

Vehicle size limits

Honourable Members we commence with the prayer

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

Thank you Mr Speaker, it is with regret that we record the passing of Jack Bernard Huckstep on Sunday 20th May. Jack was born in Auckland in 1935, and was one of six children. The family lived in Massey and Jack attended the Marist Brothers school. Upon completion of his education he tried his hand at farming for a short time in the Whakatane region Jack then completed a trade as a fitter and turner as he loved to tinker with engines and pumps in the back shed. he surprised his family by asking them to come and see him off at the train station and then informed them that he had put up his age to join the New Zealand Army and was enlisted from 1957 to 1962. In this time he was part of the first battalion New Zealand Regiment being part of New Zealand's contribution to the Commonwealth Strategic Reserve in Malaya. For the next two years Jack saw active service as a dog handler being extensively involved in boarder patrols. On his return from posting he met Margaret Allen who he married in 1963 and they shared their life together for 38 years. In 1965 their first child Denise was born and 10 weeks later they moved to Norfolk Island. Jack and Margaret found a fondness for the Island, the lifestyle, its beautiful people and made the Island their home. For the first seven years their family home was at Steeles Point and in 1968 it was with great joy that their second child John was born. They built their family home at Palm Glen where the family resides today. With his friend Bill Hart Jack was instrumental in assisting him in establishing the rock crushing plant at Ball Bay. Jack worked for himself for many years as a painter and decorator on the Island. He kept pigs and during this time produced some of the best pork on Norfolk. The family always loved to share a home made baked dinner with relatives and friends. Jack loved his garden where he spent many enjoyable hours. He was a foundation member of the Norfolk Island Gun Club, winning a number of Championships and served as the President of the club for several years. Jack was an avid Rugby League fan and there is no team as great as the mighty Eels. Often he would let this be known by tormenting his son-in-law for following the wrong team. Being a Returned Serviceman Jack was a staunch member of the local RSL Club and represented the Department of Veteran Affairs on the Norfolk Island Hospital Board. He was always involved in various projects and one that was very special to him was the White Oaks Club. Jack devoted his life to his loving family and will be sadly missed by his wife Margaret and the members of his family, Denise, Dave, Lisa and Lochlan, John, Megan, Abbie, Thomas and Louis. His sisters, Dawn, Marlene and brothers Noel, Colin and Denis and Step-dad Charlie. To family and many friends this house extends its deepest sympathy.

Mr. Speaker it is also with regret that this House records the passing of Frederick James Needham affectionately known as Jim. Jim was born in Auckland in 1918 the youngest of four children. He attended Auckland Grammar School and upon leaving school joined the Custom Dept. whilst studying electrical engineering at the Auckland University. A keen military man Jim was already enlisted in the Territorial Service when World War 2 was declared in 1939. His regimental number 1539 indicates that he was one of the first New Zealander's to volunteer for service. He was aged 21. He served as a artillery officer in the desert, Middle East, Egypt and Crete. Jim's gun position officer in one of the Desert operations was Ron Crozier sun of Cornel Crozier who lived on Norfolk Island. After the war he and Ron visited the Cornel where he was welcomed

as a wounded soldier with open ares and liberal libtrations. Jim quickly appreciated the lack of import restrictions and customs regulations and when an old general store in Burnt Pine came up for sale he decided to buy it and move to the Island. He arrived in 1946 and became a store keeper, soon learning the hard lessons of shop keeping in a remote island. All the supplies came by sea from Sydney and there was a boat only every eight to ten weeks. Jim lived at Cutters Corn for a number of years, later moving to an old home at the back of what is now Broadwalk. He then lived at Hillcrest and continued to be involved in retail and real estate for many years. He became intensely interested in local politics and was elected to the Norfolk Island Council in the early 1960's, serving as Chairman for six years. In 1967 he was awarded the OBE for services to Norfolk Island. Jim and Bobby were married in Auckland in 1974 and returned to Hillcrest. Fenella was born in 1975 and after the birth of Annabelle in 1977 the family returned to New Zealand. Jim never really settled in New Zealand and often spoke wistful of his Island in the sun. An unexpected phone call in late 1999 resulted in an invitation to visit Bob and Mary Selby. This was accepted with enthusiasm. Jim returned to live on the island last August, he was thrilled to be back and was continually surprised that so many people remembered him. To Jim's family and friends this House extends its deepest sympathy. Thank you Mr Speaker.

MR SPEAKER Thank you Mr McCoy. As a mark of respect I invite Members to stand for a period of silence.

MR SPEAKER Thank you Honourable Members

LEAVE OF ABSENCE

Honourable Members firstly leave is sought from Mr Brown and Mr Cook from today's sitting. Unless a aircraft arrives at a time that at this stage may be unexpected. Is leave granted. Leave is granted. Thank you. Chief Minister you sought leave to make a personal explanation. Leave is granted.

LEAVE TO MAKE PERSONAL EXPLANATION

MR NOBBS Mr Speaker I seek leave under standing orders 55 to make a personal explanation.

MR SPEAKER Leave is granted.

MR NOBBS Thank you Mr Speaker. On a recent Friday broadcast I inadvertently offended Mr Gardner, who asked for a Public Apology. There was absolutely no intention to cause offence or insult and I so publicly apologise. Thank you Mr Speaker.

MR SPEAKER Thank you Chief Minister. Mr Smith

MATTER OF PUBLIC IMPORTANCE – LIQUIDATION OF FLIGHT WEST AIRLINES

MR SMITH Mr Speaker I'd like to indulge in making a statement that I believe is a matter of public importance in relation to the airline situation.

MR SPEAKER Are members agreeable that we should allow this statement to come forward of earlier statements. Leave is granted. Mr Smith.

MR SMITH Thank you Mr Speaker. I would like to make this statement that is in my view a matter of public importance on the Flight West Airlines

withdrawal from air services to Norfolk Island and other and other Queensland destinations. Mr Speaker for the record I record the fact in Hansard that on Tuesday morning the Norfolk Island Government was advised by Flight West Airlines that they ceased flying late on Monday evening and a Liquidator had been appointed to deal with the Company. As of that time air services by that airline would no longer be operated to Norfolk Island. Flight West Airlines has been flying to Norfolk Island for some years and has provided a very good service for our Tourist Industry on which we depend so deeply. Flight West commenced Norfolk Island operations following the withdrawal of Ansett Airlines or Ansett Australia in the latter part of the 1990's. They commenced their services using F28 aircraft then with Fokker 100's which they used until last weekend. Flight West and Norfolk Jet created a competitive environment over these part years and have contributed much to the recent boom years for the island with their aggressive marketing and very competitive airfares. There have been persistent rumours circulating over recent months that Flight West was being bought by different players in the industry and it was thought that the worst that could happen would be that the airline would be taken over by some other airline. It was with total surprise and shock that we learned yesterday that Flight West had ceased trading all together,. The impact of their decision, on Norfolk Island is unknown quantity at this point although impact there certainly will be. The first impact has already been seen with those of our visitors who had come here in the past week finding that their transport home was suddenly been taken away. Next will be the financial impact on those residents who depend directly on the airlines for their income, and then the impact on the industry in the short and longer term. The Norfolk Island Government met as soon as possible after the withdrawal of the Flight West services to assess the situation. Throughout yesterday information was collected and other airlines had been contacted to see if we could find a quick solution to getting our current visitors home and to find alternative transport to Norfolk Island for pending visitors over the coming days. Whilst the Government took whatever action it could yesterday the shake down of the Flight West collapse was still occurring up until last night and had caught players in the Aviation Industry by as much surprise as it had caught us here on Norfolk Island. We are certainly fortunate that there are two other carriers, Air New Zealand and Norfolk Jet Express who are making strong moves to assist in keeping the industry moving. Norfolk Jet has scheduled an aircraft for today to pick up passengers from Norfolk Island and to bring passengers from Sydney and Air New Zealand is making as many seats available as possible for those who have chosen to go home via New Zealand tomorrow. To that end both airlines have requested pavement concessions to operate at the highest possible maximum rate to assist with the movement of as many passengers as possible. Investigations are being carried out for the weekend for services to carry as many of the Flight West passengers who were booked to go back home on the weekend and also for those passengers who would have been arriving by Flight West on the weekend. Our prime concern is that our visitors are not severely disrupted if at all possible, even though the situation is a serious one for Norfolk and the industry generally. I expect Mr Speaker that a clearer picture will immerge today and our options may possibly be assessed more easily as time goes by. At this stage it is intended that discussions will take place with Airlines on the mainland over the next few days which will necessitate a visit by myself and the Chief Minister for face to face meetings in both New Zealand and Australia. We are faced with a difficult situation right at this moment but I believe we can be positive about the longer term. I feel that I must ward that we must not expect to return to the same level of services and competitive airfares that we have become use to, in the immediate future but at the same time I wouldn't discount it happening again a little further down the track. We have set up a liaison group which consists of members of the Government, the Administrator, the Tourist Bureau, the Chamber of Commerce, the Airline Representatives and the Administration to share any information as it becomes available and we actually met last evening about 4 o'clock. With this group we should be able to keep everybody in loop so the information will be available through most

areas of the community. Where-ever possible I intend that the community will be informed as soon as any new information becomes available. Thank you Mr Speaker.

MR SPEAKER Thank you Mr Smith.

MR GARDNER Mr Speaker I move that the statement be noted.

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

QUESTION PUT

MR GARDNER Thank you Mr Speaker. Its probably appropriate in light of that statement to probably short circuit the questions without notice because I'm sure other Members have questions in relation to the demise of Flight West. I have a number of questions that I'd like to deliver in relation to that statement both to the Minister for Tourism and the Chief Minister in relation to recent event. Firstly if I might Mr Speaker direct question in relation to that to the Chief Minister, Minister for Finance regarding the out standing landing fee debt owing to the Administration and if the Chief Minister is able to provide the information to this House as to what current level of debt is owing from Flight West regarding landing fees.

MR SPEAKER Yes. I am happy to give the call to any who would want to speak, obviously in this debate. It is not question time Mr Gardner, although obviously you can raise questions in your addressing the particular matter. Then it is up to others who may want to join in the debate and respond to those questions as they would want to. Is there anything further that you wanted to say at this particular time

MR GARDNER As I said Mr Speaker I've got a series of questions regarding the demise of Flight West Airlines and I'd look to other Members participating in debate and certainly would very much look forward to receiving some answers to the questions.

CHIEF MINISTER If Mr Gardner in his speaking to it raises those issues I'll be happy to respond as I'll be speaking on those same issues.

MR GARDNER Mr Speaker . Probably easier if hold over on those questions until questions without notice might be more appropriate.

MR SPEAKER Okay then. Further debate.

CHIEF MINISTER Thank you Mr Speaker. The Minister for Tourism has covered the issue and would personally like to thank he and all those who assisted yesterday and the other Ministers and the Members of the Assembly Staff and also Members within the Airlines Industry. for their assistance and prompt action, Mr Speaker in coming to some resolution in an issue which was thrown at us at a day like yesterday morning. I note with interest the Premier of Queensland was aghast and had no warning as well, of such a move by Flight West, but I guess Mr Speaker in any sort of a fold up in any Company, there are different ways of doing it. I understand from the Flight West situation that they felt at the time that they had sufficient funds to cover all their creditors and also look after their obligations to their staff and they thought that that was the right time to pull the plug so to speak. So that's the way they did it, it's unfortunate because I believe Flight West has given a good service to Norfolk Island since they've been in, they've been a small airline, Norfolk Island has been an integral part of their operations an I think they have done well for Norfolk island in the past. It's unfortunate as I said that the Company had to, is now demised and we need now to move on from Flight West as they will not be flying again as the entity Flight West and

will be selling off their assets, I understand in the fore-see-able future. In relation to the Island's exposure it 's a difficult situation we are facing and whilst there have been some fairly monumental steps actually yesterday, and not without a little bit of luck I guess that aircraft were available and will service the Island, because as we looked at it three particular aspects Mr Speaker, one was that the flight today the people who were due out today and due in, was to cater for them. Then the weekend of course is the next lot because there are people here who will be travelling out on the weekend and that we need to look at that and then third segment Mr Speaker was where do we go from here on. I think that the Minister in his statement covered the one and two and we also must look urgently at three. That's where we go from here. As far as the other exposure for the Island, I understand from the liquidator who I spoke to yesterday that they will uplift those, be responsible for the finance and the uplift of passengers from Norfolk Island which is a very worthwhile exercise the passengers just haven't been dumped they're also looking after their staff and there are staff members here on the Island, I understand there are some things in place and they are also looking after their creditors, and the Norfolk Island Government will be, and we received yesterday, which is only hours after the announcement from the liquidator a format for lodging a claim on the Company and the legal unit and the finance branch are working on that now as to what we actually owed. The figure looks from indications yesterday will be in excess of two hundred and fifty eight thousand . I can't give you the exact figure at this particular point in time but they have had some very buoyant issues over the last three months so it's about three months back landing fees and others. But that figure has to be finalised. I don't think I can add anything more at this stage in relation to that Mr Speaker, but I'd just finish with thanking all those particularly those in the Private Sector who got behind the Government yesterday and allowed what I believe was a reasonable and quick solution to part one and hopefully of part 2 of those three components which I mentioned earlier. So Mr Speaker without further to do I'll be very interested to answer any other questions if Members would like if they make a statement that they wish questions answers I will certainly do it at the completion of their statements. Thank you Mr Speaker

MR SPEAKER

Further debate Honourable Members.

MR BATES

Thank you Mr Speaker and thank Mr Nobbs and Mr Smith for the information they've put out this morning. There are a couple of other matters which I guess are being addressed. Members are probably aware that the policy of this Government to require a lot of our permit holders to hold onward tickets. I imagine a fair proportion of those are holding onward tickets with Flight West as this is the policy of the Government I'm wondering what has been done about that, and there must be a lot of other people, particularly residents who have tickets for future flights with Flight West, ticket holders as well as visitors, so I'm wondering if those matters have addressed at this point in time or whether the Government intends to address them in due course. I realise it wasn't possible to address all issues yesterday but I just mention those two issues so they do receive some consideration over the next couple of weeks.

MR SPEAKER

Thank you. Further debate

MR NOBBS

Really in your area Mr Speaker but I think I can answer in relation to it. As I said in my statement and I might not have made it as clear as possible that the Liquidator said in his words that they would be honouring the uplink of tickets and I would assume that they are all. that would be all the tickets that are held under the Flight West situation. I know that some are held by Ansett and others that are ticketed by Ansett and others. I've spoken to yesterday afternoon in my roll as Finance Minister to others in relation to the ticketing and they were to discuss the whole matter with the Liquidator so I'm confident and in statement from the Liquidator it says that they have sufficient assets, well assess of assets to cover what they believe are the

debts owed by Flight West and I believe that the way it's been conducted that it's. we all the debtors should be paid and of course the tickets will be honoured but of course I will need to follow that particular issue up and so will you Mr Speaker in your roll as Minister for Immigration and I'm not speaking in any way on your behalf but as merely from a financial perspective

MR SPEAKER Thank you. Further debate. No further debate. Honourable Members the question before us is that the statement be noted

QUESTION PUT
AGREED

MR SPEAKER Thank you Mr Smith for bringing forward that matter. Are the any petitions this morning. We move on

QUESTIONS WITHOUT NOTICE

MR GARDNER Thank you Mr Speaker my first question is in relation to the recent demise of Flight West and it's addressed to the Chief Minister with responsibility for Airport matters. With Flight West now gone Chief Minister what future now for our multi million dollar landing system, and have you considered at this stage seriously whether we should be off loading that equipment to assist in paying for the upgrade of the airport next year.

MR NOBBS Thank you Mr Speaker. The answer is simply that it is just over twenty four hours since we were made aware of the demise of Flight West, there are issues that are possibly more important yesterday I guess the reality is that the only airline that wished to utilise the landing system at this stage the only one that's indicated that they wish to utilise it is Flight West. Flight West are now no more and as a consequence the future of the landing system will be reassessed. We have been looking the future of the landing system over the past month and we have, I have had contact with the Head Honcho's in Honeywell in relation to the actual operation of the system and Flight West future use of it. There were to be tests done at the end of July but obviously these will not occur, will not occur now and that's all I can say to Mr Gardner is that the future of the airline, not the airline the airlines gone. but I mean the future of the landing system is a problem for today and will be reassessed.

MR GARDNER Thank you Mr Speaker again to the Chief Minister in relation to Flight West situation at present. During our statement time Mr Speaker the Chief Minister indicated that there was an outstanding debt level of landing fees of around about two hundred and fifty eight thousand dollars and also in that statement time he mentioned that that was some three months in arrears. Is it not correct that Flight West have had a problem in their outstanding landing fee debt for quite some time and actually its been common knowledge their landing fees have been in arrears for at least two months on most occasions and the second part to that question Mr Speaker directed to the Chief Minister is why has the Chief Minister not so very publicly pursued Flight West on its level of Landing Fee debt as he pursued when he was non Executive the landing debt of Norfolk Jet Express.

MR NOBBS Thank you Mr Speaker. I take great, I find that question quite , fairly insulting in relation to the fact .

MR BATES Point of Order Mr Speaker Can we have an answer the question

MR NOBBS What was happening

MR SPEAKER
the call.

There's no point of order. Chief Minister you have

MR NOBBS Thank you .What was happened in relation to when I was chasing as a back bencher the situation with the airlines in relation to non payment of landing fees was when the whole issue should have been hit on the head. But unfortunately it never happened and that was when as we know there was some need for some changes in the rules and the Acts and changes as far as landing exemptions under the landing arrangements, the whole issue was in disarray at that stage and as a consequence of that one airline is still paying back quite a substantial debt and that was negotiated before I came into this particular position, by my predecessor. Now that debt continues and it is a debt which will take some considerable time to pay off under the arrangements and I've left that debt as it because we are getting paid at a reasonable rate by the airlines. Now the, situation by the actual carrier. In relation to the debt in general, one of the problems that we have is it takes until towards the end of the month for the Airlines to be billed and as a consequence we usually about six or eight weeks behind in relation to them and their thirty days and what have you. And also under the arrangements I think from memory they are allowed before and sort of action is take, I think it's ninety days or sixty days or ninety days before action is taken under the Act, 90 days I think. So in answer to Mr Gardner I pursued Flight West as well as, but not through the House as probably more than I ever did to the other Airlines when I was in the opposition because it's actually in my particular area at this particular point in time and as a consequence I chased them and there are things that need to be done as a Minister and I believe that I've undertaken those.

MR GARDNER Supplementary Mr Speaker. Also in the Chief Minister's debate in the previous statement he commended those in private enterprise for so very quickly coming to the aid of Norfolk Island and I assume that that included Norfolk Jet Express and Mr Greg Prechelt who at very short notice done an outstanding job to assist in the uplifting of passengers ticketed on Flight West. My question to the Chief Minister is will the Norfolk Island Government under your stewardship demonstrate support for that Airlines efforts.

MR NOBBS Thank you Mr Speaker. We have and I speak to Greg Prechelt and I did yesterday and I've done for quite some time. There is no animosity between Mr Prechelt and myself and even though some people like to see it as that but I get on well with Greg. I mean he's a lad that's grown up on the island, I've known his parents for some considerable number of years before they actually came to the island here and I've got no personal animosity to Greg or to the Norfolk Jet Express and I commend him on his efforts and I have done and I thought I covered that in my statement earlier but there we go. Thank you.

MR WALKER Thank you Mr Speaker. A question to Mr McCoy Minister for Health and Environment. Can the Minister advise why the Tanalith Plant has been non operational for some time now and when the public might expect it to be operational again.

MR MCCOY Thank you Mr Speaker. The Tanalith Plant has been non operational because of the fact that the forklift that they had been employing at the Tanalith Plant had reached a point of where it had reached it's used by date. From my memory the forklift is some 25 years old, it was a hand me down to the Tanalith Plant some 15 years ago, they've applied bandaid measures to keep the forklift going. Unfortunately that attitude or that attempt to provide some sort of plant and equipment for the purpose of the Tanalith Plant has now come to a point where it is no longer a viable option. There were repairs done to the forklift and unfortunately after

the forklift was put back into service, immediately there was another problem that occurred with the forklift that rendered it virtually unserviceable after consideration by the Works Mechanic and discussion with the Conservator and also the Officer responsible for Corporate Services Mr McAlpine and also Mr Mike Johnston had become involved, it was considered that the best option was to purchase a new forklift for the purposes of the Tanalith Plant. That did take some time to review all options to ensure that a suitable forklift was purchased for the Plant. I believe the forklift has now been purchased and will soon be on its way to Norfolk Island to ensure that the operations of the Tanalith Plant are continual and that we don't run into situations where we had to address this problem last year with a backlog of untreated timber and that caused the Government to have to apply overtime rates and increase the cost of the treatment of timber. So an effort to ensure that the Tanalith Plant continues to operate and that we don't get into a situation as I've indicated earlier or the worst scenario is that people who have purchased timber and have had that timber seasoning and without being able to get the timber treated, the timber generally starts to rot. So I took the attitude that we need to ensure the continual operations of the Tanalith Plant and after recommendation was received from the Service, recommended to the Executives that we provide funds to purchase a forklift for the Tanalith Plant and that has been done. Thank you

MR WALKER Can I have a supplementary please Mr Speaker. If the reason is simply that they do not have an operational forklift why can there not be allocated one from another area as a temporary measure.

MR MCCOY Thank you Mr Speaker. Well those options have been pursued and from my understanding there was no suitable forklift available.

MR BATES Thank you Mr Speaker. I realise Mr McCoy hasn't been in the portfolio for very long but I'm wondering if he could inform the House how many years has the Tanalith Plant been requesting a replacement forklift and how many years has it been refused for budget reasons.

MR MCCOY Thank you Mr Speaker. Yes unfortunately I could not give a clear answer on that question because I haven't pursued that avenue.

MR BATES I'm wondering if Mr McCoy could find out for a subsequent meeting.

MR MCCOY If Mr Bates could run that question by me again so then I can provide a specific answer to the question.

MR BATES I'll ask it at the next meeting.

MR WALKER Can I have another supplementary please Mr Speaker. If this is the case what work has been allocated to those that are employed in the Tanalith Plant while it has been non-operational.

MR MCCOY Thank you Mr Speaker. From my understanding the Tanalith Plant has not been totally non-operational. It was non-operational for a couple of weeks. There have been some indications of activities that could be tried at the Tanalith Plant like for example using the Government's crane was one consideration and also the Government excavator was considered, it's not a huge excavator I mean like the Komatsu we see driving around town but all the other equipment they considered unfortunately it was too tall. Everything was too high to get under the cover where the treatment tube is loaded. They also did have a private person lent a tractor with a forklift on the front but that was found to be unsuitable as well. It did not have the weight on the rear of the tractor to provide a safe and suitable

method for loading the tube or for removing treated timber from the tube. So all effort was made to try and keep the operations up and running. One private person also, and I don't know how much success they had attempted to use the crane truck as a means to get their timber treated.

MR BATES Thank you Mr Speaker. The first question for Mr McCoy in his capacity as Minister for Primary Industry. Could the Minister give a brief update on the current situation with the hemp industry and advise what safeguards are in place to ensure plants with a THC level higher enough to be classified as a prohibited or dangerous drug are not able to be obtained by the general public.

MR MCCOY Thank you Mr Speaker. I must firstly declare my interest in being involved in the hemp industry but also I did provide a report to the Members as to the activities that are being carried out by the Australian Hemp Research and Manufacturing Company here on Norfolk Island and to date over the previous years the efforts have been to propagate germ plasma so that they could build up their source seed for hemp plants. During that period there's also some attempts to produce a high fibre crop on Norfolk Island and that has been carried out. Mainly the main activities as I indicated was to increase their source supply of seed so that the seed that was produced on Norfolk was known to be uncontaminated, in other words had not cross pollinated with any other hemp varieties. Once there had been a number of seed produced on the island that seed was exported to Australia where it has been grown on to produce larger quantities of seed. There has also been experiments carried out with the hemp varieties that have been produced on Norfolk and they found that the hemp varieties from the seeds grown on Norfolk that are being grown in Victoria have been producing a remarkable return on the per acre tonnage rate of fibre produce. The next phase that the Australian Hemp Research and Manufacturing has gone into is to produce essential oils from hemp. Essential oils I guess not many people are aware but your base product of Bodyshop products is hemp, essential oil that's extracted from hemp plants. So there is a high demand world wide for this particular essential oil. Through last year as I reported to the Members there was crops grown on the island for the purposes of extracting essential oils so that that essential oil could be analysed in Australia. Now the extraction of that essential oil has taken place and the essential oil has been returned to Australia for further analysis, and again to date that has proven to be a very fruitful exercise and the intention is that that could one day be a cottage industry for Norfolk Island. Also the efforts to ensure that the hemp seeds do not spread all over the island, every person who has been licenced to be involved in this phase of the hemp industry has been licenced by the Norfolk Island Government to grow the plants and each area where the plants are being grown has to be fenced with sufficient signage put up on all four sides of the fenced area indicating that it is a low THC hemp fibre area or hemp production area and only authorised persons can enter that area. As far as what type of fines are in place. If an unauthorised person enters the area I'm not fully up to date with that as yet but every effort is being made to ensure that there is not a proliferation of hemp plants all over the island but I would add also the hemp variety that is being grown for the Australian Hemp-Research and Manufacturing Company is below 1% THC and that is a condition of the Norfolk Island Government, that the hemp that is grown here is has a 1% THC. The material that is grown is analysed off shore and to date it has shown that there is no hemp plants grown on the island that has produced a higher than 1% THC. So I hope that answers Mr Bates' question.

MR GARDNER Thank you Mr Speaker. A supplementary in relation to that. Is the seed that was exported from Norfolk Island a hybrid seed as a result of a breeding programme that took place here on Norfolk Island.

MR MCCOY Thank you Mr Speaker. No, maybe I didn't explain that all that well. The purpose of growing on Norfolk Island the germ plasma

and increasing the amount of seeds is so that there is no possibility that it can be a hybrid through cross breeding. What they have been growing here is for example seeds from Russia, China and also from Scandinavian countries, but there is a definite attempt to ensure that there is no cross pollination, because if that happens well Australian Hemp Research and Manufacturing Company then does not have any control any longer on the type of fibre that will be produced from certain plants.

MR GARDNER Thank you Mr Speaker. Just a supplementary to that. Can the Minister confirm that all of the seed that is being trialed on the island have been grown independently of each other.

MR MCCOY Thank you Mr Speaker. As far as I understand it they are grown independently of each other.

MR GARDNER Supplementary. How many growers are there on the island, currently growing hemp for seed trial.

MR MCCOY Thank you Mr Speaker. That's a two prong question really because there was only one person growing to increase the supply of seed or to protect the germ plasma because it has to be grown every year and there is another grower who grew the plants for the extract of essential oils. So in answer there are 2 growers at present.

MR GARDNER Supplementary to that Mr Speaker. There's 2 growers but there's all these different varieties of seed that have come in here and have been grown, so how have they been grown independently of each other.

MR MCCOY Thank you Mr Speaker. There were seven different varieties of seed grown last year in a hot house which had been partitioned off so that there were 7 independent booths in the hot house and every effort was made to ensure that there is no cross pollination because that is the most important thing. Once you get cross pollination then you've lost that particular variety and the hot house that I'm speaking of is owned by myself and that was approved by the Health and Building Inspector.

MR GARDNER Supplementary Mr Speaker. Does that hot house that the Minister is referring to have air brakes between each of those booths to make sure that no pollen is carried by clothing, footwear, air carried.

MR MCCOY Yes Mr Speaker. There is an airbrake not between each booth but around the booths and you don't enter one booth and then immediately enter another booth on that same occasion. You enter one booth and that's the only booth you go into that day. So it's a long drawn out process. Seven times a week you have to visit the hot house to ensure that you don't cause any cross pollination. I'd also like to add the hot house, just to avoid someone asking this question, the hot houses is a secure building. There's been what some people would call pig netting put around the hot house from ground to roof, also the doors are kept locked at all times and the Health and Building Inspector has the right to visit that hot house at any time that he chooses to.

MR GARDNER Supplementary Mr Speaker just in relation to that. I just want to make sure that we have, that the reputation of the seed source on Norfolk Island is not jeopardised in any way. Can the Minister confirm that each of those seed growing booths has an independent filtered air supply and there is absolutely no chance of contamination between those seed booths.

MR MCCOY Thank you Mr Speaker. Well as far as an independent filter, yes every one of the booths are sealed and they all have their own separate air vents coming in on the walls and also going out in the ceiling, in the roof.

MR WALKER Thank you Mr Speaker. A question to Mr Nobbs Minister responsible for the Airport. Can the Minister give an update as to when the recently imposed restrictions placed on aircraft movements might be lifted in relation to the runway pavement overlay.

MR NOBBS Thank you Mr Speaker. I can't give a precise date. The arrangements were put in place following a meeting of Members that we had to be assured that the overlay would be proceeding and that all the contingencies were in place to ensure that this was to occur. When that happens, and it hasn't happened as yet we would then look at an overall raising of the pavement concessions on a more, instead of a one off situation in a longer term to 180 pounds per square inch tyre pressure, which is still well below the figure that Air New Zealand apparently had being coming in on for the last couple of years. So there is no figure as yet. I understand that an Engineer was due to come in towards the end of this month, we would then be looking at the actual planning of the overlay itself to find out exact quantities and where additional activity was required. Like I think Members will recall that the cross runway from the intersection back towards Pullis' there needs some major work on it and those sort of issues would be provided a definite plan and for the whole issue plus the actual standing areas outside the terminal, it needs some extra work there. Once those issues were solved and we had a proper plan, we knew the quantities were solved and we had a proper plan, we knew the quantities and then we could work out a actual assessment of costs and then we would be able to proceed with it and I think Members and I would be more comfortable with at that stage to look at when we could lift on a more formal basis or a more long term basis the pavement concessions. There have been some applications lodged yesterday for pavement concessions and these have and are being processed at the present time and that's to do with the demise of Flight West, but I think one of the issues that we talked about at the start amongst Members and I know the community's concern that the priority must be to maintain that particular asset being the landing surface at all costs and we must do that and until we are satisfied that everything is a go and there is a specific time in relation to the overlay that those concessions be not broadened more than they are on a one off basis at the present time.

MR GARDNER I have a supplementary question in relation to that Mr Speaker. As it relates to the Airport upgrade and the questions are addressed to the Chief Minister. Some 6 weeks ago Chief Minister MLA's agreed to a number of matters in relation to the proposed upgrade. Can the Chief Minister advise firstly the status of the paper that was to be presented to MLA's containing the check list to obtaining objectives to design and cost the overlay to a standard of tyre pressure of 200 PSI.

MR NOBBS Thank you Mr Speaker. The current situation in relation to that is I'm waiting on a paper from the Service at the present time in relation to the actual design and plan stage of it, and that's what I'm saying until that is actually with us we cannot proceed with the actual planning of it and I'm awaiting that now and I've been awaiting it for a few weeks now.

MR GARDNER Thank you Mr Speaker. Just a supplementary in relation to that part of that supplementary question Mr Speaker. So the paper just referred to is not the one done by the Chief Administrative Officer and circulated to Members of the Assembly on the date of 31st of May, that was a different paper.

MR NOBBS No there is a later one required in relation to the actual overlay planning and side of things Mr Gardner. There's a later one required to that.

MR GARDNER Thank you Mr Speaker. Further supplementary. The second part of that question, we were also awaiting a paper to be presented to MLA's outlining the way in which the Chief Minister's proposals to reduce the current costs of the Airport would be achieved. Can the Chief Minister report on the status of that paper.

MR NOBBS Thank you Mr Speaker. Under the current arrangement as I said until we know exactly how much is required that paper will not be finalised. That's the whole funding situation of it, it includes how we can achieve the loan and there will be a need for additional funding is required for it and those issues will be canvassed once we know an estimate, a better estimate than we have a very rough estimate at the present time which shows a \$1m contingency which I don't believe that anybody can be realistically look at that as a figure to bandy around at the present time. Until we get a realistic figure as to the actual costs then those particular issues in relation to funding really cannot be addressed formally. We've done certain things including and approaches to the Commonwealth in relation to how we need to deal with a loan situation and I've contacted the treasurer in relation to that but I haven't heard anything back from him and that's being followed up as to where we're going but that's what I'm saying, until we get a final figure that's reasonably accurate it's extremely difficult to make decisions and some of these decisions are fairly significant to the island, as your probably aware. There is some concern in the community as to the requirement to borrow and I know that there will be a need to find additional funding somewhere. We know that but what percentage of the overall cost will be required in that regards, I don't know. We've put a rough estimate as you know and it's been circulated to Members the rough estimate of the costs but they are very very rough at this stage and very very conservative.

MR GARDNER Thank you Mr Speaker. Further supplementary Mr Speaker and it's the final part of that question. There was also an undertaking given on the 7th of May in relation to the upgrade of the Airport that another paper would be prepared as well outlining the method of bringing forward the loan from the Electricity Undertaking. Can the Chief Minister advise when that paper might be available.

MR NOBBS Thank you Mr Speaker. That will be part of the package because in relation to the loan coming forward I've been advised from the Finance people that that loan under the current arrangements may not be able to be repaid by the Electricity and that is a fact of life. So I mean if there are implications in relation to the whole funding arrangements that need to be looked at and I don't hold back from the fact that that is an issue which I've got grave concern with because I believe that if you borrow from anything you should be able to pay it back and if we can't pay back the Electricity loan I think we need to look very seriously at the whole issue of loan repayments and I think there may be a consideration that because we are borrowing it from internally that it's not that important but it really is important that we honour those and that each entity which is a Government Business Enterprise is run on a commercial basis because they are a business enterprise and those particular aspects like repayment of loans are critical and so at this stage that paper has not been completed but it will be within the overall arrangements in relation to the costs of the overlay and how it will be funded and at this stage we are awaiting on the actual costs or a reasonable estimate of the costs as Mr Gardner is fully aware, that there were certain things in that estimate which I considered were not something that we could base a reasonable estimate and as I said there was a million dollars in contingencies for starters and that has to be pruned down considerably. So there was a lot

unanswered in that and as I said it was a fairly rough estimate done on the run and we need a definite plan and that plan can be used, whether it's used for the overlay next year or the year after or what have you it's something that has to be done.

MR WALKER Thank you Mr Speaker. A question to Mr Smith Minister for Roads. Having consideration for the dangerous nature of the corner at the top of Douglas Drive and the fact that heavy vehicles turning left into the new stockpile site are required to swing right across the road to negotiate the left hand turn and exiting from the entry across the road what safety measures have been planned and instigated for the corner concerned.

MR SMITH Thank you Mr Speaker. I don't know. I certainly will look at the matter and see what can be done. I understand what Mr Walker is saying and that could be a very dangerous situation. I'll be very happy to follow it up with the Works area.

MR WALKER Thank you Mr Speaker. A supplementary but I think it has to go to Mr McCoy Mr Speaker. The question is does the Parks contract to purchase crushed metal include the recently announced increase of \$5 per tonne along with the costs associated with forming of the road and stockpile area at the Airport from Douglas Drive.

MR MCCOY Thank you Mr Speaker. I guess it's a Question Without Notice not a supplementary question. On that note the answer is no the increase in the recently published increase in the price of. Or the retail price sorry of crushed rock product was not included in the Parks order, and the reason being is the negotiations and discussions with Parks Australia have been ongoing for at least 12 months.

MR GARDNER Supplementary to that Mr Speaker.

MR WALKER Sorry Mr Speaker if I may the Minister has only answered one half of the question. The second half of the question was along with the costs associated with the forming of the road and stockpile area at the Airport from Douglas Drive.

MR MCCOY Well the answer was no to both, thank you.

MR GARDNER Thank you Mr Speaker. Supplementary to the first part of that question Mr Speaker. Is it not correct that Parks Australia were advised prior to the 18th of May that there was likely to be an increase in the price of rock well before any decision was made or any notice Gazetted that the price of rock was going to increase.

MR MCCOY Thank you Mr Speaker. Yes Mr Gardner that is quite correct. The Parks Australia were advised that there is a consideration that is being entered into that we may need to increase the price or the retail price for the crushed product, and there was no real commitment made by the Norfolk Island Government at that time to say that we were going to increase the price. It was an indication to Parks Australia that we were considering increasing the price. When it came to the final decision of saying yes we will increase the price, Parks Australia were advised that there will be a price increase but unfortunately the events that took place meant that we could not include the increase in Parks Australia's order because the finalisation date for the signing of the contracts and the fact of the matter is the price would not have been Gazetted in time to include it in Parks Australia's order and also consideration not to jeopardise the works on Mount Pitt Road and also the continuing, as people are aware that the crushing operations were extended to crush Parks

Australia's required amount and also the amount required for the Government's purposes to complete the order that was placed with the contractor who is presently crushing on the Whaling Station. So taking all of that into account it was felt that we don't want to jeopardise a) the fixing of Mt Pitt Rd. and b) the achieving the objective of crushing the amount of rock that was set out by the Norfolk Island Government to crush which included Parks Australia's order. Now if it meant that discussions and negotiations re: the price increase of the retail price of crushed product meant that the crushing operations that we had extended the time for failed well it was considered that would not be a very good option so we should pursue the Parks order as has always been indicated to Parks Australia that the Gazetted price was what they were going to be paying for the crushed product. So we did not want to jeopardise Mt. Pitt repair job nor the continual smooth running of the crushing operations on the Cascade Whaling Station.

MR GARDNER Can I ask a supplementary question Mr Speaker. No contract of supply was entered into prior to the gazettal of the increase in the price of rock, is that correct.

MR MCCOY On that matter the contract by Parks Australia on their behalf has not yet been signed. I have signed on our part of the Norfolk Island Government but the contract was then sent off to be signed by the Director of Parks Australia and if my memory serves me correctly, but I will have to double check this whether I signed the Parks order the day before or the day after the gazettal notice. I'm not too clear at this present moment.

MR GARDNER Which would have been some time after the agreement was made to increase the price of rock. I have another supplementary question Mr Speaker if I might in relation to that. Is it then correct that the price of rock was increased simply because of the extra costs associated with the extraction of rock. Is it also true then that all those building their first home or other consumers of rock product on Norfolk Island will effectively be subsidising the sale of rock to Parks Australia.

MR MCCOY As Parks Australia is purchasing the rock for the original price as has been indicated all along with Parks Australia that was the price that they would be purchasing for. You may be correct to some degree Mr Gardner that the first home buyers are subsidising Parks Australia's rock order but the first home buyer or anyone who comes along and purchases crushed rock product now had not been given a virtual promise by the Norfolk Island Government that they would be purchasing at a set price.

MR GARDNER Supplementary Mr Speaker. All of those planning applications requiring crushed rock obviously had an indication when they went to the Planning Board that the current price of crushed rock was \$5 less than it currently is at the moment. Is that to be considered in the same way as the undertakings that have been given to Parks Australia and if so, will all of those people that had their planning applications processed with the price of crushed rock at the price that it was to be given the same opportunity to purchase their rock at the same price as Parks Australia.

MR MCCOY Thank you Mr Speaker. Indications from the Service are that there was some concerns from contractors on the island who had entered into agreements with people who are purchasing either crushed product or wet cement that those orders that were placed prior to the price increase will be charged the original old price.

MR GARDNER Thank you Mr Speaker. Supplementary to that. Orders placed before the price increase. Was the order from Parks Australia officially placed before the price increase.

MR MCCOY The order from Parks Australia as Mr Gardner would be well aware was placed prior to the price increase.

MR WALKER Thank you Mr Speaker. A question to Mr Nobbs Minister for Finance. Can the Minister advise as to why the considerable interest income on surplus funds accumulated by the Airport has not been credited to the Airport since '92/93 and could the Minister further advise where these funds have gone.

MR NOBBS Thank you Mr Speaker. I think that and I haven't got the actual document which Mr Walker is quoting from at the present time which I actually gave to the Chamber of Commerce on request. I understand that that's been a policy since '92 because of the, and when it says since '92 that would be since the Airport was actually handed over to the Norfolk Island Government that it's been a policy in place since that time to have the interest on accumulated funds within the Airport paid to the Revenue Fund and you will see in the Revenue Fund that that would be included in the income section under Interest. It's been a policy that's carried on for years as Mr Walker quite obviously points out since the operation first commenced or since the Airport was first passed over. It's just another issue that we have to address in relation to management of GBE's because I don't believe that those sort of funds should go beyond the particular entity unless it is as a direct payment which some of them do like you'll see in the Liquor Bond and also the Telecom Service that there are funds allocated each year to the Administration or to the Revenue Fund. I believe that whilst the funds end up that way if there's a need for a dividend as they call it from the GBE's that it should be specified as such and that we are looking at that. I mean I've had some discussions and papers from the Airport in relation to that and that's an issue that we need to look at and I would hope that when the new management structure is in place that those particular issues such as the managements within the Government Business Enterprise, those issues of management are addressed at that time and I take on board and I thank Mr Walker for bringing that forward.

MR WALKER Supplementary Mr Speaker if I may. Can the Minister confirm that the budget which was put in place for the overlay to be done in 2003 whereby the Airport would have sufficient funds accumulated, would that budget have been done exclusive of any interest on the accumulating funds or are we now in a position where we are going to have to borrow those funds from elsewhere having given them away to somebody else.

MR NOBBS The budget that was done as I've said it's been the policy of succeeding Government's since the Airport takeover that interest would be directed to the Revenue Fund and obviously the budget that was tabled or the rough budget based on a very rough estimate of costs didn't take into account, no it didn't take into account those interests that had over the year had been paid into the Revenue Fund. No it didn't.

MR BATES Thank you Mr Speaker. A question for Mr Nobbs as the Minister responsible for the Public Service. What is the present status of proposals to fill the Executive management positions in the Public Service.

MR NOBBS Thank you Mr Bates for that. It's an issue that's obviously been around for some time and we've, the situation is that today we should be able to and I hope we will be able to complete the final step in the appointment or next to final, I think there is some sort of formal thing that I have to sign

off on behalf of the Assembly but it's next to final and that's the finalisation of the contract for the incoming CEO. Once that's completed and in place well then we can start moving on when the CEO actually takes up her position, it was intended that the CEO designate I suppose you could call her would arrive on the island on Saturday but the airline has gone belly up as we know and therefore we are now trying to get her onto another flight or the Administration is trying to get the lady onto other flights. Once she arrives here and then we can start sorting out those positions because you are probably as frustrated as I am that we haven't been able to progress those Executive Director positions and then we can finally bed down the structure and where the Administration is going for the next foreseeable future. So that once the finalisation of those issues are for the appointment of the CEO are completed, she arrives here, then we can start moving on those particular positions that have been, as I said sitting in abeyance for some considerable time.

MR GARDNER Thank you Mr Speaker. A Question Without Notice for the Chief Minister in relation to telecommunications. Chief Minister recently a contract was entered into with a company known as Force 10. Can the Chief Minister please indicate to this House the expected return on that contract entered into with Force 10 and confirm that the proposed content of the material through the telecommunications system is of a pornographic nature and what if any public consultation occurred prior to those contracts being entered into.

MR NOBBS Thank you Mr Speaker. The leasing of lines has been an issue, has been in place for quite a number of years and that's the issue of telephone numbers in that using Norfolk Island's telephone number range that we've had in place. I think it's something like 3 or 4 digits, like 6,7,8 or something in that area that have been available and have been leased out for a number of years. The Force 10 which is an American Company I understand has, sorry it's an English company has been negotiating to take on some numbers and Telstra who have been dealing with the issue in the past and have been handling that sort of thing on our behalf were unable to come up with a reasonable deal as far as the numbers that they had and therefore Force 10 have signed up an agreement to operate telemedia services using one of our telephone ranges. There's a minimum payment to Norfolk Island Telecom of \$270,000 over the next 2 years and if traffic projections are achieved then this revenue will increase substantially. That's the financial side of it. I understand that they have a bulletin board procedure and I can't say what they've got on them actually at this stage. I'm not too sure, but I understand that those numbers which have been operating for a number of years have included pornographic material.

MR GARDNER I'm just awaiting the answer to the third part of the question. What level of public consultation took place in relation to that.

MR NOBBS Thank you Mr I don't know because I wasn't on the Assembly when this sort of agreement was first negotiated so I can't tell you.

MR GARDNER Thank you. Point of Order Mr Speaker. I asked in relation to the Force 10 contract, not anything that happened prior to that. I asked if the Minister can respond to that question.

MR SPEAKER Thank you. There is no Point of Order Mr Gardner. The Minister has his own latitude in how he would wish to respond to the question that..

MR GARDNER Maybe if I redirect the question Mr Speaker and make it a bit more definite. In relation to the Force 10 contract what public consultation if any occurred prior to the contracts being entered into.

MR NOBBS Well there was discussions and I understand there were papers issued to the Legislative Assembly Members and I made some Statements or other on the issue over the air at Assembly meetings and in all probability I would have said something on a Friday morning but I just can't remember that latter bit but I'm sure that Statements have been made in relation to that in Statement time from me, and I intended to provide that information in relation to the funding and where we're going in relation to this and I think it's some months ago that that issue was actually put before the Members. I think it was last year something from memory. So that's the consultation side of it. Mr Bates will probably remember because he was chasing me at one stage what was going on but I can't remember the exact dates, sorry.

MR BATES Thank you Mr Speaker. A question for Mr Nobbs Minister for Finance. Could the Minister advise who is gathering financial information for a proposed taxation review, what is their expertise in this area and what methodology is being used.

MR NOBBS Thank you Mr Speaker. We're trying to collect information from the various sections within the Administration. In relation to the methodology that's being used is a collection and collation, we are using as a base the report which was put out on behalf of the Norfolk Island Government by Access Economics which gave a model in there. Once we gather that sort of information it's the basis of the model it's then intended to then get some professional expert advice in relation to assessment of that information.

MR BATES Thank you Mr Speaker. I'm wondering if I should assume that we means Mr Nobbs. I did ask who is doing this and what is their expertise in this matter and I don't seem to have received answers to those two.

MR NOBBS Well Mr Speaker I start early in the morning and I usually put a couple of hours in to try and gather information together which is available within the Administration and I'm seeking the assistance of Officers wherever possible, bearing in mind that they do have current commitments in relation their particular jobs, but the information as we know and was stated by Consultants that we had looking at the GST proposal or whatever you like to call them from New Zealand was that there is information around that needs to be collated and we're proceeding along those lines and I'm getting as many people as I can to help and hopefully that that information will come forward in the next few months. The expertise situation is well I think that if you can gather information, the expertise is really in the provision of the information in the first place from those particular people that have the information within their sections and the expertise from then on is really the collation and putting it into a format that's compatible with the Access Economics model.

MR BATES Thank you Mr Speaker. A question for Mr Smith Minister for Works. Does the Minister have a plan to warn people of the dangers of proceeding too close to the cliff edges especially at night.

MR SMITH Mr Speaker no but maybe that is a good suggestion that we should come up with in some form or other and I'm quite willing to take that up with the Members in the first place to get ideas of how we should actually approach that. I think it's a very sensible idea, not only the cliffs but the rocks as well. I don't think we do have anything in place that currently warns particularly the visitors of the dangers around the edges of Norfolk Island. I'm quite happy to take it up with the Members and also the appropriate people in the Service.

MR GARDNER Thank you Mr Speaker. Supplementary to that the Minister for Tourism and Commerce with responsibility for Works. Has the Minister

considered doing a safety audit of all the cliff top vistas both within Crown Reserves and elsewhere, pretty much along the lines as Parks Australia have done for Captain Cook Monument.

MR SMITH Mr Speaker I haven't personally considered that but that also sounds like something we really should be doing and once again I'd be willing to talk to the Members about how we approach that.

MR MCCOY Mr Speaker if I could provide some information so that the public are aware that consideration has been given to the dangers around the cliff edge, in my area it's in relation to the Reserves and I have had discussion with the Conservator in consideration to the danger around the Puppy's Point area and also the danger that's along the cliff edge at Anson Bay, and the Conservator is at the moment formulating plans to put to the public in line with the Plans of Management for the Reserves that are being developed and shortly to be presented to the Members of the Assembly. Those Plans of Management for the Reserves have undergone some public consultation during the development of the plans and there is consideration being given in the plans to creating proper parking and turning bays to prevent vehicles from travelling too close to the cliff edges and also to the construction of post and rail fences along cliff edges where it is required at a distance back from the cliff edge where people can walk to the fence and view and enjoy the scenery without having a desire to climb over the fence so that they can get a better view. Also in line with that there will be planting's undertaken along the cliff edges and also restricting the cattle from getting on the cliff edges to provide some further safety if someone happens to slip.

MR WALKER Thank you Mr Speaker. A question to Mr Smith Minister for Tourism. Can the Minister please confirm as to whether Governors Lodge has or has not received final registration as tourist accommodation to operate a designated number of units amounting to less than that for which the owners have planning approval.

MR SMITH No.

MR SPEAKER Honourable Members time for Questions Without Notice has expired.

MR BATES I move that question time be extended for a further 30 minutes.

MR SPEAKER The proposal is that question time be extended for a further 30 minutes. Is leave granted. Leave is granted.

MR WALKER Thank you Mr Speaker. A question to Mr Nobbs the Chief Minister. Can the Minister please explain why there appears to have been a policy change in the planning process for essential works at the Power House where these works necessitate island wide power cuts, in that they are now on Thursday afternoons rather than the previous policy of Wednesday afternoons when the greater proportion of commercial activity is less effected.

MR NOBBS Thank you Mr Speaker. Mr Walker must have been off the island when the last power cut island wide was made and it was not made on the Wednesday because of the large number of complaints that had come on using Wednesday afternoon which the Electricity management decided that they would change the date and from what I understand was a previous Wednesday but I'm not too sure on that fact itself because that's the first one that I've had to deal with in my area of responsibility for an island wide was the one of a month or so ago which was necessary because it involved works itself in the Power House and this one tomorrow sort of also

Also the purchase of a bobcat and other equipment that are related to the new Waste Management strategy. The Waste Management Committee has on a recommendation that I put to the Norfolk Island Government purchased Mr Peter Evans' can crusher. The listening public will be quite aware that we started collecting cans, aluminium cans out at the dump and there was some 8 months of cans collected and some toing and froing and humming and haring as to how we're going to process those cans, who are we going to get the can crusher from. So we decided to bite the bullet and purchase the more robust can crusher that was on the island. There were 2 on the island and that can crusher has now been converted so it does not need a tractor to operate it. It now can operate independently. The Works team in the Mechanical area have adapted an old engine from a disused truck that was sitting down the back of the Works Depot and attached that to the can crusher. The Works Team have pretty well processed all of the cans that have been piling up around at the Airport and I believe there is some 6 possibly 7 pallets of crushed cans ready for export back to Australia. So the first thing we did was said well we must address the problem that we have around at the Airport so we went and purchased Peter Evans' can crusher, and incidentally through discussions with Peter Evans he made it quite clear that the Norfolk Island Government indicated some 6 years ago that they were interested in purchasing that can crusher. Well at last we have done it and that can crusher has proven to be a very worthwhile purchase. Also apart from processing the cans that have been piling up at the Airport, Electricity Undertaking have been using the can crusher to compact their electrical cables so that they can send them back to Australia to be processed, copper cables that is. The can crusher that we purchased has the ability to crush up copper inner cylinders from hot water systems. It also has the ability to crush old car radiators and any other copper pipes or related material. So we've purchased the can crusher and it is now in use. The next step was a glass crusher. There was an option for a glass crusher to be purchased from VKE in Tasmania. The Waste Management Committee felt that we should pursue other options and consider other options before we decide on whether to recommend to the Norfolk Island Government to purchase the bottle crusher from VKE in Tasmania. We've pursued other options and they've all lead us nowhere. So we're now back to pursuing the bottle crusher in Tasmania. The Health and Building Surveyor has made contact with the people in Tasmania who own the bottle crusher, it is still available and we are now going through a process of purchasing the bottle crusher. Also the Waste Management Committee on a recommendation from the Building Surveyor that the Health and Building Surveyor undertake a further audit of green waste but the audit is to determine what time is required to process X amount of green waste, in other words we are trying to determine how often we need to run a chipper or a mulcher to process one weeks worth of green waste that is produced on the island. That audit has been carried out but the difficulty in that particular audit was that the material that the two contractors who were employed to undertake the job, that material was another mess up on the Airport site that we have to work through. So it wasn't a matter where they could just come in pick up the material and feed it straight into the mulcher. They had to drag it physically and from within this pile of green waste that we presently have at the Airport site which has been building up over a number of years. There is now a recommendation from the Health and Building Surveyor that rather than we throw all the green waste into the burning pit out at Headstone we stockpile that green waste and once a week we go out and treat that green waste, and that again is in an effort to determine what area we require for our wind running of the mulch. So there's a lot of activities that have been happening over the last 4 months, and I will also indicate that Jodie Quintal from Policy and Projects had a meeting in Sydney during one of her private excursions to Sydney with Anne Prince and other representatives from Anne Prince Consultants. Finally I'd like to say before the Waste Management Committee felt before we go out and make any media statements we should have a few more things in place, and also finally we're going through, well the question was asked as to what has happened and I'm answering that question so I would appreciate if Members stop sniggering in the background. Also we're pursuing the purchase of bins so that we can now have 3 bins located in litter disposal areas so

excavate the original burning pit where the whitegoods are presently stored, we use that material to cover the burning pit which is presently being used. During discussions with the Members they requested that the burning pit that's presently in use be allowed to reach a point where it is virtually full. At that time we would then cover that burning pit. Also a recommendation from Members was that we create a mound above the burning pit, we cover that mound with plastic to ensure that there is no possibility of leeching through rain water getting into the burning pit. I sought agreement and did achieve agreement from Members to carry out those 2 activities and that is to excavate the original burning pit, use the soil to cover the existing burning pit, create a mound, cover that with plastic. I then had a meeting at the top tip with the Acting Works Supervisor Mr Johnston and also with the Minister who is responsible for Works Mr Smith. We discussed the options, it was agreed that we would follow that process. I also sent a memo to the Acting Works Supervisor asking that he lodge a planning application to carry out the excavation of that hole, and that was to give the public the opportunity to make comment if they so desire. Then it came to an issue where it was a burning pit in the Reserve, and issue then that there is no desire on the part of the Conservator to have a land fill in the Reserve, and I make it quite clear there is no desire on my part to have a land fill in the Reserve either. So there have been some hiccups. I've had a number of discussions with Officers in the Service and also with the Conservator because my concern is it's now been six weeks since it was agreed by the Assembly that we take those steps and it is quite clear that nothing has happened and I'm not happy with that situation. I have now put it to people in the Service if we cannot achieve the Assembly's objective I will then take it to the House to make it quite clear that it is the wish of the House that we a) excavate the original burning pit and we use that material to cover the existing burning pit, keeping quite clearly in mind that we have a target to have a new waste management strategy up and running by the Mini Games. That target was set by the previous Minister and I believe that as the incoming Minister I should try and honour that commitment, and that is what we are working as diligently as possible to do in the next 6 months, but yes I'm not happy that nothing has happened at the top burning pit either.

MR GARDNER Just a supplementary to that. Has the Commonwealth at all been consulted in relation to the proposed developments at the top tip considering that it is Crown Land.

MR MCCOY It is Crown Land but the Commonwealth has not been consulted because we have the Crown Lands Act and we have a Conservator employed by the Norfolk Island Government to carry out and manage the Reserves.

MR GARDNER Thank you. A question to the Minister for Health and Environment with responsibility for matters pertaining to the Hospital. Is the Minister able to confirm that Dr Davies has resigned as a Dr from the Norfolk Island Hospital.

MR MCCOY Yes Dr Davies has resigned as a Dr of the Norfolk Island Hospital.

MR GARDNER Thank you. Supplementary to that Mr Speaker. Is the Minister able to confirm that Dr Jenny Sexton has resigned as a Dr at the Norfolk Island Hospital.

MR MCCOY Thank you Mr Speaker. I have not received any letter of resignation through the Director of the Hospital in regard to Dr Jenny Sexton.

MR GARDNER Thank you. Supplementary to that Mr Speaker. Is the Minister able to confirm whether Dr Fletcher the Government Medical Officer's contract has been terminated.

MR MCCOY Thank you Mr Speaker. Dr Fletcher's contract is in operation until December this year.

MR GARDNER Supplementary to that Mr Speaker. What steps have been taken for the recruitment of a new Government Medical Officer, that's Dr Fletcher's current position and other Medical Officers employed at the Norfolk Island Hospital.

MR MCCOY Thank you Mr Speaker. The Director of the Norfolk Island Hospital has commenced the recruitment process and has been developing adverts for papers on Norfolk Island and also offshore.

MR GARDNER Thank you. A question to the Chief Minister with responsibility for electoral matters. Chief Minister a response has been received from the Chair person of the Joint Standing Committee on electoral matters Mr Ross Lightfoot in relation to complaints from the Norfolk Island Government Re: the committee's conduct whilst undertaking hearings on Norfolk Island. The legislative programme report indicates a further submission of the Norfolk Island Government will be finalised by the 29th of June 2001. Can the Minister please explain what the proposed content of that submission will be and will non-Executives be consulted prior to that submission being made.

MR NOBBS Thank you Mr Speaker. That submission was to be developed by last week. It hasn't been. I understand that the Officer concerned has been snowed under with other works particularly for this sitting and that I would expect after this sitting that we should have something which will obviously be, as was the last one available for comment, and I would seek comment from Members of the Assembly.

MR GARDNER Thank you Mr Speaker. A final question at the moment to the Minister for Tourism and Commerce who as my understanding has responsibility for both the Cascade and the Kingston piers. Minister we've had circulated to us just this week a report by Shrigee Consult. Pty Ltd dated June 2001 in relation to the structural inspection of the Kingston Pier. This is following up from the preliminary report received by the Norfolk Island Government in February 2001 which indicates in the recommendations and conclusions some fears for the stability of Kingston Pier. I've asked on a number of occasions since that report was received as to exactly what the Norfolk Island Government is doing immediately to ensure the safety of members of the public utilising Kingston Pier. Is the Minister able to provide an update on what safety measures have been put in place.

MR SMITH Mr Speaker I'd really like to see the report that Mr Gardner has got. I don't seem to have received a copy of that for some reason.

MR GARDNER Mr Speaker it was in my box yesterday so I would imagine all Members have it.

MR SMITH And following up I haven't done anything about the perceived safety of the Kingston Jetty. Mr Gardner did indeed raise that at the meeting, I don't know if it was the last meeting or the one before about the possibility of the Kingston Jetty collapsing and causing a danger to users of the Kingston Jetty. I have been down and had a look myself just from a observation point of view. I couldn't see the immediate risk that was talked about. However it's not for me to say whether

there is a safety risk or not and I'll be very interested to read the report that has obviously been circulated to us just in the last 24 hours.

MR BATES Thank you Mr Acting Deputy Speaker. Question for Mr Buffett Minister responsible for Immigration. Could the Minister advise where we are at with the proposed third party motor vehicle insurance.

MR BUFFETT Mr Acting Deputy Speaker the third party motor vehicle insurance was part of the package that was introduced or foreshadowed when we introduced at an earlier stage legislation relating to prospective road legislation. There were some significant difficulties in achieving some of those components. One of the difficulties was to achieve the third party component. We said therefore that we would not try and jeopardise all of the components but we would try and do some and the ones that we could achieve related for example to things like motor vehicle licences being updated, photograph components and the like, and there were some other components and they are progressing. We were however to have some in depth examination with the insurance companies concerning the third party arrangement. Those are continuing. That is a much more difficult and a much more complex part, and apart from saying that those conversations are continuing I really can't say that we have solved all the problems that relate there but we're working upon them.

MR WALKER Thank you Mr Acting Deputy Speaker. If I might now return to the top tip and have a supplementary question to the Minister. Would the Minister agree that the planned work is in effect creating a land fill site and if so does he consider firstly that this activity is appropriate in the environmental protection zone of a public Reserve and secondly is the proposed work, or the use of any area declared a public Reserve consistent with the Norfolk Plan, as is required under the Public Reserves Act.

MR MCCOY Sorry there are a number of questions all encompassed in that one question. No it does not create a land fill. I didn't elucidate that once we have a waste management strategy in place and up and running we will then take the material from the existing burning pit and sort it and then we hopefully will be in a position to further burn whatever may need to be burnt in the gasifier which the intention is that part of the strategy, there is a gasifier. The zone of that area, whether it is an environmentally protected zone under our present legislation, I'm not too sure or if Mr Walker's possibly referring to the Commonwealth EPBC Act but, and sorry if you could run the last part of the question past me.

MR WALKER Certainly. That the proposed work, if it is within that environmental protection zone, which I believe it is because it is less than 50 metres from bracken slope has to be consistent with the Norfolk Island Plan which is stated under the Public Reserves Act 1997.

MR MCCOY Thank you. That is quite correct. It has to be consistent but the difficulty is the activities that are happening out there are considered as an existing use prior to the Norfolk Island Plan that Mr Walker is referring to.

MR ACTIING DEPUTY SPEAKER The time for Questions is now expired.

MR BATES Mr Acting Deputy Speaker could I move that we extend question time for a further 10 minutes.

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

MR BATES Thank you Mr Acting Deputy Speaker. I have another question for Mr Buffett, a final question, Minister for Immigration. When permit holders are in breach of conditions pertaining to their permit what is their legal immigration status and what is done about it.

MR BUFFETT Mr Acting Deputy Speaker it varies from permit to permit, different types of permit to permit for example there are Temporary Entry Permits and there are General Entry Permits and there are Visitors Permits. There are varying arrangements as to what happens if somebody is no longer engaged in their employment arrangements and there are procedures for each. For example with a General Entry Permit there is provision for the person so effected to advise the Immigration Authorities within a specified period of time, 14 days if I remember in this instance that they are no longer complying with the employment arrangements, and then there is facility beyond that for people to either tidy their arrangements or obviously make arrangements to move from the island. So with a Temporary Entry Permit there are similar arrangements but maybe more immediate than those for General Entry Permits, so there are varying degrees. The Immigration Authorities obviously have a responsibility to have an oversight that people who hold various types of permits comply with the conditions and go to great lengths to endeavour to encompass that. It's not always easy in a community to know about people who may not advise the Authorities forthwith, sometimes it takes a bit of a time frame before they are able to catch up with how individuals are placed.

MR GARDNER Thank you Mr Acting Deputy Speaker. A question to the Minister with responsibility for Legal matters. Minister requests for drafting priority for legislation amendments and guidelines etc appear under 2 distinct headings in the monthly legislative programme report. Firstly the Ministerial heading obviously a request by Executive Members and secondly that of Officers at the request of Officers of the Administration. My question to the Minister with responsibility for Legal matters bearing in mind that this House is the ultimate legislative body is why are requests of the Legislative Assembly for drafting not included and do Officers of the Administration's requests take precedence of requests of this House.

MR BUFFETT Mr Acting Deputy Speaker there are a number of processes, administrative processes that legislative priorities will move through and requests for legislation come from a whole series of places. Yes they do come from the Legislative Assembly. Ministers in their respective areas will seek to have legislation prepared and obviously in the Officers area there will be identified areas where there may be a need for legislative initiatives or legislative adjustments. They in the first instance are usually collated within the Executive area and they then reach the stage of being listed in the manner that I think Mr Gardner has described. I would have thought that those areas that have been indicated to come from the membership of the Legislative Assembly would receive the priority that that demands, and if there are areas that have been so proposed in that area that are not receiving proper attention I would be very happy that that be identified to me and I would endeavour to take that up with my Ministerial colleagues to have some attention given to those.

MR WALKER Thank you Mr Acting Deputy Speaker. A question to Mr Nobbs, Chief Minister. Has the long promised Liquor Review been completed and when might the Members expect to be copied with the document.

MR NOBBS Thank you. I don't know whether we have to wait to be called or not but anyhow. Mr Walker in relation to the Liquor Review and talking about the legislative programme, I mean there is a draft Liquor Act that's been around for some considerable time. We've had an Officer and myself from the Legal Section has been running the review, well I have conducted really and that's to go around to various parties and get their comments in relation to specific areas and like

the Hospitality Association and those sorts of areas and we now have a proposal that I think it's been listed to update the previous draft Bill for Liquor Bill and that should come to the Members and also be available for public perusal within weeks now. I got a memo from the Officer concerned in the past day or two and whilst there have been other issues on my mind it was an instruction to the Legislative Draftsman to undertake certain activities in relation to that Bill. So I would say that it's on its way and as I say it's long overdue and I offer an apology to Members that this hasn't come forward before this but there have been a number of other issues including that Officer concerned being heavily involved in the Gaming proposals in the last month or two. I think that the last month or two since Gaming, the moratorium wound down and was actually taken off I think on the 18th of May from memory, well he's been fairly busy in that area but anyhow it's being done and I would hope that we would have something for you within the month.

MR ACTING DEPUTY SPEAKER Honourable Members question time has expired. We'll move to Questions on Notice. Are there any answers to Questions On Notice.

QUESTIONS ON NOTICE

MR MCCOY Thank you Mr Acting Deputy Speaker. I have a number of answers to questions that were asked at the previous sitting.

MR BATES There are none on the Notice Paper. Perhaps you could take them up in Statements at a later time.

PAPERS FOR PRESENTATION

MR ACTING DEPUTY SPEAKER Honourable Members we move to Presentation of Papers. Are there any Papers for presentation.

MR BUFFETT Mr Acting Deputy Speaker I firstly present the Road Traffic Bus Registration Safety Amendment Regulations of 2001 and table those Regulations in terms of the legislative requirement.

MR ACTING DEPUTY SPEAKER Are there any further Papers for presentation.

MR SMITH Thank you Mr Acting Deputy Speaker. I would like to table the Inbound Passenger Statistics for May 2001 and move that they be noted.

MR ACTING DEPUTY SPEAKER Thank you.

MR SMITH Thank you Mr Acting Deputy Speaker. This is a report on the passenger movements for May from both Australia and New Zealand. Overall the numbers for May stand at 3,691 which is once again a very high number compared to the previous years 3,600 compared to 3,100 last year and 3,066 the year before. It brings our total passenger numbers here to date to 37,454 which is an increase over the previous years once again and depending what happens with the rest of this month we may actually achieve getting close to 40,000 visitors for this financial year which would be the first time we've had such high figures. Looking at the place of origin of the passengers that came here, NSW 974, VIC 488, QLD 913, SA 183, WA 109, TAS 62 and New Zealand 576 with other pacific destinations giving us 57. Interesting to note that the NSW average night stay has dropped down to 6.79 during that May period but the average overall was 7.21, average nights stay. The number of visitor days for that month was 24,240 which is an increase on the previous 2 years.

Something I don't normally do but I will for the purposes of what's happened in the last 48 hours is the breakdown by carrier of the number of visitors who have travelled to Norfolk Island. Norfolk Jet Express from Sydney carried 769 visitors and 59 locals. Out of Brisbane Norfolk Jet Express carried 254 visitors and 28 locals. Flight West Airlines from Sydney in May carried 1,088 visitors plus 116 locals and visitors from Brisbane 905 with 119 locals. Air New Zealand from Auckland 674 visitors and 74 locals. I raise those numbers today Mr Acting Deputy Speaker because of the possible impact that will happen with the demise of Flight West Airlines where they carried some 2000 of our visitors in May and they are not around to carry those which is a real concern to me and as I said in the earlier statement that we don't know what the impact will be on Norfolk Island with Flight West flying to the island anymore. So that's it 3,691 passengers in May were carried by the carriers. Thank you Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER Thank you. The question is that the Paper be noted. Is there any further debate. I put the question.

QUESTION PUT
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Are there any further presentation of Paper.

MR NOBBS Thank you Mr Acting Deputy Speaker. In accordance with Section 41 of the Interpretation Act 1979 I table the Census and Statistics Regulations 2001. Mr Speaker these

MR ACTING DEPUTY SPEAKER Mr Nobbs would you like to move that they be noted.

MR NOBBS Oh sorry. I move that they be noted. Thank you Mr Acting Deputy Speaker. The Census and Statistics Regulations provides for the purposes of Section 6 of the Census and Statistics Act 1961 that the year 2001 is prescribed as a year that a census will be taken, and it will be taken in August this year Mr Acting Deputy Speaker. Mr Steve Mathews will be the Statistician and will run the census as he has done in the past and I wish him well in his endeavours. Thank you.

MR MCCOY Thank you Mr Acting Deputy Speaker. Mr Acting Deputy Speaker in accordance with Section 41

MR ACTING DEPUTY SPEAKER We've still got the Motion that Mr Nobbs Paper be noted. Do you wish

MR MCCOY Sorry no.

MR ACTING DEPUTY SPEAKER There being no further debate then I put the question.

QUESTION PUT
QUESTION AGREED

MR MCCOY Thank you Mr Acting Deputy Speaker. As I was saying in accordance with Section 41 of the Interpretation Act 1979 I table the Pasturage and Enclosure Fees Amendment Regulations 2001 and move that that Paper be noted. Thank you Mr Acting Deputy Speaker. This amendment is to tidy an anomaly that occurred in the Pasturage Enclosures Fees area. A new fee was Gazetted in the Norfolk Island Gazette but Regulations had not been made to effect that fee. So this is a matter of tidying that particular area. Thank you.

MR GARDNER Thank you Mr Acting Deputy Speaker. I see in the Regulations as the Minister points out the anomalies have been corrected but I also wish to draw to the attention of the House, especially the listening public that also a new fee unit is being Gazetted or is about to be Gazetted which I think takes the fee unit to something like \$15-50. I stand to be corrected on that, which would mean that from the 1st of April next year the pasturage fee for a cattle beast on the road will be somewhere in the region of \$46-50, so up \$6-50 from this year. All things being equal and the RPI not kicking in and increasing that that would be the fee as of the 1st of April next year.

MR ACTING DEPUTY SPEAKER Thank you. Any further debate. Then I put the question.

QUESTION PUT
QUESTION AGREED

MR NOBBS Thank you Mr Acting Deputy Speaker. I table the Revenue Fund Financial Indicators for May 2001 and move that they be noted. Thank you Mr Acting Deputy Speaker. These indicators are based on accrual accounting principles and they are based on the approved revised budget for this current financial year. Comments on that, at best it can be determined on the 31st of May is that the Revenue Fund income is about 102% of budget which is an increase of 1% over the March to April results. The Liquor Bond's net profit results is \$58,000 ahead of budget and the FIL receipts and interest received are also ahead of budget. Customs Duty collections are at 102% of budget. Overall expenditure at the end of the 11th month of the financial year is 5% under the revised budget. All expenditure categories other than for Welfare at the 31st of May are under budget. Welfare expenditure is 121% of budget which equates to a \$229,000 overspend. The revised budget forecast a surplus of \$60,000 before depreciation which compares favourably to the original budget forecast of \$366,000 deficit before depreciation. At the end of 31 May 2001 the Revenue Fund budget is in surplus of \$796,000.

MR ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Is there any further debate. Then I put the question.

QUESTION PUT
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Are there any further Paper to be presented. Honourable Members we move to Statements of an official nature.

STATEMENTS

MR MCCOY Thank you Mr Acting Deputy Speaker. I have a number of Statements that I would like to make. The first two is in relation to questions asked at the previous sitting and I undertook to provide some answers. One is in regard to planning approvals at the Airport. The questions were really in relation to the operating of the can crusher and whether it's a mobile can crusher or not. Well at that time unbeknown to me the can crusher was not actually operating on the Airport. It was operating at the Works Depot, but for information to the public I provide this Statement. The Airport is owned by the Administration, a body politic established under the Norfolk Island Act 1979 and also the Commonwealth. It has been transferred by the Commonwealth to the Administration for the purposes of an Aerodrome licence. The terms of the conveyance bind the Administration to the public purpose of the conveyance. Under the Planning Act 1996 the land is zoned special use. Now a preliminary issue to be determined is whether the fact that the land is owned by the Administration has any bearing on its treatment under the Act. There is no definition of Crown Land under the Act, is arguable that the Airport land while in the name of the

Administration and restricted to public purpose use serves the purpose of Crown Land and should therefore be treated as such under the Act. To interpret the Act otherwise would result in land owned by the Administration being treated differently to land owned by the Commonwealth and this does not appear to have been the intention of the planning regime. Whether the land is treated as Crown land for the purpose of the planning regime will determine whether the exclusion include it in the schedule of the Planning Act applied to the Airport. It is the view that the exclusions do so apply. There are 2 activities that were being considered by me for the Airport site. One is the rock stockpile and also the waste management centre. Item 8 of the schedule to the Act stipulates that earth works extending over 50 square metres is a planning activity but it is qualified by item 1 which states that these items do not apply to the use of Crown land other than land held under a Crown lease. Accordingly the view is that planning approval is not required in relation to the stockpile at the Airport. Also for the waste management centre it is clear that the waste management centre would be a planning activity and would reasonably fall under the category of public works. Pursuant to special use zoning public works is an activity that is permissible with consent or a Category 1 activity. This is so regardless of whether the land is considered Crown land or not.

MR GARDNER Can I move that Statement be noted.

MR ACTING DEPUTY SPEAKER Question is that that Statement be noted.

MR GARDNER Is it not correct when, I'm just asking the Minister here. Is it not correct then in that case that any development on a piece of public land like that, is at the discretion of the Minister if he believes it is in the public interest that it be dealt with under the Planning Act. Because the only thing that is really causing me some concern here and very importantly so in that piece of advice that's obviously come from the Legal Services Unit is that it is somebody's view. It's not set in concrete. This is just somebody's view that this is a pretty good idea that these things should be excluded. I put it to you Mr Acting Deputy Speaker and to Members of the House that because it only a view that it is terribly important that the public interest be taken into account and any development or any use of those lands go through and follow the Norfolk Island planning regime.

MR ACTING DEPUTY SPEAKER Any further debate. There being no further debate I put the question.

QUESTION PUT
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Are there any further Statements.

MR MCCOY Thank you Mr Acting Deputy Speaker. This is also in relation to a question asked at the previous sitting. The questions were asked by Mr Gardner and they were, who is responsible for enforcing regulations that require dogs to be on a leash within the vicinity of the beach and the Kingston area. Who is policing our legislation and regulations in relation to dogs roaming freely in the Kingston area. Is the Minister is aware when an owner of a dog was last prosecuted re: the roaming of dogs whether in the Kingston area or anywhere else on the island, what action if any is proposed to prevent a repeat of the destruction of bird life by roaming dogs in the KAVHA area. The advice given to me is that Members of the Norfolk Island Police Force are Inspectors for the purposes of the Dogs Registration Act 1936 and are empowered to enforce the provisions of that Act and the Dog Registration Regulations. The Stock Inspector has also been appointed to be an Inspector the purposes of the Dogs Registration Act and Regulations. Section 17 of the Dogs Registration Act 1936 was repealed by the Dogs Registration Amendment Act of 1999 and I emphasise that,

interestingly repealed in 1999. The Legislative Counsel has advised that because Regulation 4 of the Dogs Registration Regulations 1994 was not amended when the Act was amended it appears that the prohibition on persons allowing their dog or dogs to be within 200 metres of the foreshore of Kingston no longer has effect and could not be enforced. The Dogs Registration Act 1936 provides however that an unregistered dog may be seized and destroyed by an Inspector irrespective of whether it destroys or injures any bird or other animal or is a danger or potential danger to people. An Inspector may also destroy any dog whether registered or not that is molesting stock or a domestic animal or a person. Officers of the Court have advised that to the best of their knowledge there have not been any prosecutions under the Dogs Registration Act 1936 although dogs have been impounded from time to time. The owner of a dog that kills or injures a native bird that is protected under the Bird Protection Act 1913 may be liable of a fine up to 10 penalty units or \$1,000 under Section 7 of that Act. Feral ducks and fowl that roam the Kingston common are not protected and their molestation, injury or destruction by a dog whether registered or not is not an offence under the Dogs Registration Act 1936 or any other Act. It does not seem that most people did not know what the prescribed no dogs area at Kingston was or of the area from Driver Christian Road on the Northern side of the Cemetery to the Kingston Pier that is within 200 metres of the foreshore. This area was not defined and a great number of dog owners continue to take their dogs either on or off leads into this area, perhaps believing that only the beaches at Emily and Slaughter Bays were off limits to dogs. The area at Kingston in which dogs were prohibited are Public Reserves and the Public Reserves Act 1997 provides that there shall be a plan of management for each Public Reserve and prescribes a public consultation process in the development of those plans. The presence and control of dogs at Kingston will be addressed in the draft plans of management for the Public Reserve in KAVHA. The draft plans will be prepared in the light of the KAVHA Conservation Management Plan currently being reviewed by KAVHA and will be subject to the public consultation process prescribed by the Public Reserves Act. The public will be consulted on all issues relating to recreation use, conservation and management of the Public Reserves at Kingston during the development of the draft plans of management. In the meantime it is intended to amend the Dogs Registration Regulations so as to prescribe areas at Kingston from which dogs shall be prohibited. So on that note there will be an amendment to the Regulations to tidy what was not done in 1999 when the Dogs Registration Amendment Act of 1999 was agreed to. Thank you.

MR GARDNER

Thank you. I move that Statement be noted.

MR ACTING DEPUTY SPEAKER
Statement.

The question is that the House take note of the

MR GARDNER

Thank you Mr Acting Deputy Speaker. Just from what the Minister's explained then in a very comprehensive paper and I thank him for that comprehensive answer to my questions from the last sitting. Is it envisaged obviously by the answer to that question that the plans of management for these Reserves are going to be yet some time off and obviously because he intends to bring some amendments to the Dog Registration Act or Regulations to this House and therefore does that mean that there's going to be some substantial delay in the land package initiative for Norfolk Island.

MR ACTING DEPUTY SPEAKER

Thank you Mr Gardner. Any further debate. Then I put the question that the Statement be noted.

QUESTION PUT
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Are there any further Statements of an official nature.

MR MCCOY Thank you Mr Acting Deputy Speaker. The final one that I have is a Statement in regard to the joint land initiative and following a meeting of the members of the Norfolk Island Joint Land Review Task Force on Thursday the 7th of June 2001 I am able to inform the House on the present status of the joint Norfolk Island Commonwealth land initiative. Review of the Norfolk Island Plan, the draft revised Norfolk Island Plan has been prepared and distributed to Members of the Legislative Assembly for initial review prior to formal public exhibition. The main aim of the Members review is to consider the key principles and policy issues that the Plan raises. Members will be given a briefing on the draft plan on Friday the 22nd of June at which time questions arising from the preliminary review will be answered. The draft plan will then be finalised for public exhibition in accordance with the Planning Act 1996 at which time any person can comment on the draft plan. It is expected that the public exhibition period will commence on the 5th of July of 2001 and will run for approximately 3 months until the end of September. An extensive public consultation process has been agreed with the Joint Land Review Task Force and includes widespread notification of the public exhibition, Internet access to the draft plan and information on the exhibition, information booths in Foodlands Mall where staff will be available to discuss the draft plan and answer queries at a number of stages in the exhibition period and meetings with various community groups to discuss issues of significance and importance to that group. Details on the public exhibition will be made available over the next few weeks through the local media. The draft plan is part of a major overhaul of the planning system on Norfolk Island. The consultation process is aimed at encouraging members of the public to actively contribute in the development of the revised Norfolk Island Plan and both verbal and written comments on any aspects of the draft plan will be welcomed.

MR ACTING DEPUTY SPEAKER Thank you Mr McCoy. Are there any further Statements. Mr Nobbs did you indicate..

MR NOBBS I indicated earlier that I had, I've partially answered it in the Questions so I'll leave it until next time.

MR BUFFETT Mr Acting Deputy Speaker firstly can I just make a Statement that elaborates upon the bus sizes on Norfolk Island. Earlier this month the Chief Minister after consultation with all Members of the Assembly announced that legislation would be introduced into the House and Regulations made to limit the size of buses which may be imported into the island and which may be registered. The importation provisions Mr Acting Deputy Speaker will be introduced by the Chief Minister during this sitting and the regulations which are about registration I tabled about 10 or 15 minutes ago. I'd just like to elaborate the part which related to the regulations. The importation provisions will be handled elsewhere. I just want to mention that there are 3 or 4 provisions that maybe should be noted upon it's being tabled. The regulations have been made and their tabled in this Assembly today. The first is that it relates to the bus sizes and that it should be noted of course that the bus sizes relate to registrations that might come at a time in the future. Those that are presently registered remain in place but there will be restrictions from a time that we have set in the regulations in a couple of years time. The bus seating is addressed in this particular piece of regulation legislation, that is to access and to exit of buses and there is a provision for hands free microphones. These are concerns that have been expressed around the table here by Members of the Assembly and by members of the community and have endeavoured to be incorporated in the particular piece of legislation at this moment, and I just wanted to mention those with some more specificity than maybe had been mentioned before. Mr Acting Deputy Speaker there is acknowledgment that appropriate passenger transport is of great importance to the

RECOMMENDATION TO EXECUTE WRITTEN AGREEMENT FOR APPOINTMENT OF CHIEF EXECUTIVE OFFICER

MR NOBBS Thank you Mr Acting Deputy Speaker. I table a written agreement relating to the proposed terms and conditions of appointment of the person recommended by the House to the Chief Executive Officer's position and move that this House in accordance with Section 40 of the Public Sector Management Act 2000 recommends that the responsible Executive Member executes a written agreement in the form tabled before the House at this meeting as the terms and conditions of appointment of the person recommended by the House to the Chief Executive Officer's position at the May meeting.

MR ACTING DEPUTY SPEAKER Thank you.

MR NOBBS Thank you Mr Acting Deputy Speaker. The Public Sector Management Act requires that the conditions of appointment of a person as the Chief Executive Officer, that's CEO will be those specified in written agreement executed by the Executive Member acting on the recommendations of the Legislative Assembly. The document tabled is comprehensive and whilst I do not propose to read it in full the whole document, it would be appropriate to provide relevant details. The contract Mr Acting Deputy Speaker is performance based, it's for 3 years with a possible extension for a further 2 years on the agreement by both parties and subject most importantly to immigration status and permission. Further within 10 weeks of the commencement of the contract requires the finalisation of signing of a performance agreement, a scheduled to the contract is to form the basis of this agreement. A formal performance review will occur at the completion of 12 months and thence annually. Further such reviews will be undertaken by the responsible Minister and 2 other Members of the Legislative Assembly, one nominated by the Assembly itself and the other by the CEO. Procedures are stipulated as to re-appointment, the contract requires that 12 months before completion the CEO is to advise the Minister if seeking re-appointment and the processes as stipulated proceed from that point. Termination provisions provide for 3 months notice if the CEO wishes to resign but in circumstances this may be waived. Leave provisions see annual leave of 20 days and can be accumulated to a maximum of 40 days. Sick leave of 10 days per year, sick leave can be accumulated but not remunerated upon termination. Requirements for Doctors certificates etc as specified. The agreements and disciplinary procedures which include the use of an independent mediator if required. There are provisions which relate to professional development of the CEO and in an effort to allow succession planning there is a requirement for the CEO to share knowledge, skill and experience with other Management staff through planned and structured opportunities. There is 3 Schedules to the Act, Schedule A provides for the general terms and conditions I guess it provides for salary and a range of 66, 695 to 69,270 plus a gratuity of 10% and a vehicle provided with lease provisions. Schedule B is a position profile which has been available to all applicants for the position and Schedule 3 relates to assessment performance and provides the key criteria. Those Mr Acting Deputy Speaker are just a very quick outline of the contract for the CEO's position. Members have had the opportunity to peruse that and there was general agreement to those terms and conditions and thank you Mr Acting Deputy Speaker.

MR SMITH Mr Acting Deputy Speaker I support this of course because this is the process we've gone through. I'm just wondering why this is confidential. The Chief Minister said its confidential. I wouldn't have thought there would be any reason for it to be.

MR NOBBS No when did I say that, this morning.

MR SMITH I think the Chief Minister said it just a little while ago, maybe I misheard what he said.

MR NOBBS There's nothing said in there that's confidential. There's been some discussion as whether it should be tabled in, sorry Mr Acting Deputy Speaker, there was some talk Mr Smith or some discussion as to whether it was to be tabled in the House or what but that's the general outline of the document. I hope that in the future that that will be the basis of the next one and there won't be a need to develop, put so much development work into this one as has been in the past but I thought at the earlier stage it might be appropriate to just deal with it in House but the Members decided that it should be tabled so tabled it has been. As it's tabled I thought that it then becomes a document of public interest obviously and there's been some contention around about what the CEO will be actually getting and all this business going on which I found a little bit disturbing of super clerks and the like being paid these huge salaries and wonderful conditions and the like and I've discounted that on several occasions in the past and I thought I'd just briefly outline as quickly as possible without reading the document word for word those particular aspects and that Statement I made virtually covers the main points in that thing but there is nothing confidential about it otherwise I wouldn't have tabled it.

MR SMITH Thank you Mr Acting Deputy Speaker and thank you Chief Minister for explaining that. I must have missed heard you and you might have used some other word that I thought was confidential. It was just that I feel this position or any of those high managerial positions there should be nothing seen to be hidden in whatever the terms and conditions are, but I'm quite happy with what the Chief Minister has explained in this particular circumstance. Thank you.

MR BUFFETT Thank you Mr Acting Deputy Speaker. This is the second part of a 2 part arrangement to appoint a Chief Executive Officer. The first part at another sitting was to promote an individual into the post and that has been done although whilst we have gone through a process of selecting an individual no names have ever been mentioned at this time. I doubt the necessity for being so secret about that but nevertheless that's how it's progressed at this time. This is the second part which is putting together the terms and conditions that relate to the individual which was the subject of the first part. As you will all know I did not share the views of other Members about the particular appointment. I made the point and I maintain the point that there should have been better recognition of Norfolk Island based people in the residential category on the island to take up this important post in the island. What we're talking about now as I've mentioned is the terms and conditions. The reality is that I don't see any grave difficulty in the terms and conditions as they are. They seem reasonable and fair in the process, but I'm not going to support this, I'm going to abstain which is unusual for me. I'm usually one way or the other but given my earlier attitude about it I feel that I should continue to register my dissatisfaction in the way that I mentioned earlier and so if you want this to go in respect of the appointment that you have made well that's up to you but it's not my participation at this stage.

MR ACTING DEPUTY SPEAKER Thank you Mr Buffett. Is there any further debate. There being no further debate then I put the question that the Motion be agreed to.

QUESTION PUT
MR BUFFETT ABSTAIN

MR ACTING DEPUTY SPEAKER The Ayes have it.

NORFOLK ISLAND HOSPITAL ACT 1985 – APPOINTMENT OF MEMBERS OF THE BOARD OF MANAGEMENT

MR MCCOY Thank you Mr Acting Deputy Speaker. I move that for the purposes of subsection 12(1) of the Norfolk Island Hospital Act 1985, this House resolves that 1) Jeanine Ellen Brown be re-appointed by the Executive Member as a Member of the Board of Management for the period 20 June 2001 to 30 September 2002; 2) Warren Sidney Langman and James Arnsby Selby to appointed by the Executive Members of the Board of Management for the period 20 June 2001 to 30 June 2003; and 3) Colleen Victoria Evans and Sheila Mary Grimshaw be appointed by the Executive Member as Members of the Board of Management for the period 20 June 2001 to 19 June 2004.

MR ACTING DEPUTY SPEAKER Thank you.

MR MCCOY Thank you Mr Acting Deputy Speaker. I would also like to extend a message of thanks to the outgoing Members of the Norfolk Island Hospital Board for the voluntary service that those persons have given over the last 3 years to ensure the continual provision of health services to the Norfolk Island community. Thank you.

MR ACTING DEPUTY SPEAKER Is there any debate.

MR GARDNER Yeah I'd just like to support the Minister in his thanks of the previous Board as Members are aware I held the role of Minister for Health for a couple of years in two different Assembly's and I was grateful of the support in what often was very difficult times and in very difficult situations regarding the provision of health services on Norfolk Island and I'd just like to add my thanks as I said to that of the current Minister's for the performance of Members of the Board and I hope that this Board will be able to pick up from that Board and will be given the opportunity to be able to consider very carefully budgetary implications as I understand the outgoing Board to not have that opportunity unfortunately because of time constraints and that they will be able to advance for the benefit of this whole community the provision of health services for Norfolk Island. The Minister has Mr Acting Deputy Speaker on a couple of occasions recently indicated that it's his intention to change the role of the Board from basically a management Board to one that it of an advisory capacity only to the Executive Member. That of course will have to be done by amendments to legislation and that will be a matter for debate at another time in this House and certainly should make for some interesting debate I believe, but I wish this Board all the very best in their new role and as I said I hope that it will follow on from what I believe was an excellent effort on behalf of the outgoing Board in trying to ensure the provision of the very best health services possible on a limited budget for the community of Norfolk Island.

MR ACTING DEPUTY SPEAKER Thank you Mr Gardner. Is there any further debate. There being no further debate then I put the question that the Motion be agreed to.

QUESTION PUT
QUESTION AGREED

DECLARATION OF URGENCY

MR ACTING DEPUTY SPEAKER Honourable Members I wish to report that the business committee has met and determined under Standing Order 158 that the Customs (vehicle size limits) Amendment Act 2001 be declared urgent and its passage expedited.

CUSTOMS (VEHICLE SIZE LIMITS) AMENDMENT ACT 2001

MR NOBBS Thank you Mr Acting Deputy Speaker. I present a Bill for an Act to amend the Customs Act 1913 and move that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill.

MR ACTING DEPUTY SPEAKER Thank you.

MR NOBBS Thank you Mr Acting Deputy Speaker. I announced I think on the 1st of June I'm sure that would be right that the immediate size limits would be imposed on the importation and registration of buses. Mr Buffett dealt with the road traffic regulations which relate to the registration of buses earlier. This completes the issue in that it prohibits the importation of large buses. It says here it prohibits any bus or other motor vehicle designed principally for carrying passengers which exceeds the following dimensions or capacity: length 7 metres width 2.3 metres height 2.8 metres and tare or weight 3500 kilograms. Mr Acting Deputy Speaker it's a fairly simple amendment. That's what it amounts to its to be inserted in the second schedule of the Act which covers the goods or the importation which is prohibited absolutely and those include caravans, trailers designed to living quarters and motor vehicles for the same use and also guns, firearms, sword sticks and the like, so it fits into that particular category. In discussions on this has been fairly widely canvassed for quite some time in relation to the larger buses with the community Mr Acting Deputy Speaker but of late it seems to be mainly the emphasis has been placed on the damage to the roads. Now this has high potential a report by engineer Mr Morris Green spelt this out but I received from Parks Australia the interesting few words which emanate from the University of California, Davis Campus, Faculty of Transport Economics and I'll read it out if I may Mr Deputy Speaker. The highlands near John Allen and Pavement Engineer Steve Muller explain that road damage increases as the force power of wheel data. A bus weighing 10 times more than a car causes not ten but ten thousand times as much damage. With a car wheel carrying some ten times what a bike wheel does a bus does about one hundred million times the damage as a bike. With four hundred or so buses per day on Broadway which is apparently the area in the campus or around the campus doing the damage of 4 million cars, the twenty six thousand cars per day there do less than one percent of the total damage. Buses and heavy trucks each do about half. In residential areas with few trucks the buses to virtually all the destruction of our roads. Alright I wont go on. No wonder the transport division will do almost anything to get people off bikes and onto buses, it say but anyhow that's just aside. So that is we do have an impact damage to the road, but also on the Island situation which overlooked or has been overlooked in some letters and what have you is the actual impact on the other road users in relation to the actual size of the vehicle related to the road width and condition itself and that's a key issue on the island that's been mentioned on several occasions in this house that we are going to need to widen the roads in certain areas and the implications of that are quite horrendous really not only on cost but also on the land and a lot of the roads are quite narrow. It's very important that we look at those types of issues. However, Mr Acting Deputy Speaker I think that this issues been around for some time, the community I believes have indicated that they wish it to happen, it has happened, there are some people who are inconvenienced by it, I guess, but we have attempted in the long term to have those buses that are here, be re-registered for a specific period of time before they are prohibited from going on the roads but that's in the registration area I know that Minister Buffett is having discussions with the various people concerned and there'll be more coming out of that obviously in the future, but as to the importation of it its most important that in the deal of things that we look at a two way system , registration and also the importation, and I think that its been born out of late in relation to the electricity where you can't hook up, hook up certain equipment but you can bring it onto the Island and I think that there's a need also there to look at the Customs restriction on imports as well restriction on connection. However, that's all I have to say at this particular

point in time I think the issues been canvassed pretty extensively in the community over some time now. Thank you Mr Acting Deputy Speaker.

MR GARDNER Thank you Mr Acting Deputy Speaker. Just a few brief comments on this Bill before the House I guess in some ways it's a little bit unfortunate that its come through as a piece of Legislation in this form rather than what some of us don't feel comfortable with is rather a moratorium so proper assessments on buses and bits and pieces can be forth coming but I'm interested in what the Chief Minister says, no wonder Asia such high economic powers when they've got so many bicycles running around up there they obviously have to spend quite so much money on the repairs of roads as we do as far as percentage of budget is concerned. As far as the I guess the inconvenience of this to some members I know all members are being copied with correspondence its been in the Norfolk Islander from one of the tour coach operators on Norfolk Island and I guess one of the questions that always raised there is consultation and it is difficult sometimes for us to get our heads around the effects that this may have on people and how widely we should consult but I'm very, very, pleased that the Minister responsible for those areas has explained this morning in a statement that the consultation processes is alive and well and continuing and not just restricted to buses. We've discussed round this table, I've been ridiculed by my colleagues for even suggesting that maybe we should be looking at the number of jet skis. I've promised that I would mention that to much in the House again because it seemed to get drawn out and seemed to have confused the issue when it first raised some twelve months ago, but it's a real issue it's a real issue that's been raised by those that have been inconvenienced about the other large vehicles and what we're planning to do about those, so I hope that as a result of this we are going to get a proper assessment on the impact of all types all modes of transport on the Island and a proper realistic revue of exactly what's happening. I think I'll leave it at that at the moment thank you Mr Acting Deputy Speaker.

MR SMITH Thank you Mr Acting Deputy Speaker from a tourism point of view I have some difficulty with what's been proposed in two forms but in relation to motor vehicles on the road. The first one was the registration of buses which has been done by regulation to restrict the length of time somebody can now actually have a registered bus on the road. I can't recall the year I think it's 2006 or something like that that you will no longer be able to register what is determined to be a large bus. I find it interesting that this particular episode with the buses has come about because of a supposed rumour about 61 seat bus that was sitting on the wharves somewhere, don't know where. I've done a little bit of research and found that there's no such thing as a 61 seat bus. It would be very, very large it is a standard size of a big bus in the 50 seater zone. However I am no expert on that either Mr Acting Deputy Speaker but we took our usual course solve something and blocked it from a certain day which is appropriate for the Assembly to do things like that. This come up last year as a motion in the House to something very similar. What we were lacking last time and are lacking this time too I believe is the facts about size of vehicles although I do believe the Chief Minister has done some measurements on smaller buses to come up with the standard size for banning the importation of anything that is larger than those particular sizes. There are two sides to it from there on in, one is the intrusion factor which is what Mr Gardner has just raised, not only with buses, trucks but also jet skis and probably if you like motor bikes and other forms of transport, aeroplanes and things like that. Not that were going to be too bothered with those for a little while. Then the other side of that is although it can be an intrusion a big bus on certain roads, we've got to look at the reason I guess for operators wanting to use bigger buses. I've in earlier times coaster as we've come to know them the small size buses were all that was used then suddenly there was some large buses imported. Large buses hold up to 38 passengers I think where the coasters have a maximum of about 29 or without the dicky seats I think you call them 22 seaters. So then we look at what industry were in, we're in tourism, part of the tourism thing is people touring. If they are doing a half or full day

tours we sit in a little bus like a coaster I imagine for some people it would be quite uncomfortable particularly if you're sitting in the centre seat which is the little fold down seat and I assume the operators have brought in the bigger buses because people can sit comfortably in those while they are doing their tours, but I mean, who knows, they still use the coaster too so I can't argue too strongly that point because obviously people are still doing tours in those size buses. But the other effect of it are and its interesting what the Chief Minister has said about the difference between bicycles and buses if you look at the same effect here and I don't know exactly how many buses it needs to move people from two Boeing 737 aircraft from the airport, lets say its three big buses and a little one, you take away the big buses which hold not quite twice as many people, does that mean that were going to have instead of three big buses and one little one we are going to have eleven little buses all trying to find a place to part to pick up passengers off the two Boeing 737 at the airport. Does that same combined weight have the same effect when people are travelling in eleven buses or just three buses or whatever the number might equate to over those same roads, I've got no idea. One of the arguments that have been put in a letter to us from one of the operators is okay we say the buses do the damage to the roads, what about our favourite piece of road which is round Peters Highway at the end of the runway. No that's been in fairly good condition since, nearly twenty years. maybe buses don't use that particular piece of Road, maybe they do, and I suspect they probably do. There was also the Headstone road, and perhaps they don't use that road either, but that has been done for some seven years. That appears to be still in fairly good shape, but then we look at other roads like perhaps lets take a guess, Anson Bay Road which is very rough, it's always been rough even in the days when it was just coral coated it was very rough, so is it the buses that have caused that or is it the fact that its never really been constructed in a way that will take the appropriate traffic. I suppose on the other side of the coin if you look at Taylors road the newest section of road we have which appears to have a lot of wear in it since it was done two years ago that would be the heaviest used road I would suspect, that one through the middle of Burnt Pine, so where does that leave us, I think most in the community who drive on the roads would like to see there's no more big buses being imported, maybe there's a sensible option, but how do we, how do we move people around in larger and larger numbers if we have smaller and smaller vehicles. I don't know what the answer to that is I mean this is obviously going to pass through, it will happen, nobody will be able to import buses larger than the Administration school bus, we'll find out when the big buses are gone just what impact it does have, but I do question the report that was done by our engineer. Its been stated that its recommended that big buses be banned I think there was some words something along those lines, I don't believe it does say that at all I believe it points out that certain tonnage on axles will make the difference to your roads, and my understanding is that if you've got a truck, we'll use a truck as an example with an 8 tonne real axle or carries a weight on 8 tonnes on it , that does X amount of damage and if you put 2 axles at the back you just spread that load across two axles. Buses must have a similar effect of course but what they do in other places and Mr Gardner actually raised this quite some time ago when you have vehicles that are going to be a heavier weight you restrict the roads that they go on. Now maybe that's part of the answer that we need to be looking at. Even for the current operations, that certain roads are classed, classed I think was the words Mr Gardner used a class 1, class 2 or class 3 road. If it's class 3 road you don't have any buses or no buses can use it. Trucks might not be able to use it without a special permit class 2 might be a certain size of vehicle and class 1 is a road that we've built that withstand the use of buses and trucks which we are going to have to do with our main road which I guess would be between the airport and the school, I think is probably the heaviest use of roads. So maybe that could be a class 1, roads further outlying be class 2 and the ones in areas we don't like buses being in or trucks as a safety factor maybe they are class 3. I believe that is what we should be, should have been looking at. I don't expect to or not trying to change anybody's mind with this particular motion before us, I'm really pleased to hear that there's going to be some consultation with the owners of buses who

currently operate the big buses and hear their views and what they might suggest that may assist the Government in what it will do from here on in. I find difficulty supporting the philosophy in what we're doing, we've done it with tourist accommodation, we've gone along a certain track and at a point we've said "hang on, I think we've gone wrong here, we'll put a moratorium on" and it's called a hell of a back lash for this Assembly and we've had to deal with that. We are doing it with vehicles and there's something else I think too we did it with. Sometimes we might move to quickly on things without doing it in the best way that will suit our own people and the people who are visiting. It's always a fine balance, like it's really nice to have a quiet day, but then quiet days doesn't pay all the bills, so I think that most people accept that we have to have tourism to pay costs of Norfolk Island the way it is, but we've got to be really careful that we don't damage the industry where we might be able to take a different action. I haven't made up my mind whether I should support this today or not all this will do will prevent the importation of any more buses and probably that in itself is no big deal at this moment but I want to make my views know from a tourism point of view and also from a residents point of view. Thank you Mr Acting Deputy Speaker.

MR McCOY Thank you Mr Acting Deputy Speaker at of the outset I support this Bill. There's been some interesting discussion around the table. Firstly the public consultation issue. Public consultation has not been sort by the Assembly it has come to the Assembly from members of the community who have been concerned about the number and the potential for more of what is classed by one of the tour operators as medium size buses coming into the island. So the consultation came from the community to the Assembly. Also, interesting talk of tourism and the industry that we are in. I hope that other Assembly members do reflect sometimes on plans and policies that are put in place by the Norfolk Island Government and in this instance I refer to the Norfolk Island Tourist and Marketing Plan for unity 2005 and the mission statement in that plan is Norfolk Island will always remain the home of its residents, not become a tourist destination. So while we are discussing these issues must keep clearly in mind that Norfolk Island is a residential island. Sure we are involved in the tourism industry but that is part of the Mission statement in tourism marketing plan 2005, unity 2005. Also, Mr Smith mentioned that the Chief Minister has got some measures for buses, I believe the Chief Minister did have some discussion and consideration to size of buses but during discussions with Parks Australia officers on the Island re the upgrade or repairs to Mt Pitt road they talked of designing the road based on a particular type of designed vehicle and that's where the size for these vehicles has come from. Also, when we talk of class of roads and where buses may be allowed to travel, are we saying that we should upgrade a certain section of road on the island, lets take for example the roads that have been mentioned, Queen Elizabeth Avenue, that we should upgrade Queen Elizabeth Avenue to a point where it takes medium size buses and we then say the medium size buses can traverse along Queen Elizabeth Avenue to Middlegate, from there all the tourists will have to get off that bus and get onto a smaller bus and travel from there to where ever else they wish to go on the island. Or are we saying that we will create a track of class A roads where the medium size buses will travel. Now that track could run from the airport for example, all the way through Burnt Pine, up Queen Elizabeth Avenue, down Rooty Hill Road, through Kingston, up Country Road, out past Headstone and back up Mission Road at the expense of the other community members. We talk about moving too quickly in the area of tourism, I encourage other members to pick up the Commonwealth Report, titled "Delivering the Goods" dated 1995 where it is quite clear in that report the runway was designed in 1991 to take 737 aircraft of the 200 series and that is twelve movements per week. Here we are landing 737 aircraft that are 300 and 400 series and we are now up to 13 movements per week. So when we talk about moving too quickly, where have we moved too quickly, without giving serious consideration to import documents such as Unity 2005 Norfolk Island Tourism Plan and also reports that are put out by the Commonwealth and in this instance the 1995 report "Delivering the Goods" which clearly indicates what the designed to take. We've heard discussion and

questions this morning about where we are at with upgrading the runway now to meet the demands that are being put on at this present time and also, interestingly we have pursued tourism some degree to a point where now there are problems on Norfolk that we are trying to address and this particular one the size of the buses and many in the community have asked me what happened to the moratorium that the Assembly talked about that included such things as Jet Skis, why that wasn't pursued and put in place prior to a couple of other medium size buses arriving on the island. So I'll leave it at that and I support the Bill.

MR GARDNER Just a couple of points on what Mr McCoy said about consultation, certainly I know that most members of the Assembly have been approached in some form or fashion in concerns over numbers of hire cars, numbers of buses, numbers of bits and pieces. The criticism that was directed at members of the Assembly by one of the Coach Tour Operators was the simple fact that nobody had bothered to go and speak to the actual operators themselves about it they were just left completely out of the loop. I mean that's an important part of the consideration of consultation that needs to be taken into account as far as classing of roads, classing of roads is a common practice anywhere and everywhere because we simply can't afford to upgrade every road to cater for big vehicles, big buses, big trucks fast motor bikes, four wheel drives, tour vehicles whatever it is so you deliberately go out and class them so that people who are looking at operating those types of things purchase the correct type of vehicle that suits the roads. If they want to get a forty seater bus that's a business decision of theirs made in relation to the class of roads whether it be in Australia or New Zealand and they know they can only stick to one class of road so if they want to go on the other smaller arterial roads they'll downsize their vehicles to the appropriate vehicle and size. Those are business decisions. As far as the Bill that's before us I think there is little purpose in wanting to delay it, even though I'm not particularly keen on seeing urgent Legislation like this go through, we've already had tabled and accepted and I think it's already gone to EXCO the Road Traffic Amendments Regulations of 2001, which basically prohibits the registration of them. I talked before of a moratorium, I know George talked about a moratorium I know John, Mr McCoy has just spoken about a moratorium and why not Jet Skis I'm glad somebody else raised that issue again today it wasn't just me. I guess looking at this and the way it's been structured and where the advice came from I'm not quite sure on that just why six years was snapped out of the air but really I guess we can look upon this as a six year moratorium. There's going to be big buses on the island for the next six years or those that raise concern, hopefully within that time frame the proper assessments are going to be done and I think the Minister responsible Mr Buffett outlined that morning that we're going through those consultation processes and that is the appropriate consultation process and out of that will come the appropriate assessments. I mean at any time a Bill can be repealed and regs. can be amended, who knows the next Assembly or the following Assembly in that six year time frame might decide that they want to take a different direction in relation to this. Thank you Mr Acting Deputy Speaker.

MR SMITH Thank you Mr Deputy Speaker just a short comment in relation to what Mr McCoy had said about I think he was suggesting perhaps that I read the Tourism Marketing Plan which says certain things. The most important part of the Tourism Plan and my own policy, my own policy not talking about the Government or my Ministerial sense and the Legislative Assembly's Policy for years has always been for years is that Norfolk Island is the home its residents and I would never accept anybody's suggestion that I thought otherwise whatever I do in tourism I live here and I've been here a long time and I've seen where our limitations are and I believe I understand that, that statement that's been made by successive Assembly's and Tourism people that the last thing I would ever want to see is that Norfolk Island is destroyed to a point that we would no longer be a happy place to be the home of its residents. It's a very important point for me to make because that does come out

occasionally and I don't usually say anything about it but it's at the for front of my mind all the time but we've also got to consider the changes that have happened in the last twenty years and tourism here and how many residents are actually in the industry these days compared to what there were twenty years ago, even more than what I thought and I had discussion with Mr Walker along these lines and he was saying that there are a lot of residents involved in the industry and he made me look through the phone book and he was right the change has been quite dramatic, certainly probably in the last fifteen years actually where residents are the ones that are in the industry more than what it was twenty, twenty five years ago. So we've also got to balance that with when we use Norfolk Island's hundreds residents we've got to make sure that it's viable for our own people who are in business and also so that there's money generated within the island to keep everybody here. If we knock tourism down too far the immediate effect is people leave and that's the last thing I'd like to see happen. Thank you Mr Acting Deputy Speaker.

MR NOBBS I'd just like to make a comment in relation to the moratorium was an issue that came up last year at the end of last year it was not accepted by the Assembly and has gone by the board. In relation to the changing the carriage of tourists around I think we average about seven hundred and seventy tourist you'd be looking at this as Mr Smith said this morning 40,000 for the year on average in a week that's 770 and I'm just averaging them out. There are 425 hire cars registered on the island and there are 29 commercial buses and 6 public here vehicles. The seating arrangements that Mr Smith said were three large and eleven small ones for Boeing 737's we looked at that and it's about 3 of the large and there's not too many of them actually I think there's only five all up over 35 seaters from memory and it came out using those ones specifically the biggest ones that we have and equals about three to five carries that 3 large ones carries the same as the five smaller buses that we're looking at now, so there's not a lot of difference there and that's all I have to say Mr Speaker. I think it was the community consultations been on for a number of years now and the comment to me after the event of a few weeks ago was that it should never have happened in the first place. So there you go. Thank you.

MR ACTING DEPUTY SPEAKER The question is that the Bill be agreed to in principal is there any further debate. There being no further debate then I put the question

QUESTION PUT
AGREED

The Bill is agreed to in Principal

Is it the wish of the House to dispense with the detail stage. Agreed . Then Mr Nobbs I need a final Motion that the Bill be Agreed.

MR NOBBS I move that the Bill be agreed to.

MR ACTING DEPUTY SPEAKER he question is that the Bill be Agreed to is there any debate.

QUESTION PUT
AGREED

The Bill is Agreed to

DECLARARTION OF URGENCY

Honourable Members I wish to report that the Business Committee has met and determined under Standing Order 158 that the Supplementary Appropriation Bill 2001 be declared urgent and its passage expedited.

MESSAGE FROM THE ADMINISTRATOR

Also a message from the Administrator which reads" I have received the following message from the office of the Administrator recommending to the Legislative Assembly the enactment of a proposed Law entitled "An Act to Authorise the Expenditure from a Public Account of the year ended 30th June 2001, dated 19 June 2001 and signed A. J. Messner, Administrator.

SUPPLIMENTARY APPROPRIATION BILL 2001

MR NOBBS Thank you Mr Acting Deputy Speaker I present a Bill for an Act to Authorise expenditure from the public account for the year ending 30 June 2001, and move that the Bill be agreed to in principal. I table explanatory memorandum. The Bill Mr Acting Deputy Speaker is Supplementary appropriation Bill to appropriate for Health, Welfare spending in the sum of two hundred and ten thousand for the current financial year that is ending in a few days time, 30 June 2001. The Bill is required for all expenditure from the Public Account under section 32A of the Public Monies Act and its also required under section 47/1 of the Norfolk Island Act 1979 which provides that for withdrawals from the Public Accounts of Norfolk Island. The expenditure is in the court of my colleague as it relates to the Health and Welfare and I turn to him for explanation in relation to this. Thank you Mr Acting Deputy Speaker.

MR BUFFETT Thank you Mr Acting Deputy Speaker. The amount of money sort here identified as two hundred and ten thousand dollars, relates to funding that is needed to provide the Hospital and the Welfare facilities related to people who hold a Norfolk Island pension arrangement and related activities to that situation, or where we provide for people who do have pensioner situations that particular component that is the hospital and the welfare component, that might relate to them. It may be useful if I just set out for you the provision that has already been made in this financial year, and some explanation for the additional amount that is sort. The present arrangements in the present financial arrangements in the budget has provided something like five hundred and fifty eight thousand dollars. The proposed expenditure that we see has a figure something like seven hundred and seventy thousand dollars. Means that there is a short fall of two hundred and eleven thousand and we've rounded that to the two hundred and ten thousand dollars. We have proven expenditure which has taken us up to May of something like four hundred and twenty eight thousand dollars we have hospital invoices, we have proven expenditure in some air ambulance, hospitalisation that is over seas mainly in addition to the local hospitalisation and there is some element of predicted expenses for the balance of this year, and they all total something like three hundred and forty thousand dollars and the total of that is the seven hundred and seventy that I referred to earlier. The figures might not stick in your mind when you just hear them its easy to see it on a piece of paper, but I've endeavoured to read it so that you might see some explanation for that. The difficulty of predicting these at the commencement of the year is that you really don't know who might be in need during the year that you are addressing. You don't know if you are going to be ill or if you're going to be ill the extent and the extent of medical services that might be called upon. So at the commencement of the year there is an estimate made. Let me just give you some idea of the last three years that has had a total for the area that we are talking about. 1997/98 had a total of three hundred and three these are round figures, three hundred thousand dollars, three hundred and three. 1998/1999 the following year, four hundred and thirty eight , 1999/2000 four hundred and sixty six, so you can see that there has been a progressive increase. This

particular year is quite a significant increase it must be said but never the less you can see that an increase is not unusual, regrettably, regrettably. There are a number of reasons for this but it's not that you can identify it as totally being attributed to these cause, but one example is that a good deal of people who are in this category are in the more elderly category within community and of more recent Veteran Affairs, that is becoming less and less as time goes on and so the content of our elderly population needs to be looked after from our own resources and that reflected in the figures that I've just presented to you now. I don't want to be long winded about it but I just wanted to provide some over view as to why there's an additional piece of Legislation, I think we had to do this last year, not that I had responsibility last year, but just to make the point that sometimes you don't know and you need to have it re filled, that's not an unusual procedure and it has happened again in this particular financial year. I don commend to Members that they recognise that there is a real need to look after people who are in this category and that the purpose of this Bill is to do so.

MR GARDNER Just for the fact of classification Mr Acting Deputy Speaker, the Minister quoted the actual cost of medical expenses for this year at four hundred and sixty six thousand provision was made was that correct or was that 99/2000, four hundred and sixty six thousand.

MR BUFFETT 99/2000, four hundred and sixty six.

MR GARDNER Right. I guess my comments are we're looking for another two hundred and ten thousand take it up to seven hundred odd thousand it seems a bit leap where the last two or three years there's been an average increase of about eighty thousand. I may be pre-empting some debate on the current budget which will be discussed later on this afternoon but I see the figure in there at five hundred and seventy thousand dollars which is substantially less than what we are expending this year, can we have some explanation I guess of that.

MR BUFFETT I've endeavoured to indicate to you that these are an indication of realistic costs that have happened this year and we are not always able to predict what they are. It may be thought that some of the expenditure that we've had this year hopefully we wont have to repeat next year but they have been substantial this year and it totals the figure that I've provided to you.

MR GARDNER. Yes, I understand. thank you

MR BUFFETT Speaker, just to elaborate the figure that I actually gave for the current supply is five hundred and fifty eight thousand.

MR ACTING DEPUTY SPEAKER The question is that the Bill be agreed in principal. Is there any further debate. There being no further debate, then I put the question

QUESTION PUT
AGREED

The Bill is agreed to in principal. Is it the wish of the House to dispose of the detail stage.

MR NOBBS I move that the Bill be agreed to.

MR ACTING DEPUTY SPEAKER Is there any final debate. Then I put the question that the Bill be agreed to

QUESTION PUT

AGREED

The Bill is agreed to.

ORDERS OF THE DAY**APPROPRIATION BILL 2001**

Honourable Members we move to Orders of the Day No 1, the Appropriation Bill 2001 and the question is that the Bill be agreed to in principal and Mr Nobbs you have the call to resume

MR NOBBS Thank you Mr Acting Deputy Speaker I dealt with the Bill at the last sitting it was left with Members we've come back with an amendment which I would like to move if I may, not just yet

MR ACTING DEPUTY SPEAKER We'll agree in principal first.

MR NOBBS Okay thank you but I'll notify that I've nothing further to add at this stage Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER Is there any further debate on the Bill be agreed to in principal

MR GARDNER Thank you Mr Acting Deputy Speaker I was in the chair at the last sitting of the House and really didn't have an opportunity to comment in any detail on the tabling of the Bill but I have spread out in front of me the totality of the paper work in support of this budget for this year which other than the bound copy of the Government Business Enterprise Budget Proposals which is a separate matter to what we're discussing today and the bound copy of the Budget Proposal for this year I have probably half a dozen sheets of paper at the most in support of the Budget document for this year. I have asked since the last sitting of the House if I could be provided with some more documentation and explanatory memoranda I guess on the content of the Budget. I had explained at the sittings at weekly meetings of MLA that through no fault of my own I was unable to attend one of the briefings on the Budget but had received no documentation at all from that or the out comes say for the bound document dated 11 May 2001 from the Finance Manager. Other than to say earlier on this week as has been indicated by the Minister of Health at the last sitting that he had some difficulty with the Budget bid for the Norfolk Island Hospital this year did we get a comprehensive paper from him and I thank him very much for that because it certainly clarified the air on exactly what was required in the hospital this year and also a brief paper from the Minister for Tourism and Commerce with some supplementary budget bids which he made which to date have been unsuccessful and they related to things like the Rawson Hall upgrade and a couple of Youth Programs and the Web site as well as indications of some work required at the Radio Station but I understand that of today that those bids have been unsuccessful save for an additional amount which will probably be tied in with the Amendment that the Chief Minister is going to run with shortly, I don't want to pre-empt any discussion on that save for the fact those were the only papers that I have received since being an Executive Member which was some 3 months ago and not sure of what discussions has taken place, justifications for different things other than the presentation of a paper that the Chief Minister says is a Legislative Assembly budget. I refute that in that really as far as any meaningful input is concerned I have been left out of that loop, as I said through no fault of my own and probably just oversight. I know it can happen from time to time. However looking at the budget document itself Mr Acting Deputy Speaker I'll just flick through pages and just pick out bits and pieces that I've made some footnotes on as I've been going through the document. I know there has been discussion about

the public sector wage increase or possibility of a public sector wage increase. I'm still not sure whether any allowance has been made. I know the PSA are searching for a 6.1% increase this year. Whether that's been included or not, significant impact on this year's budget and I'd certainly be looking for some indication from the Chief Minister as to any allowance for that has been included in the budget documentation this year or not. Interesting to note some of the projections for revenue from taxes on Customs Duty. I think this time last year when we sat developing the budget I think we are all aware of the fact that the Governors Lodge construction was underway and that would return somewhere in the region of \$400,000 in extra duty for the last financial year. Again I would like to know whether that's been considered that we haven't got another Governor's Lodge project underway this year but I see that the proposed revenue from Customs Duty this year even exceeds, or goes very close to exceeding that of this current financial year. Just another point I'd like to make. Interesting also to see revenue from charges, Crown lease fees. I see that they actually exceed the actual results for 99/2000. The revised budget for 2000/2001 shows \$27,000, we're in throes of seeing the transfer of land, especially Crown lease properties being freeholded on Norfolk Island. I don't know whether that's been considered in this equation to date but I'd certainly be interested in some comment on that. Again I guess most of these factors could have been brought about with somewhat more solid consultation. I see also it's expected that the revised budget for the sale of forestry produce at about \$17,500 this year, that takes a leap to \$30,000 which is about what it was for the actual results for 99/2000, maybe some explanation on that. Maybe we had some answers to that this morning in Questions Without Notice about the operation of the Tanalith Plant but I look to the Minister for Health and Environment to be able to provide some detail on why I guess the decrease in this financial year and why we've jumped up to \$30,000 in the next financial year. Revenue from earnings is another interesting one. I don't know whether we're squeezing some of our GBE's to death or attempting to squeeze some of them to death but I notice in Postal Services for example, the revised budget revenue from earnings this year for Postal Services was \$87,100. Actual results for 99/2000 were \$160,000. Suddenly we're going to squeeze them for even another \$100,000 on top of that this year. It's in this budget document as \$261,800. When I refer to the GBE budgets I see that as being \$280,800. So I'd be interested to know why the difference is between these documents. We're supposed to sit here and make meaningful and informed decisions on why those differences occur. I turn now to some of the expenditure items. Education for example, I put this question to the Minister for Education at one of the MLA meetings about the extra students that are arriving. Checking with Immigration I understand that there were a couple of weeks ago 5 more students that turned up with a family on Temporary Entry Permits which is ever increasing the number of students at the Norfolk Island Central School. I understood that there had always been an attempt to try and cap the numbers at the school around 310. I just wonder why these ever increasing number of students, are we going to have to in this next financial year are going to actually have to kick the can for even more Teachers. These are questions that I and other people certainly would like some answers to. Mr Acting Deputy Speaker I guess I could just keep on digging around. I think one of the most important ones as I mentioned earlier was the subsidies to the Norfolk Island Hospital and I commend the Minister for bringing forward later on further discussions an amendment to the document as tabled seeking further funds for the Hospital. I think it's vitally important that it happen. I made comment the other day that I was somewhat distressed and also having been told that this was an Assembly document but as the person responsible for Health a few months ago in presenting the preliminary Norfolk Island Hospital budget that I hadn't been informed that somewhere along the way somebody had chopped \$300,000 off it and that was on the advice of a non-statutorily based finance committee, and without any consultation either to myself at the time as Minister for Health or to the Director of the Hospital or the Norfolk Island Hospital Board and I'm very pleased that the current Minister for Health has certainly put in a lot of foot work to make sure that

MR NOBBS Point of Order on that. There were some misleading statements made at the last Assembly meeting which I didn't jump into in question time in relation to that issue. The situation was that I have a Finance Committee which advises me. It contains some members of the Public Service. I've asked any Member of the Assembly who'd like to be on it and I also have members from the community on there. That body in about February this year and I don't record all these particular issues and keep them in the back of my mind so they can

MR GARDNER Mr Acting Deputy Speaker what's the Point of Order.

MR NOBBS The Point of Order is this, that the Member has mislead the House I believe in stating that he was not made aware of it. I took a document which I took points from our particular meeting to the Minister at the time who was Mr Gardner and I understand then that he took it to the Hospital Board for discussion and that was in relation to some of the issues that were involved and that included the debt level and those other issues and I don't really want to discuss them here but they were issues that I spoke to him about at the time.

MR GARDNER Thank you Mr Acting Deputy Speaker. If I may continue. I take it as a very serious allegation that I was misleading. Certainly the budget that I had presented Mr Acting Deputy Speaker contained a full bid of \$798,000 and I had not given any direction or otherwise to anybody to decrease that bid when it went into the budget process and it was decreased to this of \$450,000 in accordance with a document that I'd been copied with from the Finance Review Committee. Certainly I hadn't given instruction and I know that the current Minister hadn't given instruction for that to happen either. Anyway if I could continue Mr Acting Deputy Speaker. A couple of areas as far as health is concerned. I know the current Minister has looked to flip over the immunisation for school children programme, a worthwhile cause and hopefully now that the Director of the Hospital is firmly in place she'll be able to turn her attention to implementing that programme and make sure that all children on the island are treated as they would be in any first world nation these days and have access to a free immunisation programme for under age school children. Certainly very worthwhile and I'm pleased to see that that's still going to be retained. I commend the Minister for continuing with that initiative. I have had concerns and I know the Minister's probably keen to say some words in relation to the health strategy plan and the implementation of the new health strategy for Norfolk Island. Of course that will be based on the outcomes of the health review being undertaken by Griffith University and certainly I would believe there would be some input from the Joint Standing Committee's inquiry into health services on Norfolk Island and the impacts that that may have. However we have nothing in the budget at this time. I've had an undertaking from the Minister that he'll probably look at that during budget review later in the year. My biggest fear there is that it will be an expensive thing to implement when it does come about and the way we're going with this budget that there won't be a great deal of money left to be able to implement any of that, but certainly it's a matter for this House to certainly get its act into gear to try and find that money necessary to be able to put those vital services in place. Of course I'd also raise the question spoken to a couple of Ministers about the case of medical evacuations at the moment, that we haven't made any allowance for that. I know that in the supplementary appropriation bill Mr Buffett as Minister responsible for Welfare had included the latest medical evacuation for a Welfare recipient. However if this is going to become a more common practice I think there needs to be some allowances made in the budget documentation for the possibility of those type things. I know they are very very difficult to plan for as are health services and the level of monies that will be required and as the Minister explained for Welfare as well but I think that there needs to be some allowance made for that otherwise we could face many many more thousands of dollars for medivacs later on in the year. Legislative Assembly, I brought up with Members around the table.

The remuneration to Members remains the same as it did last year. We are aware I think that the current Speaker, all due respect to the Speaker, is now an Executive Member and so the remuneration to the Speaker will be a saving that will be identified in that but still not indicated in this documentation. Roads is something that we've discussed widely around the table. There's been certainly, we talked about consultation before about buses and bits and pieces, certainly there has been a lot of consultation, I'm sure all Members have been approached by people in the community wondering why and when we're ever going to finish the Burnt Pine Upgrade. Certainly I don't see a great deal there for, or nothing at all for the Burnt Pine Upgrade this year, that's unfortunate. That's unfortunate that the Burnt Pine Upgrade was started in the previous Assembly, that in the previous Assembly there were strategic plans, there were planning initiatives, all good stuff, all right stuff but we never seem to be able to click it all together and make sure that we develop and carry on with these strategies. Certainly that's no criticism of any Member of the House or any previous Member of the House. It's just one of the difficulties that we seem to face that we're unable to click into these strategies and stick by them and make sure that these jobs are worked through and properly finalised. I certainly think that many members of the community would like to see that upgrade finished. Hopefully it's not going to be a case that we'll finish the other bits and then the piece that's already been done is in such a state that we can't afford to do that one up, so we just end up with a jigsaw type effect. Again I've spoken to the Minister for Health and Environment regarding Forestry this year and the some and the budget bids there. I think I was a little bit disappointed this morning when I was approached by a member of the Service. I know members of the Service are open to ridicule from time to time. We've had recent examples of that but credit where credit is due to some of these people. I was speaking to one member of the Service this morning who unselfishly had gone and used their own vehicle for the purposes of their job within the Administration simply because of the great deal of frustration over the lack of vehicles that are available to some of the services on the island and their comments to me were well we weren't going to wait around to see if we got mileage allowance and we weren't going to wait around to see if there was a spare vehicle because we've been told categorically there were no spare vehicles, and rather than go home and do nothing because they were unable to do their job they used their vehicle and I think it's important to point out that certainly there are members of the Service that do make those sacrifices so that they can get their jobs done and make sure that they are done properly. Again that's no criticism of Forestry or the Minister at all. It's just one of the frustration's that we see with the replacement of vehicles and tools and bits and pieces. We went through that this morning with the forklift for the Tanalith Plant. It's unfortunate that those things have been knocked out. We know how the system works, it's not necessarily us that knocked them out. Sometime like yourself I've got no paperwork so I don't know where the things have been left out and it's just disturbing. However having discussed with the Minister for Health and Environment, again another thing that relates to the implementation of the health strategy and this time is the implementation of the plans of management for Reserves. We spoke about that this morning, about fencing some of the Reserves and putting in place planting's to make some of those vistas safer for people visiting. The plans of management for Reserves are going to come at a cost. The Minister's indicated, he's taken on board and compliment him for that, that it's something that he's going to try and quantify and hopefully bring back at the budget review session later on in the year. Again it's going to be a costly exercise, it's not going to come at 10 or \$15,000, there's going to be a lot of money involved in that, and again with this budget that's going to probably hamstring him in being able to implement these sorts of things and that's a real concern to me. Also we're faced with the implementation of the waste management system. Again I've spoken to the Minister about that. There are funds available under the water assurance scheme. That's a decision this House is going to have to make at some time as to whether we tap into those or whether we have to put the fee structure in place for the implementation of the waste management system on Norfolk Island. There is a lot of unanswered questions out there and a lot of cost attached to all of these and they are of

real concern. Again turning to Livestock and Noxious Weeds. That relates too to the implementation of plans of management in Reserves whether it comes to fencing for livestock, whether it comes to weed control. Again I've spoken to the Minister about that and pleased that he's taking that on board and will give that consideration between now and budget review. Again I can't stop emphasising they will come at a cost and they will be significant costs. I think it's probably time I gave the opportunity to some other Members of the Assembly to make some further comment Mr Acting Deputy Speaker so I might just leave it at that for the moment.

MR ACTING DEPUTY SPEAKER Thank you Mr Gardner.

MR SMITH Thank you Mr Acting Deputy Speaker. I won't comment too much at this point in time with the budget except to pick up on a couple of things that Mr Gardner just raised. The one in relation to Education and school enrolments. I don't think there is such a thing as a policy that we won't exceed a certain number in the school because I'm not too sure how you'd do that. That was tried some years ago by an immigration method but these days you just can't say well the child's not going to be educated at the Norfolk Island Central School. It certainly does have an impact on the school when we have a larger enrolment and I think currently the number is around 335 which is about 15 kids more than the standard number we had last year but of course it is an indicator that, and particularly where there is Temporary Entry people moving here or GEP holders if they have kids, well it's a showing an indicator that there are young people taking their place in the community. However the impact really is just on being able to fit kids into the classrooms and we're addressing that in the budget where we have some funds and to do something along those lines and I think the biggest problem always appears to be around the year 5, year 6 areas where that always seems to be the biggest class and then once they go onto secondary it's not so much of a difficulty. The Burnt Pine Upgrade really was stalled for 2 reason. One is that all the money that we budgeted for the 3 stages, most of the money was used on Stage 1 at that particular time but of course at that time too was when the metal supply dried up, hence that project just never went any further. There was an amount put into the budget to do Burnt Pine but that is in second priority which essentially means that it gets looked at in budget review but these days that's just a nothing figure I think, but we have got an amount of money in there to do roading this year \$500,000 I think it is which is certainly a help and vehicles Mr Gardner made a comment about too. We had money for vehicles this year but that's been on hold at the instruction of the Chief Minister because he was looking at a leasing arrangement for Administration vehicles. However we do have similar funds in next years budget and I expect that I'll probably be asking for transfer of the balance of what we've got in this years to next year as well so we will be able to catch up in the next 12 months. The difficulty I had just in recent times with the budget is as we always do with budget, we always have a problem with it no matter what we try and do but it all just comes down to squeezing what we can out of the budget to make it all work, but one of the difficulties was most of the submissions from the Service were put in I think it was in November last year it might have even been earlier so any additional funding that was requested after that time gets treated like it was not appropriate and it should be for the next financial year which means waiting another 12 months. At budget review time I'd propose that we get some extra funding to do some community things. One was Rawson Hall which became quite an issue just in the last few days with Members where I was suggesting that we should put some money towards the Hall because it is the public place for the community when we're doing any entertaining and it is certainly in a disgraceful state for a Government that has a \$21m budget. Besides Rawson Hall there was a couple of other things. One was the Banyan Park Playcentre had made a specific request for funds, that's been fixed up in this particular budget, but the other one was the youth programmes which I was quite disappointed that I wasn't able to achieve getting an amount of money which was about \$10,000 with the youth assembly and the youth council and young people have been pushing for us to provide some sort

of facility for young people here. It's something that we are seriously lacking in and that comes out in other ways as we all know in later years when people grow into older kids and I was looking for an amount of money to put towards equipment for a place we have identified as a youth facility but I had no success at that particular time plus a couple of other things but I'm quite pleased that I think the majority of Members supported another small Supply Bill early in the financial year perhaps as early as July to be able to look at funding some of things and I'm quite happy to sit and wait for those. I really can't comment on the revenue raising things I guess except to the point of the dividends from the Business Enterprises and I raised this the other day with Members so you might get bored if I talked about it too much and I'll just cut it really down to some of the things that we use to raise taxes as the Liquor Bond and Telecom. They are really our revenue raisers these days. Electricity used to be but that's gone by the wayside over 8 or 9 years ago and the reason we pay high telephone charges etc because that money goes toward the Revenue Fund to help pay for all the other things as does the Liquor Bond. The Liquor Bond I see we've allowed the full dividend but Telecom's dividend is very similar to what it was last year and as I've been made aware that Telecom's performed very well this year and there is room for some more of a dividend to be given to the Revenue Fund. There was a lot of other things I was going to say about the budget Mr Acting Deputy Speaker but I think the situation that we are facing industry wise makes me hesitate because I don't know what's going to happen to our budget in the next few months. I don't think we can realistically expect that everything will stay the same in the immediate future because of the demise of Flight West Airlines. I don't think it matters what we try and what we do we're certainly not going to recover the same amount of visitors in the short term future than what we had been experiencing over the last few months and that is a concern to me and I would like to think that I'm going to be wrong about that but I think realistically we're going to have to judge it very carefully in the first 2 or 3 months of the budget, and assess just what the revenues are going to be like for example departure tax will be down and that comes from what goes into the Revenue Fund. Things like that that are direct taxes that we may be affected with. So I wouldn't push too much at this particular point in time to get any more funds at this stage. For the moment I have no more debate.

MR WALKER Thank you Mr Acting Deputy Speaker. I'd like to comment if I may on something that Mr Gardner brought up and I think a very important aspect of this budget before us and that is in the revenue side he alluded to the Customs Duty being shown as slightly higher than that of the proceeding year and our current year, and if one is to compare that will all of the revenue from all of our other earnings in the GBE's etc you'll find that Customs is by far our greatest area of income. I'd go one further Mr Gardner though and I would express extreme concern because we have during the last 12 months curtailed effectively all building activity in lots of areas of construction and we have done this by curtailing the issue of any more tourist accommodation licences. We have the completion of certain major projects on the island imminent and so therefore the Customs Duty from those major projects will dry up and we don't have any that I am aware of such projects to pick up on during this next year. So therefore I see that a general downturn in the building industry will happen over the next very short period and then continue for at least 12 months during the life of this budget. On top of that we have also over the last 2 months put restrictions on the number of visitors that are able to come in through the restrictions that have been put on aircraft movements. We no longer can bring in full capacity plane loads and so where we have been told this morning that this year is likely, this financial year is likely to see the greatest number of visitors ever to the island I too express my doubts as the Minister for Tourism has just expressed that we are going to be able to continue to bring that number of people in, either at least over the short to medium term in the future. That means that we have a two-pronged effect on Customs because Customs is driven by the amount of product which is imported and consumed on the island along with that product which is brought in for construction activity, and both of those I believe are going to be in the downturn over the short term if not for the whole of the period of this

budget. However at this point of the debate I would like to make 3 other points in relation to the budget. Firstly I'm not in favour of steady as you go budgets. Having now enjoyed some 4 or more years of economic growth Mr Speaker on the island it is unsatisfactory that the Government's ability to raise sufficient revenue for a progressive budget should still remain unachievable. It is inaccurate to say that we are steady as you go. In reality Mr Speaker this budget is regressive and unsupportive of building a solid future for Norfolk. For every year that we do not address either progressing with or saving towards the replacement of our aging infrastructure we are actually going backwards. Over many years we have chosen to ignore the fragility of our major infrastructure items, but believe me a combination of time and the elements will not ignore them. My second point Mr Speaker is that in September last year a Motion was introduced to authorise expenditure specific to the engagement of certain experts to investigate a goods and services tax or a broad based consumption tax. Mr Speaker this initiative was a combination of several years work by a committee to address what they saw as inadequacies in the present tax legislation with its inherent unfair and selective approach. The Assembly recognised this as an opportunity to initiate a far broader investigation of the total revenue base and supported the expenditure of \$50,000 provided and provided that a cost benefit analysis of all our present taxes and imposts along with a comprehensive report with recommendations for general tax reform was presented. This investigation was to be completed earlier this year Mr Speaker. To date very little has been done. In fact Mr Speaker we are told nothing has proceeded due to a break down in negotiations to agree on the terms of the experts contract. Mr Nobbs as Minister for Finance recently informed us that the funding for this initiative had been removed from the 2001/2002 budget, the budget before us now. On his direction the data collection process is now to be done in-house and is unlikely to be completed until November of this year. It is pleasing however Mr Speaker that the Assembly recently convinced the Minister to carry forward the \$50,000 voted in the 2000/2001 financial period as a contingency funding for the analysis and reporting process that will be required once sufficient data is accumulated. I cannot emphasise enough Mr Speaker the importance of the viability of Norfolk's economic future that we address tax reform and put the general basis through which we raise our revenue on a financially sound footing. We must get this investigation and reporting process completed as soon as practical in order to allow full public consultation on any tax reform initiatives thus recommended. My last point Mr Speaker focus's on the fact that it is time we examined the whole approach taken in our budget process. The budget before us today once again has a forecast deficit that in the main only addresses recurrent expenditure. There is little in the way of new income initiatives, no provision for replenishing reserves and only very limited capital expenditure. We need to re-assert some positive financial principles into the budget procedure rather than the current seeking of a wish list from each Department that the Minister then endeavours to accommodate within the available revenue. The prioritising of expenditure of some agreed short, medium and long term overall plan with a balance of recurring and capital items would go a long way to alleviating much of the present departmentalised wish list approach. We must plan across the broad spectrum of all services, establish an agreed programme for the collective benefit of all and stay within those planning objectives decided. Only in this manner Mr Speaker will we ever get to the big ticket items and move towards building reserves rather than constantly depleting them. Mr Speaker I will support this Bill in its present form despite its shortcomings for as other Members have indicated it would be irresponsible not to. However I am hesitant to support amendments to this Bill that would effectively leave us without any reserves in the Revenue Fund. Should the Executive be in a position to bring forward a supplementary appropriation Bill over the next months to accommodate those items identified for inclusion in the present Bill by amendment with the appropriate funding facilitation then I would be supportive of that process. Mr Speaker I will leave it at that at this point. Thank you.

MR MCCOY

Thank you Mr Acting Deputy Speaker. There has mention been made and I thank the Members for their consideration to the Norfolk Island Hospital Enterprise budget and the paper that I put together to justify asking for an increase of \$171,000 on top of the already \$450,000 subsidy provided for in the Revenue Fund budget for 2001/2002 and just by way of explanation for the public purposes so that they can understand what this extra funding is for. The original budget as Mr Gardner indicated had under his ministerialship was for \$698,000 the subsidy that was asked for, but there were some items, and I am a member of the Finance Committee. I take the revenue finance and economy of the island very seriously and that's why when the Minister for Finance asked Members of the Assembly if they were willing to be a member of the Finance Committee I put my hand up because I think it is a very important part of developing these budgets and also looking at what has happened in the past to expenditure and how we may be able to move forward in the future. But one thing that became apparent to the Finance Committee is that there is some considerable non-cash items included in the cash budget of the Hospital Enterprise and they amounted to some \$135,000 and there is also a need for replacement of essential capital equipment and when I say essential capital equipment, there was a figure of \$35,000 allowed for a cardiocap anaesthetic machine. That has been provided for in the subsidy. There is also a pathology microscopic attachment, that has been provided for in the subsidy. There is a downward displacement sterilizer to the value of \$68,000. That was not included in the original bid but has now been included in the subsidy. So after taking out a few items that were asked for by the Hospital Enterprise and taking out the \$135,000 non-cash item and adding in the downward displacement sterilizer it required an additional \$171,000 to be included in the Hospital subsidy and the pieces of equipment that I have mentioned are essential pieces of medical equipment to help ensure the continual provision of medical services to the community of Norfolk Island, and as we've heard around the table there's been in the past items such as these which have been asked for but have been left out of the budget and these particular pieces of equipment are similar to the Tanalith Plant's forklift, at an age where they are well and truly beyond their used by date and I took the attitude well if we intend to replace our capital equipment and also provide ongoing health services for the community we must be willing to accept the inevitable that one day some of the equipment that we have in place at the present will need to be replaced and these particular pieces that I've mentioned, it is ultimately important that they are replaced and I am thankful to the Members of the Assembly and also to the Minister for Finance for seeing our way clear to include that extra \$171,000 in the Hospital subsidy and that's all I will say to the budget.

MR NOBBS

Thank you. Just a quick comment. I don't want to protract the defensive situation here or anything like that but I would just like to point out that the budget process, we attempted to commence it in November. I think from memory the Finance Manager issued a request to the Service which is the normal practice but it's done a lot later in November and we use those bids at that time to look at the budget review which was done in January. We then went through a process then of consultation between the various Ministers and their staff and the staff that have responsibility in the areas for each particular Minister including myself. The budget was then put together again, we did have discussions with all the Assembly Members as happened last year that Ministers and all the Members were present, or were able to be present. I don't think Mr Gardner was present at that time. Documentation has been issued to the Members from memory on the bids and we've eventually come to this situation now where we are in June and we need to pass the Bill. As far as the Hospital's budget is concerned I explained in my Point of Order what actually happened. I'd like to point out that over the last 7 years the average Government subsidy to the Hospital has been in the order of \$434,000 and the bid was in that time was \$530,000 and the smallest was \$264,000. So over that period and in the last financial year it was \$450,000 and this one I think is \$457,000 offhand and we thought at the time that subsidy around about that \$450,000 would be adequate until we could

finalise discussions with the Minister and the Hospital Director. Now I'm pleased that the Hospital Director is now and the Minister have taken it on to do an audit and look at the actual situation in relation to equipment at the Hospital and also to put in place a system whereby funds are set aside in a depreciation, in a proper depreciation regime for the replacement of the equipment. This has been said before and is something that needs to be done within all the Government Business Enterprises apart from just at the Hospital. That's something that we're looking to now. But apart from that the budget is here, it leaves is with a, if the Hospital increase goes through which takes it up to something like \$621,000 I think is the subsidy for this year, if that's accepted plus the \$4,000 extra I think it is for Banyan Park Playcentre will leave us with fairly limited reserves. I find that the Finance Manager is very conservative in his figures as far as particularly in relation to income and based on what I said earlier in the day that there is additional funding there that hasn't been taken into account really in relation to Sales at the Bond and also Customs is over done at the end of May, then I think we will probably be in a better position than what has been predicted at this particular point in time and therefore I can see that the Hospital needs that sort of equipment, I see that its needed it for some time actually and I would have no worries about going with the Amendment as proposed by, as suggested by Members I've got to propose it and I said that I would do it, proposed by Members and to live with the deficit that we have at the present time but baring in mind that there is a need for, they'll be some stringent management going in, in the months ahead I can tell you that to ensure that the expenditure is held in check. I can't say anything more there are a lot of things in there I'd love to have a budget of about 20 million bucks, Mr smith said we've got a twenty million budget that includes the GBE's and the whole lot, I'd love to have another 10 million on the top of this one and do everything that everybody and including myself would wish for but unfortunately at this stage we do not have that sort of funding. That's all I wish to say at this stage Mr Acting Deputy Speaker.

MR GARDNER Thank you Mr Acting Deputy Speaker. Just picking up on a couple of points from what the Chief Minister said, I'm very pleased that the Hospital Budget with the Amendments which obviously the Chief Minister is about to propose is only in fact going to be seventy thousand budget bid that was made, that was the original budget bid that was made, not the three hundred thousand less that the finance review committee wanted to make it, and that one important thing to remember about the Hospital is that we don't know longer live in the stone age if we're going to provide what is demanded by this community for the very best health services on Norfolk island we've got to keep up with speed with what is happening in the rest of the world and what the Doctors that come here are trained to do and perform and the types of pieces of machinery that they require to be able to deliver the health services on the island and there have been significant health initiatives in the last twelve months which are now clicking into place which are some of the reasons for the extra bid for the subsidy for the Hospital and they are important and should not be forgotten we are now going to have a third permanent Doctor. Now even though that's supposed to pay for itself and every thing else, there are incidental costs on top of that which are going to have to be picked up by the enterprise and can't be picked up any other way than by increasing the subsidy. We've also taken on the aged care consultant and the Physio now both of those are being partially funded in some way by the Commonwealth and the Department of Veteran Affairs. There are still incidentals costs on top of that as well as other important health initiatives which have been put into place that were non existent in the past and that's why it will continue to increase because the provision of medical services doesn't matter where you are you can be in Queensland you can even be in the Northern Territory they will continue to improve and the costs of those will continue to increase, so as far as knocking health and saying just because the subsidies have only been in the four hundred thousand dollar figure is justification for it to stay in the four hundred thousand dollar figure is just to me fanciful stuff, you know we've got to keep abreast of things if we're going to provide appropriate services to the community of this island. The Chief Minister also said he believes that we'll actually

perform better than this budget shows this night on half a million dollar deficit I've already explained in my debate Mr Acting Deputy Speaker that there are some significant matters that will require implementation in the next twelve months. I've spoken to my colleague the Minister for Health and Environment about some of those matters. Implementation of plans of Management. Changing of Land Initiatives and those sorts of things. Implementation of the Health Strategy, Implementation of the Waste Management Strategy. They are not going to come free of charge. They are going to come at significant expense to this community and that is what we are going to have to fund in the next twelve months and I'm probably keen to wager that we certainly if we are serious about implementing those this budget is not going to perform as well as even we think it will, and thank you for the biscuit.

MR BUFFETT Thank you Mr Acting Deputy Speaker I just want to identify one particular aspect in the Budget that is in front of us. I don't mean it as a proposal for adjustment or change but I do want to make this identification and it relates to medical expenses. Just a short time ago Members supported a Bill which will provide additional funds in this particular area for the balance of this financial year, for the balance of this particular month up to the end of this month. This Budget of course is for the period beyond that time but given that there was a need for increase for the year that we are currently in and is about to end, the amount in the total for that year is something like seven hundred and seventy thousand. There was some extraordinary expenditure pieces there. The amount that is proposed in the Budget that is in front of us, the amount that was originally sort was six hundred dollars but it has ended here as five hundred and seventy thousand dollars. I'm not trying to make an issue of that, what I am trying to identify is that it is difficult to predict what the needs will be and it should not come as a surprise that that figure which I am not trying to propose now turns out to be inadequate for the year that we are addressing. It may well need if there are actual expenditure items that are more than that then I would need to come forward to you and make a proposal to you for adjustment and I want to really place you on notice now of (a) the unpredictability of that, (b) that this is not quite the amount that was sort for this year, but (c) that I'm not trying to make an issue but to identify it in that context and if there is a further need I would want you to understand that it was identified at the beginning of the year.

MR ACTING DEPUTY SPEAKER Thank you Mr Buffett is there any further debate on the question that the Bill be agreed to in principal.

QUESTION PUT
AGREED

The Bill is agreed to in principal.

We move to the detail stage and Mr Nobbs has for shadowed the detail stage of Amendment of the Schedule of the Bill but first Members I must report a message the Speaker has received a message from the office of the Administrator

MESSAGE NO 17 APPROPRIATION BILL 2001

In accordance with the requirements of Section 25 of the Norfolk Island Act 1979 I recommend to the Legislative Assembly the proposed detail stage Amendment to the Appropriation Bill 2001 N.I. as set out in the attached scheduled dated 19 June 2001 A J Messner, Administrator.

APPROPRIATION BILL 2001

MR NOBBS Thank you Mr Speaker I move the Amendment as you stated there but delete the schedule to the Act and replace it with Schedule which

provides a salary and wages of \$5,153,200; other recurrent expenditure of \$4,145,000, subsidies of \$1,477,500 and capital expenditure of \$1,229,000 giving a total budget of \$12,004,700. The changes to the schedule reflect what's been spoken of before and that's additional funding for the hospital and also for the Banyan Park Playcentre, thank you

ACTING DEPUTY SPEAKER That motion deals with the detail stage amendment dated 19th July 2001 as previously circulated, be taken as read and agreed to. Is there any debate on that

MR GARDNER Thank you Mr Acting Deputy Speaker just for clarification I don't appear to have a dated copy of it but I imagine it's the same with the baseline total of \$12,004,700, yes that's it

MR NOBBS Thank you Mr Acting Deputy Speaker, what I read out were the actual amendments, although I didn't read out all the others only the totals. The increases in recurrent would be something like \$4000 and also the hospital subsidy is raised from \$450,000 to \$621,000. They are the two amendments to the schedule except that we are deleting the whole schedule and replacing it with this other one

ACTING DEPUTY SPEAKER Is everybody clear on that. Good. I then put the question

QUESTION PUT
AGREED

We have a series of final motions. Mr Nobbs, I take it that you have moved these. The first one is that the amendment be agreed to

QUESTION PUT
AGREED

The schedule as amended be agreed to

QUESTION PUT
AGREED

MR NOBBS Thank you Mr Acting Deputy Speaker I move that the remainder of the Bill be agreed to

QUESTION PUT
AGREED

The ayes have it. The remainder of the Bill is agreed to. We need one final motion that the Bill as amended be agreed to

MR NOBBS Thank you Mr Acting Deputy Speaker I so move

SPEAKER Final debate. Mr Bates.

MR BATES Thank you Mr Speaker. Members will recall that I was absent at the last meeting when the Appropriation Bill was tabled and I've been in the Chair so far this meeting and as we all know, the Appropriation Bill's although they are Bills to make an Act to provide supply for expenditure from the Revenue Fund it really does develop into a budget debate and on that note I would like to say a few words. I guess it will be repetitive of things I've said before but I must keep saying them. A number of things have been happening in the area of revenue, and I think Mr

Walker certainly spoke well on addressing the revenue side of the budget. This Legislative Assembly has shifted certain expenditure that used to be part of the revenue fund to the GBE's in order to make it easier to balance the budget and have more funds available for other works. We've found out today at this meeting that a forklift at the Tanalith Plant has broken down and that plant is inoperative until its replaced. I sought a question from Mr McCoy as to how many times a forklift has been put up in the Tanalith budget and been removed because of other more pressing needs for expenditure. I found out only yesterday that the rubber tyred road roller of the Administration has no brakes and I ask you, should that not be condemned. We shouldn't be asking any of our staff to rive it anyway. We also found today that we had a report on the dangers of the jetty even to the extent that somebody suggested its unsafe. We all know that the jetty is almost as must a lifeline to this Island as the airline and we've just had a little bad news in that area and I think somebody else, Mr Walker may have mentioned that we've been milking the funds of the undertaking and we've found out only today that perhaps we've milked the electricity GBE to such an extent that it cannot repay a loan that it has. If we are not going to address the revenue, if we are going to continue to have steady-as-she-goes budgets, and a mate of mine suggested that driving around the roads these days was anything but steady and when he turns on the ABC of a morning to listen to the radio station that seems to be anything but steady too so I don't know where we go with our steady-as-she-goes stuff. If we are not going to raise the funds to do all these things that we would like to do, then we must prioritize where it goes and I think we should be asking the people out there where are their priorities. I think they are in health, welfare, education, roads, and I think we've got to give serious thought to some of these other things we seem to like to spend money on, things which I think are probably necessary but I don't know whether the man in the street does. We've talked about a website, now I think that's marvellous and necessary in this day and age, but is it more important than a good road. Is it more important then welfare schemes or health schemes. Mr Gardner said that we should expect the hospital subsidy to go up because we are increasing the staff up there and I think that is good but the money to increase the subsidy does not come from nowhere, it comes out of the revenue fund and if we continue not to supply the revenue in that area well then it goes back to what I'm trying to say. Mr Walker predicted a downturn in the building industry next year and he said that would have an effect on customs. I think it would also have an effect on employment because everybody whose employed in the building industry spends money on this Island and pay taxes. now if a few families are out of work because the building industry goes down or some people leave the island then of course the total economy will suffer. We all saw what happened when the Pilots strike happened and things weren't going too well for a while but the bottom line is I think we all think these are good times. Tourist numbers are up, the community seems to be flourishing in the commercial sector reasonably well. Customs duty is up and yet our cash reserves are being depleted. We had an interim supply bill this year for \$170,000 or whatever and we need to closely look at that. Mr Walker found at a couple of weeks ago that backbenchers are fairly powerless at raising funds or suggesting areas where funds should be spent and yet we are told that when a budget comes into the House it belongs to the House. Now the only option the back benchers have is not to support that budget but again that is irresponsible because to not support a supply bill which is the bottom line of a budget debate really means that there is no public service, nothing happens in the community or maybe for a little while but ultimately the whole box and dice will grind to a stop so you must have supply and on that basis I will be supporting the Bill. We are depleting our cash reserves in good times and we should be addressing this. I think everybody knows how I feel about these things and somebody will turn around and say oh Batesy just wants to put up taxes. Well that's not true. I'm been trying to avoid some unpalatable increases in taxes and get us into a fairer system. It doesn't have to be the way I see it but to sit back and put our heads in the sand and do nothing is leading us fast into the areas of having a cash problem or liquidation and once we get to that stage heaven knows where we'll be, thank you Mr Speaker

MR SPEAKER Is there any final debate Honourable Members.
Then I put the question that the Bill as amended be agreed to

QUESTION PUT
AGREED

The Bill as amended is agreed to.

STATUTE AMENDMENT GAMING FEES BILL 2001

We are resuming debate on the question that the Bill be agreed to in principle and Mr McCoy you have the call to resume

MR McCOY Thank you Mr Speaker. In view of the fact that Members have not had the time to thoroughly view the detail stage amendments that I will table I herewith table the detail stage amendments dated the 19th June and move that the Debate be adjourned and resumption of debate be made an Order of the Day for a subsequent day of Sitting

SPEAKER Thank you Mr McCoy and I put that question to you Honourable Members

QUESTION PUT
AGREED

That matter is so adjourned

NORFOLK ISLAND BROADCASTING AUTHORITY BILL 2001

We are resuming debate on the question that the Bill be agreed to in principle and Mr Smith you have the call to resume

MR SMITH Thank you Mr Speaker this Bill's been sitting on the table for a couple of months. We've had some comments about it but there's really no proposed change to what the original tabled bill was. It provides for the application of the Act to Norfolk Island and places the applicable Commonwealth legislation in the context of the Act. At the same time it differentiates between the Norfolk Island Government Broadcasting Service from any category controlled under Commonwealth legislation. It establishes a current Norfolk Island Government Radio Station as an essential broadcasting Service. It establishes the Norfolk Island Broadcasting Authority and outlines its procedures. It outlines the objects functions and powers of the Authority to administer and control the licensing and broadcasting services in Norfolk Island, required the Norfolk Island Broadcasting Service to be licensed and establish an offence and penalty for operating without a licence although this will not apply to the Government Broadcasting Service. It outlines the mechanisms for the issue of a licence, the payment of a licence fee and the revocation of licences. It outlines the development of a range of broadcasting rules which can be made by the authority with the approval of the Assembly and the Government Broadcasting Service will be bound by those rules. It provides a mechanism whereby the Authority can investigate complaints and enforce its determinations. It provides a standard immunity for Authority Members in exercising that Authority and that immunity from compensation claims arising out of the Act. It provides that fees and moneys recovered under the Act shall be treated as general revenue and enables the review of a decision by the Authority, binds the Crown to rules Gazetted by the Authority and provides for the making of regulations and also provides the transitional period for compliance with the Act within six months and I commend the Bill

MR GARDNER Thank you Mr Speaker a couple of brief things. In relation to this when the Minister tabled the Bill in the House previously, I raised a series of questions and one of particular importance shared by my colleague Mr Bates was to do with the costs of such legislation. The Minister did undertake at the meeting to provide us with some indication of the costs particularly in relation to the secretariat, the cost of the licensing and implementation. These would be subject to regulation which would be made once licensing and fee schedules had been determined and also some indication of possible costs of Administrative Review Tribunal hearings if that case every arose. Does the Minister have some comment on that

MR SMITH Thank you Mr Speaker I have had discussions and thought about this as well and I don't see that there are any direct costs from introducing the Bill if it comes an Act. There will certainly be the Authority which won't necessarily cost anything but if there are any costs I think these can be assessed once we introduce the licence fees and I think the best way to deal with that is the fees be set on a cost recovery basis

MR WALKER Thank you Mr Speaker I have two points I would like to ask the Minister and I have raised this before, under sections 9.1 c. and g. there appears to be a form of censorship that can be brought in by the Authority and I wonder whether that power should not more appropriately be with that independent person or tribunal for censorship and secondly in the miscellaneous provisions of the Act under No 18 I see that the Bill is proposing that all revenue raised will go into the revenue fund of Administration and I understood that we were moving towards a decline in the subsidy of the Radio Broadcasting and increasing their self sufficiency by allowing them to raise their own revenue through whatever means the Board may decide but without those funds going directly into the Revenue Fund. I would like to hear the Minister's comments

MR SMITH Thank you Mr Speaker. I made a point of making it so that any funds that are dealt with by the Authority would be dealt with under the Public Money's Act and maybe Mr Walker does have a point that it does suggest that it go into general Revenue but that could be read that Broadcasting currently falls under a GBE anyway and I wonder if that could be considered the same thing. I'm looking to Mr Bates who might be able to help with that particular one. The other one, the objects of the Authority, and 9.1.c which is to promote the provision of high quality and innovative programming for the providers of broadcasting services, I think that's essential. Some could say that we are not doing that with our television services at the moment but with the other one which is 9.1.g to ensure the providers of the Broadcasting Services place a high priority on the protection of children from exposure to programme material which may be harmful to them, to a degree we already do that although it's not covered by any legislation I think that with the current radio station we have a policy of banning particular material that might be broadcast particularly in the morning session where children can be exposed to bad language or such things. I know we can't do that with all of it but I think that's an appropriate thing to have in their that the Authority can control and maybe it is a type of censoring but I believe it's a good thing to have in there

MR GARDNER Thank you Mr Speaker. Something that's niggling in the back of my mind. I understood when there was debate and we made quite substantial representation to the Commonwealth over Internet Gaming that the Commonwealth were looking at using their Broadcasting Services Act maybe to fetter the ability of States and Territories to enter into the Internet Gaming Field and I'm just wondering loojking at the definitions and the prelimination of this Act whether a broadcasting service includes the use of a homebased computer because a homebased computer cannot only pick up radio stations but also television stations and other moving picture type material. Is it the intention of this Act to be licencing Internet

service providers who are distributing material to people on Norfolk Island as well as putting in place censorship mechanisms and legislative controls over content

MR SMITH Thank you Mr Speaker I appreciate Mr Gardner's question there. It is not the intention of this Act to do that but I share his concern. I think anything to do with the reception of anything on the Internet through homebased computer would be something I would expect we could probably control under the Telecommunications Act. It is something that need further investigation and I've had discussion with the legal people in the last week or so about such things, but no it certainly wasn't the intention when we developed the Bill for it to extend to that degree

MR WALKER Thank you Mr Speaker if I could just take that one step further. Not only can you receive but from a homebased computer as long as you have a telephone line, you can broadcast and you can broadcast onto the Internet in the form of a website. Whether we wish to have any control of what is broadcast in that manner I'm not sure whether we would get embroiled in some sort of legal interpretation because it's widely known that the Internet is uncensored

MR GARDNER Thank you Mr Speaker maybe just as a point of clarification I raised that because we did have some discussion the other day in relation to material that was placed on Government websites through different institutions on the Island that in one way or another are connected or are Government instrumentality's whether it be the school or the Youth Council or the Legislative Assembly or the Government website and as Members would be aware I was somewhat concerned that we really had no control over the content that appears on those sites and the reason for the question was just whether this was going to be one of the mechanisms that possible could be used as there is ongoing assessment over the control of those situations whether it was able to use this piece of legislation in the future by way of regulation or whatever may be or whether we would need to concentrate on more specific legislation for those purposes

MR BATES Thank you Mr Speaker. Mr Smith alluded that I might be able to assist in certain aspects of the finances and I think it's pretty unwise to suggest amendments to legislation from the floor of the House because it could be getting into some difficulty or misinterpreting the intent but the wording of that does seem to me a little incorrect, restrictive or misleading. I'm not sure to what extent the Authority will have moneys coming to it but the real situation as far as public moneys is concerned is that the Norfolk Island Act which is the Australian Government Act says that there will be a public account of Norfolk Island and when you get to the Public Moneys Ordinance then it defines the different funds that make up the public account of Norfolk Island and those different funds consist of the Revenue Fund which is basically what we've been talking about today and we've had an Appropriation Act to spend money from the Revenue Fund; it talks about the Trust Fund and that's where you can hold moneys that don't necessarily belong for use by the Administration but they are held in trust for a purpose; then you have the Administrative Services Fund which is mostly where all our GBE's are financed through and also you have the loan fund which is not widely used but if we do need to borrow funds from offshore for a reason then maybe the loan fund will come into play. Each of these funds are handled a little differently. Now the wording of section 18 to the general Revenue Fund of the Administration, if that were to read the public account of Norfolk Island it would give you more flexibility and whether you handle it as a GBE under the Administrative Services Fund or whether those funds had to go into the Revenue Fund and therefore you could not spend any of them without a Supply Bill and would take a form similar to the Act we had today. I don't know how important that it. I think it would only be a minor amendment. Without knowing any more than I do at the moment I would suggest that "payable to the general Revenue Fund" could be replaced with the words "payable to the public account of Norfolk Island " and that would be sufficient for your purposes

but if you see fit to do that it wouldn't be hard to do at a future meeting and it might be better if you wish the Act to go through today, to leave the Act as it is with the proviso that you will have a closer look at that. Nothing's going to happen in a month or two that's going to be of any great difficulty and at the stage that it is it's probably not going to be a great difficulty in the long run, but it might be just a bit more flexible if its handled that way. I have no strong views about it and I hope that has helped you with the question you raised

MR SMITH Thank you Mr Speaker and thank you Mr Bates for that assistance and I take heed of what you are saying there and I think it probably would be better to progress with the Bill today and make a simple amendment at a later time rather than try and do it on the floor of the House. I'm not very keen on making those sort of detail stage amendments for something like this and the other issue that Mr Gardner and Mr Walker has raised with the Internet is whether we have inadvertently covered it in this Bill or not, I'm not sure but its certainly something that we need to check and find out if it was to fall under this Bill then maybe there's something else that would need a full amendment to take that into account because as Mr Walker's says, you can actually affectively broadcast on the Internet and that is of concern to me, what just could be broadcast from a website from Norfolk Island. However I have already had discussions with the legal people about that to make sure that we don't have somebody that is broadcasting something via the Internet from Norfolk Island that would be something we wouldn't like to see going out to the world so I finalise that by saying I'm prepared to make some minor amendments at a later date if we pass the Bill today. I don't see any real difficulty in just doing that and doing minor amendments at a later stage

SPEAKER Any further debate Honourable Members? The question is that the Bill be agreed to in principle

QUESTION PUT
AGREED

The Bill is agreed to in principle. Do you wish to dispense with the detail stage? That is so dispensed with. Could I have a final motion please

MR SMITH Thank you Mr Speaker I so move

MR SPEAKER Is there any final debate. Then I put the question that the Bill be agreed to

QUESTION PUT
AGREED

The Bill is agreed to.

FIXING OF THE NEXT SITTING DAY

MR GARDNER Mr Speaker I move that the House at its rising adjourn until Wednesday the 18TH July at 10.00am.

MR SPEAKER Thank you Mr Gardner. Is there any debate in respect of that matter. No debate. I put that question to you.

QUESTION PUT
QUESTION AGREED

The eyes have it thank you, we have set our next Sitting day

ADJOURNMENT

MR BATES

Mr Speaker I move that the House do now adjourn.

MR SPEAKER

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

MR GARDNER

Thank you Mr Speaker by way of explanation I would like if I can use the Adjournment Debate to explain why a notice that I gave back in I think March or April regarding me bringing forward a motion to abolish the FIL will not be proceeded with. It's not because I don't firmly believe that the FIL should be abolished its simple that the Standing Orders of this House under No 174-178 from bringing forward such a proposal and I will just read this for Hansard No 178 – "a proposal for the imposition or for the increase or alleviation of a tax or duty or for the alteration of the incidence of such a charge shall not be made except by an executive Member. The proposal may be submitted without notice. No Member other than an executive member may move an amendment to increase or extend the incidence of the charge defined in that proposal unless the charge so increased or the incidence of that charge so extended shall not exceed that already existing by virtue of any law of the Territory". I guess in a round about way that wouldn't prevent me from wanting to stand aside those parts of Standing Orders that would prevent me from doing that but in the true spirit of trying to keep in line with Standing Orders I would much rather seek the assistance of one of the executive Members to be able to put that motion in and to have open and informed debate on that matter within this House. I do know that my colleague Mr Smith may have indicated jovially or not the other day that he may well be in a position to take such a motion to the House so that it can be openly debated in the House but I hope that this afternoon by way of explanation I've been able to explain why I've been unable to bring that motion forward

SPEAKER

Thank you Mr Gardner. Further participation. No further adjournment debate. Honourable Members I put the question that the House do now adjourn

QUESTION PUT

QUESTION AGREED

MR SPEAKER

Therefore Honourable Members this House stands adjourned until Wednesday the 18th July 2001 at 10.00am