the review of the Norfolk Island Plan. As I said on Monday evening when we were discussing this late into the evening at an MLAs meeting, I think it is important that we try as best we can to address the concerns of the public and if necessary alter I guess our waiting or our thrust as far as the review of the Plan is concerned and if necessary deal with those subdivision concerns as a matter of priority. Make the necessary amendments and then be in a position to lift this moratorium. It certainly was not the intention of this moratorium to cause anybody any undue difficulty or grief and I guess I would just like to assure Mr Walker that the timeframes I will endeavour to keep as best I can to the shortest possible period of time and not let this run into the same sort of problem that we faced for three or four years now as regards the moratorium that exists on the underground water table. There are arguments for and against that of course and I'm not taking a position today for the general removal of that moratorium on tapping into the underground water system. There are a number of issues that need to be dealt with there appropriately to ensure that the best possible use of that supply of water is guaranteed. I think I touched this morning on the purposes of the moratorium in great detail. Went through it at length and tried as best I could at that time to assure Members that the proper structure is in place, the proper implementation strategies for these reviews are in place and that I'm damned serious about making sure that this thing happens within those time frames. I certainly would be the first one to say that I had failed this community if at the end of the next two and a half years when it comes to election time, we still had all these moratoriums sitting around. I would probably be the first one not to vote for myself again if I chose to stand for the Legislative Assembly. I feel as though that would be a betrayal of the trust vested in a Member of the Legislative Assembly. As far as the boundary adjustments are concerned, my understanding of it is that they do fall under this moratorium however, as

the provisions that have been built into this piece of legislation provide for exceptional circumstances and I think if the boundary adjustment was required for example to give access to somebody for a building site on a block of land or those types of matters I'm sure that the Planning Board and in turn the Administrator would give all due consideration to those type of things and nothing prevents a written application for consideration as an exceptional circumstance from taking place. That's all I have to say at the moment thank you Mr Speaker

MR SMITH Mr Speaker, just a technical question. Just the wrong date in the middle of the Bill, does that get fixed by Speaker's amendment or is it something that should be amended in the process that we are going through now. There's a date of 1966 where it should be 1996

MR SPEAKER Yes, we've just adjusted that Mr Smith

MR SMITH Thank you Mr Speaker

MR SPEAKER Any further debate. If there isn't any further debate and we've concluded that part Mr Gardner if I can look to you as you have indicated that you would want this matter to proceed to its finality today to move the motion that we might do that

MR GARDNER Thank you Mr Speaker I further move that so much of Standing Orders be suspended as would prevent the passage of the Bill being expedited

MR SPEAKER Thank you. I'll put the question Honourable Members

QUESTION PUT  
**AGREED**

Honourable Members therefore we will vote on the original question that we had in front of us that the Bill be agreed to in principle and I put that question to you

QUESTION PUT  
AGREED

MR BATES	NO
MR NOBBS	ABSTAIN

Thank you. On that basis the voting is that the Bill be agreed to in principle. Firstly I should ask Honourable Members if you want to dispense with the detail stage. Yes. then I seek a final motion that the Bill be agreed to

MR GARDNER Thank you Mr Speaker I move that the Bill be agreed to

MR SPEAKER Yes, we are at the final stage that the Bill be agreed to. Is there any final debate. No final debate, then I put that question

QUESTION PUT  
AGREED

MR BATES	NO
MR NOBBS	ABSTAIN

That Bill is agreed thank you

**PURCHASE OF 34K AND 34L OF BALL BAY**

Mr Gardner I was about to call the matter on the programme, Purchase of 34K and 34L of Ball Bay but I understand that you have something to say about that

MR GARDNER Thank you Mr Speaker, I won't be seeking leave today to move the motion as it appears on the programme however Mr Speaker if I might seek leave now to make a brief statement on the matter as it appears on the programme due to a change in circumstances

MR SPEAKER Yes thank you, is leave granted Honourable Members, leave is granted

MR GARDNER Thank you Mr Speaker, quite some legwork has gone into what appears as a motion on the programme today and had received in principle support as far as I was aware by members of the Legislative Assembly to assist in the purchase or to provide the necessary seed funding or deposit for the purchase of two blocks of land at Bucks Point which has also been a matter of some discussion within the community of recent weeks including a mail out from the Norfolk Island Open Space Conservation Fund Incorporated seeking funds from private donation to assist in the purchase of these blocks of land. It was my intention to move the notice on the programme this morning however at lunchtime I was made aware of the fact that the sale that these funds were to be appropriated for has fallen through and in fact the blocks of land 34k and 34l at Ball Bay Norfolk Island have indeed been sold to another party. That being the case Mr Speaker that really has given me the reason now not to proceed with the motion as on the programme and no doubt will affect the following Supplementary Appropriation Bill that was proposed. I would like to leave it at that but to express my personal disappointment that the block of land hasn't been secured in perpetuity for the people of Norfolk Island as an open space and to pass on my commiseration's to those who have worked hard and long to try and secure these two blocks of land for the people of Norfolk Island in perpetuity. That's all I have to say for the moment Mr Speaker

MR SPEAKER Honourable Members on that basis we will not proceed with that part and based upon what you have said Mr Gardner I will indeed not report a Message from the Administrator nor will I call on the next item which is the Supplementary Appropriation Bill, Chief Minister if I could just seek your concurrence on that

MR NOBBS Certainly

MR SPEAKER We have concluded therefore Notices Honourable Members and are now looking at Orders of the Day

**ORDERS OF THE DAY**

MR SMITH Mr Speaker, I have a motion to finalise. I don't mind when we deal with the Cascade Cliff Safety Project

MR SPEAKER Yes we said that we would deal with that at the conclusion of Orders of the Day and we are now commencing Orders of the Day

**IMMIGRATION ACT 1980 – PROPOSED AMENDMENTS**

We are resuming debate on the question that that motion be agreed to and Mr Brown you have the call to resume

MR BROWN Mr Speaker thank you. This is a motion calling for a Bill to be prepared in order to make certain amendments to the Immigration Act. The Minister with responsibility for Immigration has assured me that he is progressing as quickly as possible his work in relation to the Bronwyn Paddick report and his work in relation to reviewing the population policy and the quota generally. On the basis of those assurances Mr Speaker I do not seek to have this matter dealt with today and I propose to move that it be adjourned to a subsequent day of Sitting

MR COOK Mr Speaker...

MR SPEAKER I'm obliged to put that question unless Mr Brown would like to just pause upon it

MR BROWN Mr Speaker I invite you to take a view that I've indicated an intention but I haven't yet moved it

MR SPEAKER Yes, thank you. Mr Cook

MR COOK Mr Speaker I'm appreciative of Mr Brown's decision to be prepared to adjourn this matter. He has obviously had the concern to raise it and believe it ought to be progressed as he has said on a previous occasion, as soon as possible. I have endeavoured to convey to him that a review of the Bronwyn Paddick Review is going forward as quickly as it possibly and fairly can and also the question of the quota review. I must say that at this stage I have received input on that quota problem which I put forward to the community, I've received about eighteen submissions of those, about three would be what you might describe as commercial considerations in regard to business viability on Norfolk Island and the opportunities to advance it in a proper and effective way and in many of the submissions to me the point of view raised by members of the community that they do not wish to see in any way what they consider their quality of life or their way of life here on Norfolk Island subjected to improper or undue strain or effect. I'm totally in sympathy with that point of view. I'm also in sympathy of course with the suggestions that we must not be too quick to pass away from ensuring that there is a degree of economic stability on the Island which will enable all on the Island to share in the proceeds in particular, the main industry on Norfolk Island of tourism. This balance which is to be sought has to be achieved with I believe very considerable regard to the two questions that I've just touched upon and it's going to take the most careful assessment. I've great confidence in the efforts of the Committee which is presently considering these matters. I wish to pay a tribute if I may here today to their efforts. They are meeting at quite regular intervals with these particular problems presenting themselves quite apart from their normal work in which they are engaged in consideration of General Entry Permit applications or answering advise on particular problems that are submitted to them by myself and I am very gratified indeed with the efforts that have been made by that committee and I'm grateful again to Mr Brown to acceding to the situation that it would be preferable in my point of view at this very stage to adjourn his motion. I can assure him that every effort that I can make will be directed to bringing this on as quickly as possible and he will be kept fully apprised on any matters which are able to be passed to the Members of the Legislative Assembly for consideration as soon as they become available

MR SPEAKER Thank you. Is there any further participation before we look at the adjournment motion. No further. Mr Brown, thank you

MR BROWN Mr Speaker I so move

MR SPEAKER Thank you Mr Brown. The proposal is that debate be adjourned and resumption of debate be made an made an Order of the Day for a subsequent day of Sitting



MR COOK Mr Speaker I've listened with very considerable interest around the table being a very recent Member of the Legislative Assembly as has been pointed out by an earlier speaker this afternoon in connection with another matter but I was able to absorb the debate. This matter came before the executives and I gave it consideration then. It seems to me that it is not so much a matter of accountability although that's always a very important aspect of any of the functions of Government and must always be there to be answerable to anybody who is handling public moneys. What it seems to be to involve is a question of sufficiency of funds to meet an obligation and to ensure that everything can be discharged at the earliest possible date and the matter finished and finished appropriately. Much to Mr Smith's surprise I would be supporting his original motion

MR SPEAKER Thankyou. Further debate. No further debate. Honourable Members the stage we are at is that the question before us is Mr Bates amendment which makes a proposal to amend the figure from \$3.5m to \$3.25m. That's the proposal that is in front of us as Mr Bates amendment

#### QUESTION PUT

Would the Clerk please call the House

MR BUFFETT	AYE
MR NOBBS	NO
MR BATES	AYE
MR COOK	NO
MR McCOY	AYE
MR GARDNER	AYE
MR WALKER	AYE
MR SMITH	NO
MR BROWN	AYE

Result of voting Honourable Members the ayes six the noes 3 the ayes have it, the amendment is agreed to

If I interpreted correctly we were agreeing that that was the principle item of the Bill that we wanted to address in an amending stage but nevertheless I will put to you that the balance of the Bill be agreed to

#### QUESTION PUT AGREED

The balance of the Bill is agreed to. Therefore Honourable Members I seek a final motion on this matter which is that the Bill as amended be agreed to

MR SMITH Mr Speaker I so move

MR SPEAKER Thank you Mr Smith. Is there final debate.

MR GARDNER I would just like to clarify that there is a split in the Government over this. Mr Speaker I think it is probably important. My investigations during a break downstairs recently gave me the assurance that the amendment that was being sought for the \$3.25m was probably very close if not slightly more than would be required to satisfy the finality of the construction phase. I have listened to and heard very clearly those concerns that Brian raised in presenting his amendment and I certainly am sympathetic to those concerns. I too don't believe that we need to extend a facility out to \$3.5m with this piece of legislation if it isn't required, isn't warranted and there's a fairly clear indication been given that it's in the area of \$250,000 to \$300,000 too much. However, I was prepared to support the amendment in the fact that there is

nothing whatsoever that prevents us from returning to the House if for some unforeseen circumstance that figure was to be greater than the \$3.25 and I'm very comfortable with that position

MR SMITH Mr Speaker, thanks to Mr Gardner for his reasoning and explanation of why he didn't support something that I thought he did support. One other comment probably a little bit flippant, but Mr Bates has often said that non executives don't really have much opportunity to deal with money type matters. I must commend you Mr Bates, you've knocked \$250,000 off a money bill and I'll remember that

MR SPEAKER Thank you. Any final debate. I put to you the final question that the Bill as amended be agreed to

QUESTION PUT  
AGREED

The Bill as amended is agreed Honourable Members

#### **FIXING OF THE NEXT SITTING DAY**

If I might turn now to our next sitting day and Mr. Smith you have the call.

MR SMITH Mr Speaker, thank you. I move that the House at its rising adjourn until Wednesday 16<sup>th</sup> August 2000 at 10 am.

MR SPEAKER Thank you. Is there any debate on that matter Honourable Members. I put that question to you.

QUESTION PUT  
QUESTION AGREED

The ayes have it, we have set out next sitting date thank you

#### **ADJOURNMENT**

MR. SPEAKER The adjournment. Mr Walker

MR WALKER Thank you Mr. Speaker. I move that the House do now adjourn.

MR. SPEAKER Thank you. The question is that the House do now adjourn Honourable Members. Is there any adjournment debate?

MR McCOY Mr Speaker I just wish to correct something I said this morning and Mr Brown said that Members of this Legislative Assembly should make sure that what we say is quite correct and I did maybe make a little mistake when I said that on Lord Howe Island they have trenches on the beach where they put their waste and I'll just read a little note I have here. The current land fill on Lord Howe is limited capacity and is located in an environmentally sensitive area due to the Island's geology there are limited options for the resiting of the waste disposal facility which is currently located immediately behind the sand dunes on Prince Henry Bay facing the Island lagoon. There is on Lord Howe Island strong community concern and pressure regarding current waste management practice. I just thought I had better correct myself on that little issue, thank you

19 July 2000

MR. SPEAKER Thank you. Further participation. Mr Walker. My apologies, I didn't realise you were wanting to participate otherwise I would have given you the call first because you moved the motion. My apologies to you

MR WALKER Thank you Mr Speaker. I have one matter I would like to bring forward and it is of concern to me. It is a practice which I perceive as being dangerous and it may be that it could be taken up by the Minister for the Road Traffic Act and that is the practice of using hand held microphones in most of the tourist vehicles on the Island. It is quite common to see a tour proceeding in traffic with the driver using one hand to use the microphone and the other hand to do all the driving. I understand and I think I am right in saying that the only circumstances in which this would normally be tolerated would be where the tour guide is a separate person to the driver or where the vehicle is stationary. I would like to see a move toward either hands free microphone or that the drivers in some way be assisted so that they don't have to concentrate on speaking into a microphone at the same time as dealing with traffic hazards, thank you

MR COOK Mr Speaker I have heard what Mr Walker has said and I'll clearly seek advice on that matter and maybe if it's appropriate as I'm bringing forward as I intend to do, amendments to the Road Traffic Act that is one matter that could come up for consideration, that's if I am so advised

MR SPEAKER Thank you. Further debate Honourable Members in this adjournment debate. The question is that the House do now adjourn.

QUESTION PUT  
AGREED.

This House stands adjourned until Wednesday the 16<sup>th</sup> August, 2000 at 10.00 am.

