

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen

LEAVE

Honourable Members firstly, leave for the Chief Minister. Is leave granted? Leave is granted thank you.

CONDOLENCES

There are no condolences this morning?

PETITIONS

Are there any petitions this morning?. There are no petitions.

GIVING OF NOTICES

There are no notices this morning.

QUESTIONS WITHOUT NOTICE

We move to questions without notice - Are there any questions without notice

MR SMITH Thank you Mr Speaker just a question for the Minister for Lands, Mr Ivens Buffett, in relation to Green Waste. I understand there's a current difficulty in disposing of green waste and perhaps the Minister would put on record what the difficulties are and how soon that could be resolved

MR I BUFFETT Thank you Mr Speaker in respect of Green Waste we did have an area designated for the disposal of Green Waste on the airport site. That particular site was subject to a hearing in the ART in respect of the approval that was given for the establishment for the particular waste transit centre. An appellant against the decision in respect of that issue had the conditions of the approval changed and what was included in that was an order that we were not to burn on that site. What had been happening was that green waste and other such waste that was being taken to the site we had the ability to burn in small quantities the burnable stuff and then to chip and otherwise dispose of the material that was suitable for that. That, combined with the fact that we are currently developing that site and preparing a green waste area in conjunction with the preparation of the transit center, green waste is being taken to the headstone area for processing, chipping and burning in small quantities when suitable. I do understand that some people are having difficulty with disposing of large quantities of green waste, and that is the clearing of whole portions of green waste. We ask them to have some patience with us. We're trying to dispose of that as quickly as possible and to make arrangements to take additional green waste to dispose off in that fashion. It is anticipated that by the end of October hopefully we will be in a position to manage large quantities of green waste in a better fashion but at the moment we are caught by those two issues

MR NOBBS Thank you Mr Speaker would the Minister please advise the basis of the decision not to allow burning at that particular site whereas within less than a mile away, burning is allowed. Can he provide some detail as to how the decision was made

MR I BUFFETT Thank you Mr Speaker I will attempt, but simply to say that the matter as I mentioned was the subject of an application to the Administrative Review Tribunal and I understand that they arrived at the decision and the Tribunal made that Order by agreement that the conditions be changed to prevent burning. I can't go any further in explaining that or what was in the mind of the ART or the people at that time

MR NOBBS Thank you Mr Speaker I ask again. Were there no reasons for this decision

MR I BUFFETT Thank you Mr Speaker I'll have to refresh my mind on that. I haven't actually seen the transcript of the ART, simply the order to change conditions. But I will do that and circulate if there were particular reasons given and inform the community accordingly

MR SMITH Thank you Mr Speaker I was going to ask the Minister for Finance a question about mobile phones but I see there's a motion coming on later this morning so I'll bypass that, and I would like to ask the Minister for Finance about the PSA wage claim. Over the last two or three years the PSA has been negotiating to have an increase in their salaries and wages and I know there has been negotiations been going on for the last few months and I wonder if Mr Donaldson could update for the records where we are at with that particular situation

MR DONALDSON Thank you Mr Speaker my role in the PSA wage claim has been standing in for the Minister for Community Services and Tourism who has responsibility for the Services but I can go part of the way towards answering the question Mr Smith has asked. About two or three months ago the Public Service Association put in a wage claim to the Remuneration Tribunal. Subsequent to that there has been a response put in by the employer, that is the Chief Executive Officer of the Administration and subsequent to that there has been discussions between the three parties, that is the Tribunal the PSA and the employer to determine the timing of the hearing and the hearing is expected to be later in October or early in November when Mr Justice Morning would come across to Norfolk Island and the issues that he wants addressed at the hearing. The matter is progressing. I can't tell you any more than that

MR NOBBS Thank you Madam Deputy Speaker I ask the Acting Chief Minister, why was the Norfolk Island Government not aware until two days after the report of the Australian Parliament Standing Committee on Electoral Matters that it had been tabled in the Australian Parliament

MR I BUFFETT Thank you Madam Deputy Speaker simply because we weren't informed is the short answer. Whether the chief Minister in his capacity of Chief Minister was informed simultaneously with the tabling of the report I cannot answer at the moment. My understanding is that we weren't informed simultaneously

MR NOBBS Thank you Madam Deputy Speaker will the Minister be making a statement on the report

MR I BUFFETT Thank you Madam Deputy Speaker I intend to make a short statement but I note there will possibly be an intention to move a motion in that respect. I could either do it then or deal with it separately. I'm in the hands of the Assembly

MR BROWN I direct this question to the Minister for Community Services and Tourism. Is the Minister aware of a recent article in relation to Chief Executives and whether they should be screened to weed out the psychopaths and if the Minister is aware of that article, will such screening be introduced in Norfolk Island

MR D BUFFETT Thank you Madam Deputy Speaker I'm not aware of the article. I would be interested in a copy of it if there is availability of that. When I've read it then I'm in a better position to answer the second part of the question

MRS JACK Thank you Madam Deputy Speaker my question is to the Minister for Health. Can the Minister inform us as to how the Social Welfare review is progressing and when will this review come to MLA's?

MR D BUFFETT Thank you Madam Deputy Speaker. I announced in the House I think at the last sitting that I have requested a review in a couple of areas but particularly in the area that Mrs Jack has just referred to and I said there was a period of approximately six weeks in the time frame of the prepared of such a report. I have enquired this morning as to how this report is progressing and it has progressed significantly. The writings at the end of the day are not yet complete but the officers concerned there are going through some processes to facilitate that. The Director who has responsibility for that area is not presently on the Island so I've not had the opportunity to consult in that area about it but I will do so as soon as he returns and then I will be able to give some better time frame for delivery and timeframe for discussion amongst members which I had earlier signaled I would do

MRS JACK Thank you. In considering that much of this review was noted and passed by the Ninth Legislative Assembly and that five members of this Assembly now sit on this Legislative Assembly can the Minister see any reason for any further delay in adopting any recommended changes as guidelines or policy while awaiting for the legislative back up to come on line

MR D BUFFETT It's really not for me to answer all of that it would be up to the members and it has been rightly pointed out that a good number of the members are in agreement with the provisions. Those provisions however were not in a form that could readily be picked up by both members and officers in terms of implementation so the writing of the document that I'm referring to was to facilitate that. It obviously will have the provisions earlier referred to and so I don't expect there will be great debate upon the provisions but we need to see them in the form in which they become administratively realistic

MR BROWN I direct this question to the Minister for Community Services and Tourism. It relates to the Public Service wage claim. Can the Minister advise whether the submission which has been filed with the Tribunal by the Chief Executive Officer has the support of the Norfolk Island Government and if that is not the case can the Minister advise whether the Norfolk Island Government proposes to file a submission in its own right

MR D BUFFETT Thank you Madam Deputy Speaker that falls into two parts and the first part is, does it have the support of the Norfolk Island Government and that has the implication of asking if it has the support of the majority of members. It is my understanding that over the past fortnight there has been a meeting of members to look at that particular submission, and I will call upon my colleague who had responsibility while I was away to give a report upon that part of it. The next part relates to whether the Government would want to separately place some views before the Tribunal. To answer that I think I have to wait until the next link up with the presiding

member of the Tribunal to see how he is travelling with various parts and to see if there is a requirement further for there to be input from the Norfolk Island Government. Can I just pause there and ask Mr Donaldson who had charge of this matter whilst I was away if he would care to make comment about what happened in that last two week period

MR DONALDSON Thank you Madam Deputy Speaker yes, I can comment briefly on it. There was some concern about the report when it was put in and revealed to us. The concern relates to a few things. Mainly the tone in which it was written and the wording that was used. The main thrust of the report was that productivity has to be increased to demonstrate a wage increase. That was discussed by the Members at the informal Assembly meeting and it was agreed that productivity would be the central theme of the case that the Government or the Chief Executive Officer is putting towards the Remuneration Tribunal

MR D BUFFETT Thank you Madam Deputy Speaker if I just might round that off and provide this information. That the next proposed link up with the Presiding member is on the 1st or 2nd October, so it's in quite a short period of time and the second point is that this particular wage claim has significant complexities and they are not made any easier by the very difficult relationship that presently exists between senior management and the staff members of the Public Service at this moment

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Health. Funding for telemedicine project has been provided. What is the progress and current status of this project

MR D BUFFETT Thank you Madam Deputy Speaker the telemedicine facilities have been installed at the Norfolk Island Hospital and they are in fact part of a statement that I will make when we come to statement time but I will respond to this matter now. The installations have been made. On the 5th and 6th October, that is, in a short period of time, there will be the co-ordinator for telemedicine services from Queensland to visit the Island and the purpose there will be to undertake training of people locally to use the facilities so within the context of the overall picture, a. it's installed and b. we have within the next fortnight, plans for training

MR BROWN I direct this question to the Minister representing the Chief Minister in relation to Immigration. Is the Minister aware of recent advertisements in the Norfolk Islander for a Japanese tree planter and a DC10 aircraft engineer. If so, is the Minister aware that there are many people in Norfolk Island quite capable of planting trees, whether or not it is necessary to speak in Japanese to them I'm uncertain, and is the Minister also aware that there will only ever be one DC10 land on Norfolk Island because it will never take off again. What action does the Minister propose to take in relation to advertisements such as these and in particular is it open to the community to place advertisements such as these in order to bring friends or acquaintances to the Island on temporary entry permits

MR I BUFFETT Thank you Madam Deputy Speaker I am aware of those particular issues. At this point in time I have forwarded some correspondence that I have received in respect of at least one of those specific issues to the Administration for some advise and hopefully the words that Mr Brown has expressed on what I intend to do will arise from the Advise that I get from that in accordance with the law and the policy applicable to Immigration

MRS JACK Thank you Madam Deputy Speaker I address this question to the Minister for Land and the Environment. In the August Assembly meeting I asked a question regarding the means available re the accepted disposal of

excess oils from various service centres on the Island and he informed us that he was awaiting some more information. I'm just wondering has the Minister received that information

MR I BUFFETT Thank you Madam Deputy Speaker the short answer is yes. I've received some of the information. What I've done is I've sent that document back to re-examine some sorting of the particular oils because it touches on brake fluids and a whole lot of other issues. I haven't got the definitive words to fully answer Mrs Jack's particular question. It's being worked on as we speak as part of the whole waste management strategy that we're looking at and hopefully I'll be able to give Mrs Jack that answer and inform the House and the community. I undertake to do that by the meeting of the 16th but certainly I have had some preliminary answers but they need to be discussed and I haven't had further responses

MR NOBBS Could I ask the Minister for health. In relation to the Norfolk Island Hospital Enterprise, at the last meeting the tabled directions and I was wondering, have these been progressed

MR D BUFFETT Thank you Madam Deputy Speaker. All of them have been progressed but not all of them have been finalised

MR NOBBS Has the Minister made a direction to the Hospital Enterprise to advise them of the Legislative Assembly's direction as passed at the last meeting that until an Inquiry is completed, neither the Board nor the Director is to make substantial decisions until first clearing them in writing with the Minister and will this direction be tabled at this meeting

MR D BUFFETT Thank you Madam Deputy Speaker I have written to the Norfolk Island Hospital Enterprise and I have conveyed that motion to them and I did that immediately after the sitting. I have not given a formal direction in terms of the Legislation and so therefore I won't be tabling that but I have a clear understanding with them and I have put that in writing that the terms of that motion will be complied with. In other words there will be consultation with the Minister should any major decisions be contemplated

MR NOBBS Can the Minister please explain what the difference is between the Direction made as a motion of this House and also Directions which he made of his own volition which is subject to a later perusal by the House. What's the difference between the two. Which one does he consider the most important

MR D BUFFETT Thank you Madam Deputy Speaker. I'm not too sure what the member is getting at in this context. The intent as I understand it is that there would be no major decisions in the Hospital arena until there was a consultative process and I have put into place the machinery to effect that. If what the member is trying to say to me is that he prefers that to be in the form of a formal direction I am willing to do that. I've not seen that that has been necessary at this time but if that's the desire that can be readily done

MR NOBBS It's just a supplementary. I ask the Minister, the motion was for an inquiry and he appears now to be referring to it as a consultation. Is the inquiry to proceed or is it now

MR D BUFFETT I think we're talking about two different things. I'm not talking about the inquiry at all. I'm talking about the matter of how decisions need to be made and I've endeavoured to point out how I've conveyed that to the

Hospital Enterprise. That's one matter. The next matter that Mr Nobbs has just identified now, relates to the inquiry. That's a separate matter. Yes they are interlinked but they are two separate matters. I will now respond to Mr Nobbs in terms of the inquiry. I have been active there also and I have made plans which I will be in a position to share with members in the next week about how that review should be implemented. I will have proposals as to participants in that process and the time frame and how it should be conducted

MR NOBBS Thank you. What decisions have been referred to you by the Hospital Enterprise since the last Assembly meeting

MR D BUFFETT Thank you Madam Deputy Speaker there have been conversations. I'm just trying to recall whether there have been any real decisions. There have been consultations about a dental unit, consultations about a range of things but I have not interpreted those as being references in terms of the motion of the House but there have certainly been that relationship

MR NOBBS A question to the Minister for Health. Minister why was a decision taken to advertise a new position at the hospital, not part of the hospital budget papers which were provided which was advertised well after the Legislative Assembly motion was passed

MR D BUFFETT Thank you Madam Deputy Speaker I did enquire about that matter. My understanding was that this was the result of a much earlier decision which was taken if I remember correctly, something like December of last year. I'm not certain about the date but some months ago in terms of filling that position and that was the flow on of that earlier decision which of course was before the time frame that you are referring to mr Nobbs

MR NOBBS Would that position be a new position which is part of the Hospital Enterprise and therefore it was included in its budget papers for the 2002-2003 financial year, was it

MR D BUFFETT It's my understanding certainly that it is within the financial capacity of the Hospital, within its budgetary arrangements. I can't say that I have checked on the particular item line in the budget as to its provision. I can do that if it becomes absolutely essential

MR BROWN Thank you Madam Deputy Speaker. I direct this question to the Minister for Finance. It relates to the domestic fire service. Is it a fact that all of the domestic fire service vehicles have been deregistered and taken off the road. Is it a fact that the only fire service available now on the Island is the fire service provided from the airport. Is it a fact that that fire service should not be leaving the airport and is it a fact that that fire service cannot leave the airport at times, for example, when Air New Zealand is arriving

MR DONALDSON Thank you Madam Deputy Speaker. I'll give a little bit of background on that question because it's relevant to the answer. There was in previous times before July this year, two distinct fire services on Norfolk Island. There was the airport fire service which was three fire vehicles down there of which at any time two of them were operational and there were three fire vehicles at the Works Depot. There were two Bedfords and one International. We've known for about six years or more now that those fire vehicles at the Works Depot were reaching the end of their useful life, and in fact they've been on borrowed time for quite a few years now with repairs being done to get them through registration to keep them running and to make them serviceable. We had a report from the mechanical foreman at the Works

vehicles are sold off to the private sector and serve a few more years, maybe even five or ten years in the private sector but really they are not a vehicle that a Government should put its employees in and expect its employees to drive in an emergency situation where they have to be driven fast and hard and fully laden

MR BROWN Final question. Could I repeat my question as to whether the Minister took action to enquire about the availability of used, good condition fire engines from Australia

MR DONALDSON There has been constant searching by the Emergency Services Coordinator of Internet sites, second hand fire vehicle sales and fire fighting organisations in Australia to access second hand vehicles. In fact, the vehicles at the airport at the moment were accessed as second hand vehicles. We didn't buy them new. One of the problems we have with accessing second hand vehicles is that the majority once they become available are ones that use reticulated water in a suburban or metropolitan area. We don't have that luxury here. We have to carry the water to the fire so 50% of the fire engines that are advertised on websites and in trade magazines are unacceptable. I'm told at the time that they were looking for the current new vehicles, to replace the recently expired vehicles, that they did look on Internet sites, they did look in trade magazines and found none acceptable. What they are virtually doing is replacing a thirty-year-old fire vehicle with a fifteen-year-old fire vehicle and still paying a reasonable price for it. The short answer to the question is yes, these sites were accessed and no, no suitable vehicles were found

MR BROWN May I ask one final question. Is the Minister aware that there is a substantial difference in cost between a \$25,000 secondhand vehicle and a \$200,000 plus new vehicle and can the Minister please explain why he did not take more attention of that fact in making the decisions and accepting the advise which he has done

MR DONALDSON Thank you. The range of figures Mr Brown just quoted between \$25,000 and 200,000 is probably an unrealistic range. To get a good fire vehicle you would have to pay \$50 or 60,000 and it would not have a fifteen to twenty year life that a new vehicle has. We've got to look at more than just the next two or three years of expenditure. We've got to get into a capital replacement programme that allows us to have fire vehicles and all other capital machinery that will have a ten to fifteen year life and when you take the whole of life picture into a calculation, the cost of buying a fire vehicle is spread over more years and is more competitive is probably better than buying a cheap second hand one

MRS JACK Thank you Madam Deputy Speaker a supplementary please. In the Minister's answer he was saying that the fire trucks can't necessarily reach every property. Is the Administration, can it be seen to be a dereliction of duty of care when it knows that not every home or piece of land can be sourced by the fire truck and have these home owners and land owners been made aware of the problem

MR DONALDSON Thank you Madam Deputy Speaker as to whether we have a negligence claim against us because our fire service won't reach remote areas of the island, I don't know. I' would be happy to take that on notice and research it for you. I really think there's some expectation that if you build out on a cliff somewhere or out at the end of a long narrow lane that can't be accessed by any sort of truck then your expectations of the fire service being available to you are probably unrealistic anyway

MRS JACK I have a question to the Minister for Health. I'm wondering how the Minister is progressing with his review of the full name and function of the Hospital Board and also as from October 1st how many members will still be serving on the current Hospital Board

MR D BUFFETT Thank you Madam Deputy Speaker. I have a statement about that and I'll take that in Statements

MR SMITH Thank you Madam Deputy Speaker. A question to the Minister for Community Services and Tourism who has responsibility for education. A Memorandum of Understanding was negotiated between the New South Wales Department of Education and Training, the Norfolk Island School and the Government sometime earlier this year. It was at the point of being signed in July and I would like the Minister to tell us whether the Memorandum of Understanding has been signed by himself and if it hasn't been, can he assure us that the MOU that was agreed by the Legislative Assembly will be signed as quickly as possible. It relates to the tenure of teachers on Norfolk Island

MR D BUFFETT Thank you Madam Deputy Speaker that particular document was available to my predecessor but not signed. It is now on my desk for finalisation

MR SMITH Thank you Madam Deputy Speaker a supplementary. Part of the question was, will you be signing that and to add to that can you advise the Legislative Assembly once that has been done please

MR D BUFFETT Thank you Madam Deputy Speaker I'll examine it to see if it was in accordance with the wishes of the Legislative Assembly and I'll report progress to the members

MR SMITH Thank you Madam Deputy Speaker a supplementary. Is the Minister saying that he may or may not sign the MOU in its current form?

MR D BUFFETT Thank you Madam Deputy Speaker. Yes. The asker of that question should listen to what I answered earlier. I said that I would examine the document to see whether it was in accordance with the wishes of the members and if it is in accordance with the wishes of the members I would finalise it and I would report that to them

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Land and the Environment is it correct that funds from the Water Assurance Scheme will be used in the Waste Management Project

MR I BUFFETT Thank you Madam Deputy Speaker in terms of putting the whole Waste management Strategy together, that is yes. The Members of the Legislative Assembly might remember that I foreshadowed some considerable months ago that what we needed to do was to look at the funding that's accumulating in the Water Assurance, look at the Waste Strategy generally and look at the funding that we had received from the Coastal and Clean Seas Project in order to have a reasonably robust Waste Management arrangement for Norfolk Island

MR NOBBS Thank you Madam Deputy Speaker. A couple of supplementary questions to that. The first one is why has there been no progression of the Water Assurance Scheme proposal to trap water run off by use of small dams and catchments

MR I BUFFETT Thank you Madam Deputy Speaker because principally I think that proposal went to the Ninth Legislative Assembly and they did nothing and we haven't got to it yet

MR NOBBS Ent me! Is the Minister satisfied with the maintenance of the sewerage system at the present time

MR I BUFFETT Thank you Madam Deputy Speaker not being a technical person in relation to those matters I am reasonably satisfied that the treatment plant is operating efficiently. If Mr Nobbs has any information that suggests otherwise would he please let me know and I will pay some particular attention to it

MR NOBBS Thank you Madam Deputy Speaker what progress has been made with the proposal put months ago that all tourist accommodation units and houses comply with the water requirements placed on any new tourist accommodation constructed

MR I BUFFETT Thank you Madam Deputy Speaker yes I did circulate a certain amount of documentation to members of this Legislative Assembly and asked them to view this particular issue. I've certainly received a couple of views back. The question of water and that particular motion involved other issues that we are looking at in respect of the land initiative and environmental issues generally. I have not specifically brought it on because part of the land initiative package that we are looking at is to have a water development control plan for the whole of Norfolk Island to be considered and I arrived at the view that rather than deal with that particular issue as a separate issue I think we should look at it globally not only for the tourist accommodation people and some of the comments that I have received from them is that we should look at water generally as a resource in Norfolk Island and how we are going to manage it holistically

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Health, what progress have you made in providing a comprehensive medical evacuation scheme for Norfolk Island

MR BUFFETT Thank you Madam Deputy Speaker this is a matter that hasn't reached finality. There are a couple of things that have been endeavoured to be achieved but have not been achieved. One is to provide a stretcher capacity on the commercial aircraft and some members will be aware that there have been undertakings to pursue this in the airline quarters but there hasn't been a finalisation of it and of recent days there has been indicators that there are difficulties in maybe achieving that from the airlines perspective. The members in fact asked me just a couple of days ago to pursue further with the airline people some more realistic approach in trying to bring that to fruition. That would give a significant capacity if that method was more readily available. There is provision in the Norfolk Island budget for medical evacuation but on a limited basis and that really means telephoning external aircraft to come to the Island to pick up patients and to take them to either Australia or New Zealand. That particular spectrum is not the best situation from our financial point of view because the method of medical evacuation is costly and there needs to be some further examination as to some better way of handling that. Part of it may be in how the Hospital Enterprise works itself locally and whether we are able to negotiate some arrangement with health Services elsewhere that might include that particular element but that is yet unknown at this stage of the arrangement but in the review that I referred to earlier that may be a factor to be examined in some detail

MR SMITH Thank you Madam Deputy Speaker a question to the Minister in relation to Education. At an informal meeting of members the other day I erroneously said that I understood that MYCEETYA Meeting or Ministerial Council on Education, Employment Training and Youth Affairs was held in July but in fact I was incorrect about that. It was postponed due to the New Zealand elections as the meeting was to be held in Auckland and the question is, does the Minister with responsibility for Education intend to go to the MYCEETYA meeting in October

MR D BUFFETT Thank you Madam Deputy Speaker since that matter was raised and I think it was Mr Brown who raised the matter the other day, I signaled then that I had no knowledge of that. I have since received detail of that and there is an October meeting. It's not in Auckland. It's in Australia somewhere. I have not received an agenda for that meeting. It seems unlikely that there would be a need for Norfolk Island to be present but the agenda would indicate the likelihood or not but there are no plans at this moment for attendance

MR SMITH Thank you Madam Deputy Speaker a further question in relation to the school and education. I understand that the team is away interviewing the prospective teachers for next year. I am wondering, though I understand that the Principal's position is taking more time to have applicants apply for the position because as I understand it the current principal, Mr Ron Miles will be leaving early to take up his position. Who would be the panel who will be interviewing the Principal which is obviously going to be a separate interview process in I think, November

MR D BUFFETT Thank you Madam Deputy Speaker the panel has not been formulated at this movement and that is done principally by the Department of Education in New South Wales but the composition of the panel is different when recruiting at headmaster level and so the panel that is in place now may be reconfigured. There would be some common components as I understand it but it may well be reconfigured in terms of the engagement of the headmaster

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for the Environment, has the Minister any further information on the proposal by the Commonwealth Government to establish a marine reserve in part of the EEZ 200 mile zone around Norfolk Island. I believe that the Minister was to follow up on what is a significant issue

MR I BUFFETT Thank you Madam Deputy Speaker the proposal to create a marine protected area 100 nautical miles east of Norfolk Island or whatever it is, has been signified. At this stage I have no further information and the last piece of correspondence I received was that when they were in a position and had done more technical work in fixing they would certainly let us know so that we could participate in any discussions in that particular regard. I have received nothing further since Mr Nobbs last asked

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Finance. I've asked on the subject of the Millennium Tent for some months. Would the Minister please advise in relation to the millennium tent, has the administration paid the outstanding funds from the insurance to and thanked Miss Hain for her generous support for the millennium tent project and what are the management arrangements for the replacement tent and smaller tents now that they are a community asset held by the Administration and has the previous management committee been bypassed

MR DONALDSON Thank you Madam Deputy Speaker that has been a long drawn out affair that's just about to come to an end. A calculation has been done on just how much money is owed to Miss Hain for the tent. The source of that money is identified as being one the insurance funds, and two the revenue from hiring out the tent over the last couple of years. The only problem at the moment is that it's about 3,000 short. That won't stop the payment being made to Miss Hains, in fact it's ready to go now and it's been calculated and agreed between all parties, it's been checked by the internal auditor and it should happen forthwith. The Management Committee for looking after the tent and putting it up, taking it down and storing it generally being the caretaker for the tent is being formed by people from the Works Depot. I'm not sure at the moment if it's been finalised. It was being done last week but it is in progress

MR BROWN I direct this question to the Minister for Finance. Can the Minister please advise the present situation in relation to the collection of airport movement charges owed by FlightWest Airlines

MR DONALDSON Thank you Madam Deputy Speaker when FlightWest Airlines went into liquidation they owed us \$297,000 or thereabouts in landing fees. We ranked with all the other creditors as an unsecured creditor. The administrator or the liquidator of FlightWest Airlines entered into a Deed of Company arrangement with the creditors and that's binding on all the creditors that he be allowed to sell parts of the airline as a going concern and part of that arrangement was that regrettably there would be no funds available for the ordinary unsecured creditors. That fact has been known for quite a while now. There have been representations from our Legal Department to the administrator in an attempt to clarify the situation but it's beyond doubt now that there is no chance of receiving any of that money and it has to be written off. It's still on the books at the Administration as a debt owing but there was a substantial provision made in the previous year and the balance of it will be written off this year

MR BROWN Has the Minister obtained recent legal advise in relation to this matter and if so, is the Minister prepared to table that advise in the House

MR DONALDSON Thank you Madam Deputy Speaker if you mean by recent legal advise, something in the last month or so, no I haven't but that is one of the things I was requested about two months ago to authorise the writing off of that \$297,000. I refused to do it on the grounds that I wanted more information. That more information came back to me in the form of copies of the previous legal advice, but no fresh legal advice

MR BROWN Is the Minister aware that the Deed of Company Arrangement was entered into pursuant to the provisions of the Australian Corporations Law and not pursuant to the provisions of the Norfolk Island Companies Act? Has the Minister sought advice as to whether a Deed of Company Arrangement in those circumstances is binding against a Norfolk Island debt? Is the Minister aware that the very same aircraft which incurred the bulk if not all of the FlightWest charges, continue to fly to Norfolk Island and has the Minister examined his own legislation to ascertain what rights he has against the owner in respect of the charges which are outstanding

MR DONALDSON Thank you Madam Deputy Speaker. No. None of those things have been done. My understanding is that FlightWest was a company incorporated under the Corporations Law in Australia, it's not registered here as a foreign company or as an ordinary company but seeing that those matters have

been raised and there is a slight possibility that there is some avenue of recovery there I will raise those questions with the Legal Department as a Ministerial request and report back to the House on the findings

MR SMITH Thank you Madam Deputy Speaker a question in relation to roads. The Roads Gang at the end of the last financial year recommended to me at that time that the top seal be taken of Taylors Road and they do a quick reseal which was a great job and they've done an excellent job on it. It was their proposal to then move onto the other end of Taylors Road past South Pacific Hotel or to do JE Road and I'm wondering where that has gone to and if that's part of the programme as far as the roads programme is concerned

MR D BUFFETT Thank you Madam Deputy Speaker I do recall there being some request of me to give some indicator and which I said that I would consult with Members and I have the detail now to do that as to whether they wanted that adjustment in the programme to take place

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for the Environment, has he been able to ascertain as yet, and be in a position to explain to the community the difference in the KAVHA boundary as described in Schedule 1 of the Norfolk Island Draft Plan and the description contained within the KAVHA Memorandum of Understanding a document signed by both the Norfolk Island Government and the Commonwealth Government

MR I BUFFETT Thank you Madam Deputy Speaker I had intended when Papers were to be tabled, to table a Paper that says as follows. As has been mentioned on a number of occasions the description of KAVHA in the draft Norfolk Island Plan is not correct. DOTARs staff have confirmed the boundaries with the Australian Heritage Commission and Mr Nobbs as we all know has been hammering me regarding this particular issue. It appears that the KAVHA boundary originally extracted from the Register of the National Estate website and included in Schedule 1 of the draft plan is incorrect. Madam Deputy Speaker I have the following correct description of KAVHA for inclusion in that and I can do it one of two ways. I can seek leave to table that as a Paper and then include it as a Speaker's amendment when we deal with the Norfolk Island Plan hopefully on the 16th October but in short, yes I have the corrected description of the Kingston and Arthurs Vale which puts both documents on the same description level

DEPUTY SPEAKER Are you content that it occur in that fashion Mr Nobbs

MR NOBBS That's fine by me, so long as it's right

MR I BUFFETT Thank you Madam Deputy Speaker if that's a supplementary suggestion I have asked the officers to ensure and proof read back to each other so that if they are both wrong they are both wrong and if they are both right they're correct!

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Finance, can he please explain the outcome of a direction he tabled at the last meeting where he refused to authorise payment of purchases by the Administration carried over from the previous that is the 2001/2002 financial year and the second part of that is have the goods so effected been returned or what arrangements have been put in place

MR DONALDSON Thank you Madam Deputy Speaker I think what Mr Nobbs is referring to is appropriation that can be carried forward from one Supply Bill to the following year and spent in that year under special circumstances. Those special circumstances are where a substantial liability has been incurred one year and has to be paid the following year. I was requested to carry forward an amount of \$511,000 I think it was from one year to another. \$129,000 of that was for the school buildings and the balance was for miscellaneous expenses. Because of the budget restraints brought on by Focus 2002 and because we chose to have a balanced budget for the current year, which was very restrictive and very tight I didn't want expenditure from one year coming forward into the next year and undoing all the good we had done in having a balanced budget and recognising the balanced budget was for a period of hopefully, only six months or so until we remedied our situation. Most of the instances where people had committed funds last year and the money was not made available to pay for them and they had to pay for them this year, can be paid out of recurrent expenditure this year. In instances where it is necessary to virements money from one vote to another those virements have been done and also in the memo that I send to the Service on this particular matter saying that I would not be tabling the document bringing the money forward from one year to another, I said should this cause particular hardship we would explore the possibility of additional appropriation, however, that matter would have to come to the whole House. So far the Service has been very restrained in their requests and there have been no requests for additional appropriation to come to the House. We are living within our means still

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister responsible for the Public Service are the proposed Public Services reforms resulting from a change in the legislation and also the Human Resource Policy continuing or have they been put on hold

MR D BUFFETT Thank you Madam Deputy Speaker I understand that those earlier arrangements are continuing. I think it's fair to say however that some are progressing more rapidly than others but I don't have any indicator that any of those have ceased. I can certainly make further enquiries if that is something Mr Nobbs feels that I should do

MR NOBBS Thank you Madam Deputy Speaker just another one for the Minister with responsibility for the Public Service. Is it correct that Administration Training courses have been held in private conference facilities and if so, why in this time of apparent need, Government facilities which are available are not used

MR D BUFFETT Thank you Madam Deputy Speaker I don't know of any that have taken place in that context over the past month but I could be wrong about that but certainly over the past few months I understand that that may have happened. It is certainly my view that we should use our own facilities if in fact it is more economic to do so, especially in the times that Mr Nobbs has described. But I'm happy to examine that further to see what the present state of play is and what is planned

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for the Environment, what progress has been made on the Cascade Cliff Project investigation and legal action in the last month

MR I BUFFETT Thank you Madam Deputy Speaker my understanding is that we are trying to identify funds to proceed with that and that there are some discussions to be held this week and we've gone no further than when Mr Nobbs last asked me that question

MR NOBBS Thank you Madam Deputy Speaker I asked the Minister for Health at the last meeting the actual cost of malpractice insurance cover to the Hospital Enterprise and he was to provide detail. Is that detail available as yet please

MR D BUFFETT No that detail isn't available at this moment

DEPUTY SPEAKER It's been drawn to my attention that time for Questions Without Notice has expired Honourable Members. Is there a motion of extension

MR NOBBS Thank you Madam Deputy Speaker I move that it be extended by fifteen minutes

DEPUTY SPEAKER The motion is that time for Questions Without notice be extended by fifteen minutes

QUESTION PUT
AGREED

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Health, is it correct that the recent debacle related to doctors at the hospital has yet another cost. There's been a significant reduction in outpatients and thus income to the Hospital. Is this correct

MR D BUFFETT Thank you Madam Deputy Speaker I have no figures in front of me in terms of a significant drop in outpatient figures but I'm happy to see whether that's a fact or otherwise

MR NOBBS Thank you Madam Deputy Speaker I've a question for the Minister for Finance. Can he just explain to the community what progress has been made with the new Liquor Licensing Act

MR DONALDSON Thank you Madam Deputy Speaker. There's been no change from last month when this question was asked. The Liquor Licensing Act has been drafted. It's been to the public service officers for comment. It's also been to the Liquor Licensing Board for comment and they've made some very sensible comment on it and wants to sit down with the Draftsman to see how they can weave their requests into the legislation or check that they are already there. One of the things that's been holding us up is the Legislative Draftsman's been on holidays for several weeks but I understand is now back and that matter will be given as much priority as it can be given to progress it further

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for the Environment. Minister you stated at an Assembly meeting some time ago that you intended in relation to the box, to elevate the matter of the fishery. What have you done to elevate it

MR I BUFFETT Thank you Madam Deputy Speaker despite what the Minister for Tourism said, it's not on the shelf, it probably sits between the shelf and the deep sea. In respect of fisheries issues there is an officer currently working on a whole range of issues including comments that were received back from the community after we displayed and asked for comments on the plan. That's the proposed Plan of Management for the area. It is anticipated that I will have coordinated that including the proposed drafting instructions for local legislation which is a

prerequisite for taking instructions any further. My advice this morning when I checked on this particular issue was that, that is currently being done. When that is done I will circulate those draft instructions to members of this House for their comment and to those in the community who are vitally interested in what they might contain. The question of the fishery and the box is one that has been around for a long time and I was anxious, as Mr Nobbs is to get the matter completed for two reasons. Firstly there has been a slight change in earlier arrangements in that some of the fisheries management matters are now caught up, this is probably in anticipation of a later discussion but I'll proceed with fisheries at this time and not flying ones. A couple of important issues have raised their heads in respect of the fishery issue and that is, under the old fishery management arrangements

There have been changes and certain aspects of the fishery management are now subjected to the Environment Protection Biodiversity and Conservation Act. Now that lends a slightly different dimension to how we need to do things and that is a very complicated piece of legislation and we are trying to come to grips with all of those and also to include in the local legislation and any discussion the wishes of the local community that have been expressed. To tread that course has been somewhat like running across a football field of eggshells but we are trying to get there

MR NOBBS Thank you Madam Deputy Speaker a question for the Minister for Finance. Bearing in mind that we are now in the last week of the current financial quarter, and that fuel costs etc are available, has the cost of the fuel for the powerhouse increased for the next quarter and what is proposed as a cost per unit of power in the next quarter

MR DONALDSON Thank you Madam Deputy Speaker only yesterday I received advised from the Service that as from the 1st October this year diesel prices will go up to 62.2226 cents per litre which is a rise of four and a quarter cents per litre. It's not been determined at this stage whether or not that can be absorbed into the cost of electricity or whether it will result in an increase in the rate but it is a substantial increase at four and a quarter cents per litre

MR NOBBS Thank you Madam Deputy Speaker is it not correct that a four cents per litre equates to a proposal for an in excess of one cent increase

MR DONALDSON I'm not sure of the mathematics but my suspicion is that you are right on that one. There was some talk about a one cent increase in the cost of electricity from 34 to 35 cents but I really don't want to say that's going to be the outcome at this stage. We don't know what the outcome is going to be until all costs including diesel costs and other costs associated with running the power house are taken into account

MR NOBBS Will that be finalised before the end of this quarter because I think that's a necessity under the legislation from memory

MR DONALDSON I'm not sure what you mean. Which will that be finalised before the end of this quarter

MR NOBBS The price will be finalised if there is a need for an increase

MR DONALDSON It will be finalised as soon as possible. Whether it happens in the next two or three days or it takes a week or two to do I don't know but it has to coincide with the built in cycle for electricity. They go out and read the

electricity meters today or tomorrow and then we put the price of electricity up they have to read them again so it is an urgent matter

MR NOBBS Thank you Madam Deputy Speaker I should have asked this earlier as the matter was brought up I think. Can the Minister for Finance please advise whether or not the airlines currently servicing Norfolk Island are in fact up to date with the payment of landing fees

MR DONALDSON Thank you Madam Deputy Speaker when you say up to date, I think they are up to date in as much as they are paying 30 days. They are current with their fees is as much as I can say. There is a proposal at the moment or a suggestion from the Service that airlines be asked to pay in advance for their landing fees and one of the justifications for doing that is that the landing fees they are paying us are already being collected from the passengers and are being held by the airline virtually in trust for the Administration. That hasn't been decided either way yet but it has been a suggestion that we get some sort of method going where they pay either an estimated amount each month in advance so they only have to top up the difference at the end of the month

MR NOBBS Just a supplementary to that. Isn't it correct that one of the problems with that is that the airlines don't actually receive the money for thirty days anyhow from the ticket sales

MR DONALDSON Thank you Madam Deputy Speaker. No I'm not sure what the internal arrangements are between the wholesalers and the airlines

DEPUTY SPEAKER Thank you. Any further Questions Without Notice this morning Honourable Members. We move to answers to Questions On Notice although I note there are no Questions on Notice this morning so we'll move to Papers

PRESENTATION OF PAPERS

MR DONALDSON Thank you. I table the Financial Indicators for the two months ended 31st August 2002 and move that they be noted

DEPUTY SPEAKER The question is that the Paper be noted

MR DONALDSON Thank you Madam Deputy Speaker. Just speaking briefly to these financial indicators it's clear that they only cover two months and show total income at 93% of budget and total expenditure at 102% of budget. Budget figures that we are looking at are based on an even monthly apportionment of income and expenditure throughout the year but historically income has been slow in the first few months of the year which accounts for the 93% of total to date. It's really too early at this time of the year to draw any conclusions from these figures except to say that they are consistent with patterns established in previous years and in making that comment that they are consistent with patterns established in previous years I have spoken to the Finance Manager and people in the service who have knowledge of the history of these figures, thank you

MRS JACK Thank you. I would like to ask the Minister, when we come down these columns and look at the earnings from GBE's and we see it's a negative 3% with regards to the Post Office can that figure, if you look at the Post Office on its own and not as a combination within the GBE's, factors such as people sending goods back to Australia, paying sea mail freight and then having their goods

airlifted out, who pays for the difference in freight and would that difference be in fact impacting on the negativity of the Post Office

MR DONALDSON Thank you Madam Deputy Speaker I'm not sure of the specifics but I know that Mrs Jack asked a question in an informal session the other day to do with what appeared to be a bargain price sending out of postage parcels to Australia in that they were sent airmail instead of seamail, they arrived there before the time and under normal circumstances would have cost in airfreight quite an amount in excess of what was actually paid for the parcel. That's one specific instance and I can't comment on it but I would be happy to look into it. I'm looking at the financial indicators now and Mrs Jack referred to a minus 3% but, oh I see. Earnings from GBE's. A change from last year. That's a combination of all GBE's. I doubt very much if that could be attributed to solely and purely to the Post Office

MR BROWN I wonder if the Minister could give us the benefit of his thoughts as to whether the performance of the Post Office might improve if it concentrates on being a Post Office and gets away with trying to compete with the private sector

MR DONALDSON Thank you Madam Deputy Speaker it's not question time but I'm happy to field questions on these particular issues. I don't accept that the Post Office is actually getting away from being a Post Office. I think what the Post Office is doing is well within the realms of normally defined Post Office activities. If Mr Brown has some instances where there's been delays or inefficiencies up there that he's referring to, there is an avenue within the Service to lodge complaints and seek explanations and I can't really comment any more than that

MR BROWN Thank you Madam Deputy Speaker, I should just respond to something that's said by the Minister. I'm certainly not complaining about the people who work at the Post Office. What I am suggesting to the Minister is that those to whom the Post Office staff are responsible, may well have gone overboard in their desire to be competing with the private sector and may be depriving the Post Office staff of time and resources which they need in order to run an efficient Post Office and I do hope that the Minister will make enquiry's in that regard and that he will be seen to be providing support for staff at the Post Office so that they can provide the level of service which they would like to provide to the public

MR DONALDSON Thank you Madam Deputy Speaker if I could respond to that. To the extent that the Administration staff at the Post Office are under resourced, I will certainly look into it

MRS JACK I have a question I would like to discuss with regard to these figures. When we come down to the expenditure items and we see that compared to this year and the previous year an 11% increase in administrative expenditure, considering the way Focus 2002 and a need for severe budgetary restraints has arisen, I'm just wondering where does the 11% come from. We haven't had a pay rise. Where does this administrative expenditure increase come from

MR DONALDSON Thank you. What we have here is a summary of a whole host of figures. To actually identify one cause for an increase is not possible from what's here but I would be happy to report back on that particular one because I'm curious about it too. The figures Mrs Jack's talking about is last year administrative expenses for the first two months of the year were \$367,000. This year for the first two months of the year they've gone up to \$407,000. Now the explanation could be a different method of classifying expenditure or it could be a warning that there's a blowout somewhere in the system, but I'm quite happy to follow that up and bring a

report back to Mrs Jack privately on the matter or bring it to an MLA's meeting between formal meetings

MRS JACK Thank you Madam Deputy Speaker could I also ask the Minister to also investigate the 208% increase in the capital works and purchases and perhaps to itemise the greater part of that increase

MR DONALDSON Thank you Madam Deputy Speaker I would be happy to look into that one too

DEPUTY SPEAKER Further contributions Honourable Members? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That paper is so noted. Further Papers

MR I BUFFETT Thank you Madam Deputy Speaker I take the opportunity as I don't recall the Chief Minister doing this previously. Under cover of a letter of 29th August 2002 the Administrator's Office forwarded to the Chief Minister a document and it's a memorandum from the Hon Wilson Tuckey, the Federal Minister representing us in Territories. That paper is a document called the Federal Government's interest in and obligations to Norfolk Island. The Administrator's covering letter went on to say "I have found this paper particular useful and I forward it to you for information and dissemination as you may see fit". I do that on the basis if all members haven't received a copy, and I think they have, then certainly I think that document would be of interest to the community and accordingly I table the document

MR DONALDSON Thank you Madam Deputy Speaker. I wish to table a paper detailing virements that have been made in September 2002. Section 32b of the Public Moneys Act require that I table in the House any virements made between votes. Such virements are an internal reallocation of appropriation and do not increase or decrease appropriation for the year. Accordingly I table this list of virements and the supporting papers behind them

I would also like to table some Regulations. The Customs Cigarettes and Tobacco Amendment Regulations 2002 and move that they be noted

DEPUTY SPEAKER Thank you. The question is that the Papers be noted

MR DONALDSON Thank you Madam Deputy Speaker these regulations support an amendment to the Customs Act 1913 which was passed at this House at the July meeting. That amendment provided for the sale of low duty cigarettes to outward bound passengers at the Norfolk Island Airport. The Regulations I have tabled provide a new class of warehouse licence that is a class D licence for low duty cigarettes and tobacco and prescribe an application fee and a monthly fee relating to holding a class D licence

DEPUTY SPEAKER The question is that the Paper be noted. I put that question

QUESTION PUT
AGREED

Any further Papers

MR I BUFFETT Thank you Madam Deputy Speaker as I foreshadowed earlier in response to a question from Mr Nobbs regarding a description of the Kingston and Arthurs Vale Historic Area and the need to make sure we have those descriptions the same in the documentation that was referred to, accordingly I table that description so that if anybody needs to check that description well I encourage them to do so. Madam Deputy Speaker I foreshadowed that the Paper tabled would then be included perhaps at the October sitting when we discussed the land initiative as a description and at that particular point I will then ask that the matter be included as a Speaker's amendment. I table that paper for the benefit of anybody who wishes to have a look at that description

DEPUTY SPEAKER Thank you Mr Buffett. Are there any further Papers. No

STATEMENTS

DEPUTY SPEAKER Honourable Members have we any Statements for this morning

MR D BUFFETT Thank you Madam Deputy Speaker. A couple of Statements, firstly on the Hospital and Public Health. Members may recall that I made a fairly lengthy statement at the large sitting about this particular area of responsibility and this is an update on some areas. A couple of them have already been mentioned in Questions Without Notice but I will just touch on them again. Firstly, Hospital Board Legislative amendments. At the last Sitting I foreshadowed some proposals for the restructuring of the Norfolk Island Hospital Board. Draft provisions have been prepared and I table those draft provisions Madam Deputy Speaker so that they might be circulated to Members and they will have an opportunity to examine them. The provisions basically set out discontinuance of the present Board structure and the erection of a community based Board to give advise to the Director and the Executive Member. In this particular area also, in the past two weeks or so two members of the existing Board have resigned from this quite onerous and difficult task. They are Mr Larry Quintal who was Chairman at the last meeting and Mrs Colleen Evans and Madam Deputy Speaker I do thank these people for the time and effort they have given in these public and voluntary duties. In terms of the provisions that I have just mentioned, having tabled them, I of course will then go through a process of further consultation with Members in our informal meeting so that they can be refined or pursued in whatever way is appropriate after that process. Can I just now turn to the Hospital Review. I mentioned earlier in response to a Question Without Notice, although that question at the time was rather circuitous, but the review does result from a motion of the Assembly at the last sitting and I just report to you that I've gathered detail for such a review and I will consult with Members over the next week about implementation of that review. Telemedicine facilities were also mentioned earlier in this sitting. They are now installed as I mentioned then and I also reported that the coordinator of such services for Queensland will visit on the 5th and 6th October for training sessions. In this process I would also like to acknowledge the work of the Hospital and the Administration's EDP section in the installation of these facilities.

Could I now turn to the next matter which is the prospective visit of the Consul General for the United States of America. Consul General Eileen Malloy who is the US Consul General in Sydney is proposing a visit to Norfolk Island from Saturday 28th September to Wednesday 2 October and I just foreshadow with members that there will be an opportunity to meet Consul General Malloy on Monday 30th September at a gathering at 10.30 in the morning.

MR NOBBS Thank you Madam Deputy Speaker could I move that that be noted

DEPUTY SPEAKER The question is that the Statement be noted

MR NOBBS Thank you Madam Deputy Speaker I'm just wondering on whose invitation the American Consul General is visiting

MR D BUFFETT Thank you Madam Deputy Speaker the information that I've just conveyed has come from the Office of the Administrator in terms of this prospective visit

DEPUTY SPEAKER Further contributions? The question is that the Statement be noted

QUESTION PUT
AGREED

MR D BUFFETT Thank you Madam Deputy Speaker I next provide a Statement which is really a report on attendance at a Meeting of Minister for Culture in the Pacific Region which I attended last week in Noumea. This was the first meeting of its kind and this group covered some important areas and I would like to provide a report in terms of an overview. The meeting did review the regional institutions and the regional activities for development of culture in the Pacific Region for example, identifying institutions such as UNESCO which is involved in protection of traditional knowledge and the like, PIMA which is the Pacific Islands Museums Association which is involved in the preservation of cultural activities, the Council of Pacific Arts which particularly is involved in putting together the Festival of Pacific Arts in which Norfolk Island participates and it was an overview and encouragement and identification and co-ordination of all of those institutions and activities so that there may be an effort which is seen to be cohesive in terms of cultural activities. Quite importantly there was tabled at this meeting a draft or model document to be used as a basis for prospective legislation in a number of Pacific places which might give legal protection of traditional knowledge and expressions of culture which may not in earlier circumstances be possible with such things as copyright. The Council also identified the technical assistance that would be available to those areas and countries that might find that useful. I have brought back with me a copy of that and will be discussing it with members of the Assembly and also those who are involved in traditional and cultural activities in the Island to see if those might be useful and have applicability in this place. There was also a report and coordination of handcraft development and cultural activities in other words promoting those skills, marketing products as a result of them and training in both of them. Following that particular meeting Madam Deputy Speaker there was a meeting of the Council of Pacific Arts and one of the main activities but not the sole activity was to look at the next Festival of Pacific Arts in which Norfolk Island has the capacity to be a participant. First of all there was an evaluation of the outcomes of the last Festival which was held in Noumea and then there was planning for the 2004 Festival which will be held in Palau in the Pacific Ocean. It will be the Ninth Festival and the Council walked through the various areas that will be available for participation at the Festival and they include the performing arts, visual arts, the applied arts, literary arts, traditional architecture, navigation and traditional canoeing, traditional medicine and healing, natural history, culinary arts, traditional skills and games and symposium or capacity for discussion on a wide range of subjects. Interestingly, this particular meeting also detailed rules of procedure for both the Council and its executive Board. The Cultural Affairs activities in its widest sense of the SPC which is the Secretariat of the Pacific Community was reported to the Council and also the SPC's corporate plan

review, the Council had an opportunity to review that and also have input into the cultural affairs programme. So the Council has some significant input in how those functions operate within SPC. I report with some pleasure that Norfolk Islander Ronda Griffiths, is presently the Cultural Affairs Adviser in the SPC and that she is well regarded and is obviously doing a very good job in the task that she is undertaking. As a result of that meeting I have had a very brief at this time opportunity since that meeting and this meeting to speak with the President of the Community Arts Society to explain to him that I have the sort of information with more detail that I have just outlined to you now. I've arranged to attend a meeting of that organisation to provide a brief to them in terms of specifically the Festival of Pacific Arts that is to come along in 2004, thank you

MR I BUFFETT Thank you Madam Deputy Speaker earlier on Mr Nobbs asked if I was going to make a statement in respect of the Electoral issue. Yes, I intend to make a very short statement in respect of the electoral issue and in my capacity as Acting Chief Minister. The statement is short because in the position of Acting Chief Minister I have not had the full benefit of discussions and opinions of the whole membership of this Legislative Assembly nor have we arrived at a view that I could make a statement upon. In this respect the Norfolk Island Government and therefore the position of this Legislative Assembly in respect of the electoral issue are the same. They are the same as those that were conveyed to the Joint Standing Committee by the previous Legislative Assembly and reconfirmed under cover of the letter of the Chief Minister dated 3rd July. That having been said, the Commonwealth government must now consider that report and make recommendations to the Australia parliament. This Legislative Assembly has an opportunity to discuss this report with the Minister for Territories responsible for Norfolk Island at the moment and to express or confirm the existing submissions that we have made or if there is to be a change to put forward those changes on that electoral issue before it is fully considered by the Australian Parliament. I have been informed that there is a possibility that there will be a motion by leave in respect of the electoral matter later in the Sittings and at that time I have assumed that most of the members will wish to express a view in respect of that. I therefore have nothing further to say in respect of this statement except in one other issue. That is, to summarise the statement, the position remains the same, there is an opportunity to talk with the Commonwealth and let's ascertain if we need to get further views from this community in respect of the electoral issue

MR D BUFFETT Thank you Madam Deputy Speaker I move that the Statement be noted. Thank you. I think it's important that we clarify our situation in terms of this matter. I don't have a long statement to contribute but I wonder if I could have the opportunity to make these points. We've had a referendum in Norfolk Island. We've had the result of that referendum. The result really has meant that we have our riding instructions in terms of members of this Legislative Assembly in how we should view these matters. We have made Norfolk Island's views known to the Joint Standing Committee. They've been spelt out in full. That Joint Standing Committee has made a report to Parliament and that part of it is now concluded. The part that we are now addressing is how is the Australian Government as distinct from the Australian parliament, to decide on what it wants to do in terms of that particular report. My view is that for our part, we need to be closer to the action to get a better feel of how the Australian Government views this matter. What is its intent because just presentation of a report doesn't mean that that is the Government's view or that's what it will do. The Government has to form an attitude and we need to find out about that and I think we need to have some face to face discussion with the appropriate Minister, that is, Minister Tuckey and in fact if I interpret his letter correctly, he has invited that and we should be very quick to take it up. In fact I venture to say that when that report was tabled on the 26th August we should have been doing that at that very moment to talk with the appropriate minister in the Australian Government who would have the

next move in this particular matter because we need to be closer to the action to find out what the options are and the strength of each and I think we should be doing that forthwith. We should have been doing it yesterday. We should equally have our person walking the corridors of power to know the feel and the strength or otherwise of this issue in terms of how it's running in the Australian area. Until we have that information we are somewhat uninformed about how this matter might travel. We need to be informed to know what action we take in terms of the community's attitude expressed at the two referenda so in terms of a prospective motion I need to be careful here because I don't want to be thought to be foreshadowing something in terms of a motion but I do make the point that the motion has not been made at this moment and maybe that is not of total relevance, but I think what I have just said needs to take place before we consider a motion because then a motion which would be essential would need to reflect the knowledge of where this matter is travelling and could be more focused in terms of the action we should do or should undertake. Now that is not to say that the items in any proposed motion may not be the appropriate ones, they may turn out to be the very thing but I think we need to be more informed as to whether that is the case or not so I would want to encourage members that we have this discussion with the Minister as step one and then a motion of the House might promptly follow it. I think that's the best sequence so that our motion can be focused in terms of the need that might be identified in further discussions, but those further discussions must be had forthwith. As I say, we should have had them yesterday, but that's my view in terms of the sequence and the key elements of how we should travel in this matter

MR BROWN

Madam Deputy Speaker, it is unfortunate that our Government has been rudderless over this issue. First we had the Minister for Finance who was away at the Commonwealth Games and then ill. In more recent times the Minister for Community Services and Tourism has been at a CPA Conference and then at another Conference in Noumea. The Chief Minister's been away for two weeks at a conference and is now on three or four weeks of holidays. In my view, all of the Ministers should have been in Norfolk Island from the very minute that this report was tabled in the Federal Parliament and in my view we should ensure that in future, Ministers are here in Norfolk Island doing their job and showing the leadership that the community requires rather than attending whatever they may wish to attend overseas. I've been very concerned at the inactivity over the issue, to the extent that I drafted a possible motion for which I may well seek leave today but I've listened intently to what the Minister for Community Services has said and I think there's a lot of sense in that. I think if our Ministers are now saying, well we realise that we should have been on this job before, but we're going to get straight onto it now, then I have no difficulty with having a person tread the corridors quickly on our behalf, and try to ascertain just what the real issues are. I have no difficulty with them then holding an urgent special meeting in order to deal with it. I would like to suggest that that special meeting should be well before our next proposed meeting on the 16th October. I think that the issue is important but in deference to what the Minister for Community Services has said, it possibly is better for us to keep our powder dry at this stage until we do have a good understanding of what the real issues are and there's nothing more that I would like to add thank you

MR NOBBS

Thank you Madam Deputy Speaker I've been very disappointed with the whole issue since the Government was unaware that this report had been tabled for some two days. We received it on the afternoon of the 28th and it had been tabled on the 26th. It gave me great concern that we haven't been tracking where this committee was actually going. This is really a very important piece of legislation as far as the Norfolk Island community is concerned for a number of reasons, not the least of this being that the referenda and the people had spoken on the particular issue. Not the least of which was that there was supposed to be some consultation as far as progression of self government is concerned whereas this is seen

as a complete backward step and therefore amongst other things, my concern has been great but my concern really has also been great in the last four weeks because nothing has happened from the Government. There's been no push and therefore it was very difficult in my position as a backbencher to really start kicking cans and what have you in Australia because you would have grave difficulty if somebody rung from the other side and they were greeted with the view as expressed around this table in a private MLA's meeting that the Government hasn't provided a view as yet, they haven't come to a view on the issue. That's something that I found quite abhorrent actually considering that this has been an issue which has been around for four or five years; we've had a bill drafted and put before the Australian parliament in 1999 there was considerable work done by members of the Legislative Assembly and also lobbyists and the like at that time which saw that bill put on the backburner for a while and this Inquiry came along. We tracked that Inquiry very very closely, at every meeting. I actually attended a meeting of that Committee and spoke to them over lunch in relation to this particular issue. That Committee in the last Australian parliament put the matter on hold. It was regurgitated since the last Federal election but nobody seems to have been tracking where the thing was going and we're hit with the result which if you look at the report, you will see that most of the references come from the Department of Territories and that is a really difficult issue but I don't want to go into that. What I'm saying to you now is for goodness sake, we have to do something and we should do it very very quickly. I would have thought that what Mr David Buffett has suggested, that a meeting with the Minister would have been arranged and away we'd go and put our views felt specifically to him and also to other members of the Parliament. I mean there are people in the other parties who are significant supporters of Norfolk Island. They've done significant work for us, in the democrats, the labour party and I'm not too sure about the greens but anyhow, they probably would be, as well as members of the Liberal party in the past and we should be working those areas and I think it's most important that we do it immediately. I think that the community is of a view that the referenda made a decision and it should be upheld by this current government and I haven't changed my view on it whatsoever and I think the view is that electoral issues, are really the province of the Norfolk Island Government and that is a major point that we need to get across. I would support some immediate action occurring at this point in time and we need to then come to a view as to how we will tackle it. We need a strategy to be put in place and put in place very very quickly because it's something that's long overdue. We've let a month go past and I find the issue very difficult.

MR I BUFFETT

Thank you Madam Deputy Speaker insofar as I've been the rudder that's less, and insofar as Mr Nobbs' is using the word we, and I applaud him for doing that because let me just remind members and the community of some of the things that have happened. As Acting Chief Minister on the day after I got notice of this I released a media statement; I released a media statement that asked people and informed the people that I had phoned the Minister for Territories that hey, we would really like to talk about this issue, is this possible. The Minister quickly responded on the letter of the 16th saying yes, this was responsible and let's talk. I have at a number of informal meetings, as the rudder, the referred to rudder, asked members of this Legislative Assembly how they would wish to handle this issue, when are we going to sit down and talk about this issue and what would we like to do. Madam Deputy Speaker we've had history lessons in the Norfolk Islander, we've had a couple of other things but perhaps we should have had some microphones because then we would have been at this position perhaps two weeks ago. Let me say that I have no objection personally to the course that's been suggested by Mr David Buffett or by Mr Nobbs. I too wonder why we didn't do it two weeks ago when, as the Acting Chief Minister, I thought that's what I was asking. What does the membership of this Legislative Assembly want to do with this particular issue. When we refer to the Government, if the Government is specifically designed to mean either the two executive members on foot in Norfolk Island at the time, whether it's the two, the three

or the fluctuating nature I think the Government means the whole of the Legislative Assembly of Norfolk Island. We of the executive carry out some of the executive responsibilities that attach so in having said that, perhaps Mr Brown may indicate that he is going to bring on this particular motion or whether its going to be withdrawn because if he is not, then I would certainly like to foreshadow moving a motion with leave that yes, we do consult with the Federal Minister responsible for Territories to do exactly what has been suggested.

MR NOBBS Thank you Madam Deputy Speaker could I just question. Mr Buffett made a statement that he made a statement the next day. The actual Press Release was issued on the 12th September which is over a week after the original document was made available to us on the 28th. That's what I'm talking about. I'm not being critical. I just feel that they have been sitting on their hands and the Government should have taken the lead. We were requested. We spoke about it and the suggestion was made that the two Ministers who were away be recalled and this was not accepted. So I mean, they can have microphones or do whatever you like but there is considerable concern in the community that the issue has not been dealt with; that we are left in limbo and that the Australian Government thinks, oh she'll be right mate, they're not doing anything. This is something that we have to do and this consultation must occur and must occur immediately

MRS JACK Madam Deputy Speaker I get perturbed by the members in this House when they refer back to previous Assembly's and previous referenda and forget that in the meantime populations have changed as have the make up of this Assembly. While I'm not advocating complete changes by any stretch I do get peeved when those changes seem to be failed to be taken into consideration and that views are changing and that some views within the community are failing to be heard and other views may be heard because they may be louder but are they necessarily stronger or those of a wider cross section of the community. Yes, consultation, yes talking with Ministers and talking with the Australian Government I agree with that but also listen to all sections of the community and as an Assembly with new members I think we should also be listened to

MR SMITH Thank you Madam Deputy Speaker although I think it is good to have discussion on where there have perhaps been deficiency's with this issue over the last couple of months, I think it is really important with an issue such as this which has been around for quite some time, in fact, I think it goes back to 1998, that the Assembly itself should be showing its leadership that the community is looking for things like this. When we talk about leadership I think it's the Legislative Assembly including the Government that we state what we believe the direction should be that we take and the community comments on that in an issue like this. Unless the community's views have changed over the last two or three years we have as Mr Buffett said, that mandate from those last two referenda that were held on the same issue but we need to also consider what has already gone past in this. Right at the very beginning where it occurred again in 1998 was with the Federal Minister announcing that he was going to make changes to Norfolk Island's electoral system. In itself, the changes may be warranted but our objection at the time was the fact that the Commonwealth was saying to Norfolk Island we're going to change the way you vote, we're going to change who you can have in your Legislative Assembly, we're going to change your firearms requirements and some other minor issues that related to the Norfolk Island Act. We rejected it on the basis, at the very beginning, that we hadn't been consulted, that we hadn't had the opportunity to consider whether any of these proposals were sensible in the Norfolk Island context. In fact, the arguments that developed over the following year or maybe two, got to the ridiculous situation of saying that the Commonwealth is concerned about possible dissidents being elected to the Legislative Assembly that may attack the Australia Government. It was a position that

was defended by the Commonwealth over and over again with a different argument every time to justify what had been proposed which gave us the perfect opportunity to reject it. The community in a general sense, or probably 75% of the community rejected it on that same basis. We are faced with it again now with the Joint Standing Committee making this recommendation to once again propose these changes which they have done and as the Acting Chief Minister said, he did a Press Release about the path that we were taking and that was supported by the Legislative Assembly I guess at the time; the Minister has replied to that saying please be assured that as the Federal Minister for Territories I will do all I can to ensure that the Norfolk Island Government and community are consulted before any final decision is taken. That's very much like it was three or four years ago except we are going to be consulted this time before they make a final decision. Now I hope that final decision is along the lines of what Norfolk Island wants. I believe that something along the lines of what Mr Buffett has proposed, that we certainly let the Commonwealth know what our views are, again. I'm not too sure whether the Government has contacted the Federal Minister once again, since the letter of 16 September that we reject what they are saying. That we, as we did over the last four years, say that if there are any changes being made to the electoral system on Norfolk Island that Norfolk Island makes it. The Norfolk Island Government or the Legislative Assembly. We know what we want. We know if we are disenfranchising people. We know the effects of what would happen if its changed but that doesn't mean to say that we can't make changes. Like Mr Brown I was going to raise a motion this sitting in relation to some of the electoral matters however I withheld that waiting for the response from the Federal Minister and the Chief Minister but I do think we need to act quickly and with the strength of the Legislative Assembly with a view. And I don't mean to the Commonwealth but to the Norfolk Island community so that we all know exactly what we are thinking. If there are different views about what's being proposed by the Joint Standing Committee, members should say that. The Government should be making it one of their highest priorities and do something about it as soon as we can. Thank you Madam Deputy Speaker

MR I BUFFETT

Thank you Madam Deputy Speaker if this is where we are going to discuss this whole issue I think I need to make a couple of comments. We've been up this track before and we haven't a good track record. Because some of the very things Mr Smith said. We jumped up and down, we yelled and said we were going to do it and to date we've done nothing. Absolutely nothing. You look through the report itself and the Norfolk Island Government said we will legislate and we will consult and legislate to do that. Norfolk Island Government commitments I call them and to date we haven't done them and that is a fact of life. There is a fairly voluminous report regarding reform of electoral issues I think done by the 7th and 8th Legislative Assembly's. I don't recall that we have done much with that. We are discussing the recommendation of the JSC. We are making the submission as Mr David Buffet said, to a Government. That Government's got to form a view as to what its report is going to be to the Australian parliament. If we are serious that we are going to do this and I think we need to do it but we can't wait until the next time it is generated by the Commonwealth Government and other JSC or somebody else. We have continuously made these promises and it's a fact of life that I haven't seen those amendments come forward by the previous Assembly or by this one. If this is the time we need to sit down, form a committee and decide what are the amendments and in that process decide what is going to be acceptable, then let's do it. Let's not just refer back and say this is our position, we've yelled it all before, we're going to run up and down the corridors of parliament and find out what the others are thinking and hope that it will go away because without being critical it probably won't go away. It will keep recycling. If we immediately say as a result of today, we form a group, we don't have to look at the full range of electoral recommendations that were looked at in the last report. There is a mammoth amount of work to be done but if we deal with the three critical issues and we are of a mind to amend our legislation to reflect what is the Norfolk

Island view then perhaps we may get a better reaction from the Commonwealth Government or from the Australian parliament but we cannot continue to sit here and do what we are doing. Wait, more submissions, more lobbying, more advise and more concentration on ancillary issues that touch on this and then come back again as the 11th Norfolk Island Legislative Assembly and do it again. This is the time to move some of those amendments that we've been promising we will do and let's get on with it

MR D BUFFETT Thank you Madam Deputy Speaker. In listening to the last participant I'm wondering if that was an argument for Norfolk Island or for the Commonwealth. I think we are losing sight of a couple of things. I think a couple of points are being missed. Firstly there has been a proposition put that there may be changes in terms of the community, its attitudes, its representations. Two referenda, August 1998, May 1999. The percentages of the community which instructed us to pursue a particular line was substantial. 70-80% or thereabouts. Now I find it very difficult to believe that in the period of time that we are talking about that there is such a significant movement in that number that there is to be a change of riding instructions. I don't believe that to be the case. We are trying to kid ourselves if in fact we think that we need to be further instructed. Those instructions are quite clear. The second point was that there may be some change in the composition of this Legislative Assembly. Now that part on its own account can be quite true, but are you then saying that the composition of this Legislative Assembly no matter what it is, is going to ignore a referendum in Norfolk Island which has given very succinct, and very clear, and very decisive indication to its elected representatives. I make it clear that I'm not one to ignore that sort of indicator to us. The other misconception is, that it may well be that whilst we have those riding instructions that we are going to just go and parrot them again in some particular area with the Commonwealth. I need to be quite clear in what the suggestion was earlier. I made the point about the report to parliament and that was one step and a separate step to the one that we are tackling now. The report to parliament, that process has been concluded. What is in front of us now is that the Commonwealth Government as distinct from its parliament, is the Commonwealth Government's attitude to that report. We don't know that at this moment. We've got to find out what that may well be and discussions with the appropriate minister and others will give us a better view about that. Then once we know that we are able to focus our attention given our riding instructions. We will then be able to focus our attention in terms of whatever that action may be. It may well be for example that the Government on its account wishes to pursue the matter no further. It may be on the other account that they may want to implement it in its total sense but there may be ranges in between. Before we focus our attention on thinking what that result may be on the part of the Government I think we would be better advised in terms of being able to promote our resources to have a better idea of where they think they are going to travel and I think that has got to be the focus of our consultative processes in the first instance and then we can marshal our resources in whatever way is appropriate. I think that should be our concentration of effort

MR NOBBS Thank you Madam Deputy Speaker I missed the call the last time because I was fairly stunned and Mr David Buffett has summed it up pretty well. I just want to make an issue in relation to this particular issue and what was contained within the two reports that were done by the 7th Legislative Assembly. They were quite different in reality. They concerned themselves with issues like, should there be six or five or three members in the Legislative Assembly instead of nine, should there be a vote of four five or six per head or do we go back to first past the post, there was then a second report which was done in relation to the roles and responsibilities of the Legislative Assembly which was a fairly thick document and it was whether there should be a Chief Minister or whether the speaker should be the head and on it went. Those issues were dealt with or commenced to be dealt with in projects in the 9th Legislative Assembly and there is a partially completed report that the

9th Legislative Assembly was cut off at the knees so to speak about half way through and those issues were not able to be completed but it had nothing to do with the actual issues that are before us now. We had a distinct and clear direction by the community where the Assembly should go and I would say there may have been changes, but in the 8th, 9th and 10th Legislative Assembly there are five common factors: there's Mr Brown, Mr Smith, Mr David Buffet; Mr Gardner and myself. Five out of nine and as has been said 900 times around this table, you just have to count. Five is all that you require in an Assembly of 9 to get it through so to say that the Assembly's changed and the views have changed and all that is rubbish. One of the issues that people claim have changed is that self government was just a figure of the imagination of the wrinklies or the gray heads like myself but I think it's been made firmly clear over the last couple of issues of the paper that it goes far beyond that age group. We've been in it, we've been in it since we were kids. This whole issue. Mr David Buffett. Myself as a youngster here before. And others of my age group and older. It's been full on and it's still there. We still want it and the community still wants self government to progress. This talk about expenditure and Focus 2002 and all this sort of business, I put it to you this way Madam Deputy Speaker in 2000-2001, we had an income of 11 million dollars. We had an expenditure of about 10. A carry over of about 400 from memory. This 2001-2002 we had an expenditure of 12 million dollars for the same income. And I don't think there's been a heck of a lot that's been going on around the place difference between the two. There's a bit more road works because there was a bit of metal around but those are the issues. We need to look at our expenditure on that so we shouldn't confuse where we are standing and the cost of self Government with an issue like this. It's just muddying the water as far as I'm concerned and I think what's come out of it and particularly pleasing for the likes of myself is that there is still considerable, significant and great support for progression of self Government on Norfolk Island at the present time and it goes right to the youth of this island as well which is tremendous so I would suggest that we take up this issue with great strength and get on with it thank you

MRS JACK

Thank you Madam Deputy Speaker. I don't think I take offence at my previous little talk being called rubbish or referred to as rubbish but we all move in different social circles within this Island and for many of the people with whom I socially interact they do have different views to those around the table and those views can ask for change and see not all the necessary regarding the recommendations that were listed, change in all the issues but change in maybe one or two. Now Mr Nobbs was referring to the youth of the Island becoming more electorally aware and I too think that's a marvelous thing, I think it should actually be introduced in the school but coming back to the recommendations before us, there are people out there who do have different views and are starting to voice them as can be seen by a couple of letters in last weekends Norfolk Islander. Now in many of the cases we have people on this Island who are being disenfranchised who are showing a commitment to the Island and their voices are not being able or allowed to be heard. Now this Island stands a lot by a sense of democracy and I feel that myself personally that the length of time that people are being asked to wait prior to their voting is unreasonable that they are disenfranchised and that we are using undemocratic processes in forcing that issue, thank you

MR SMITH

Thank you Madam Deputy Speaker I just want to comment on something Mrs Jack said. There is a Youth Assembly which has been going for its fourth year which does discuss issues of community interest and they are a bunch of kids who are very aware of what's going on and maybe that is helping that age group to understand what is happening. It still gets back to the issue of where we should go from here. I think whatever we are all saying around the table, not so much about the issue itself but who should be doing what, whatever it is it should be happening as quickly as possible even if it is only a letter back to the Minister rejecting

or otherwise what has been proposed in the Joint Standing Committee's Report and whatever moves the Ministers or Government is going to make they would have my support

DEPUTY SPEAKER thank you Mr Smith. The question is that the Statement be noted. Any further debate. Then I put the question that the Statement from Mr Ivens Buffett in respect of electoral issues be noted

QUESTION PUT
AGREED

The ayes have it. Statements this morning? No further Statements. We move on. There are no Messages from the Administrator this morning. Are there any Reports from Standing Committees. We move to Notices

NOTICES

SUBMISSION TO UNITED NATIONS

MR NOBBS Thank you Madam Deputy Speaker, I move that this House requests the responsible executive member to convey to members of the United Nations through the office of its Secretary General that they do all within their power to achieve a diplomatic solution to the current Iraq crisis. Some may ask why and it's very simple. The alternative is war. They also may ask why Norfolk Island? Why don't we just walk away or sit on our hands? We are members of the world community and it is important that we voice an opinion and send a strong message. And I remind you the alternative to all this is War. Such a war would have the potential to escalate beyond the borders of Iraq. I would expect we will hear to-day why we can't do this and there will be propositions put- why we can't do this or that. There will be reasons put why we must sit on our hands, The issue is not about politics. There is nothing sinister in this motion. The issue is obvious – we are an integral part of the free world. That word's been used quite considerably since 1998 as to where we are in relation to Australia which has been proven quite wrong but anyhow, we have a right, we are an integral part of the free world and we have a right but more importantly - a duty, to express an opinion on issues which have the potential of the present crisis. We must do all in our power to send to those with the most influence our views on what is potentially a disaster. Those with the most influence in this instance is - the United Nations. Norfolk Island is very conversant with war. Norfolk has a history in wars. It's never been a battle zone. It came very close 1942. Norfolk Island has provided more than it's share of volunteers over the years. There were 80 volunteers World War 1, from a population of about 800 people and the war zone at that time was half a world away. Double the volunteers in World War II and the population was still about 800. That's a fairly significant effort. We provided recruits in all subsequent conflicts of note. It's interesting, or sadly, a Quintal boy who was a volunteer with New Zealand mounted in World War I was taken a prisoner of war by the Turks and he died as a prisoner of war and is buried in Iraq at Baghdad's North Gate Cemetery. Efforts by our volunteers over the years in wars is highly commended. We commemorate their efforts at least each ANZAC day with reverence however they all would agree that wars are not glory. They have a huge downside. All Norfolk Island families have been adversely effected by war. The supreme sacrifice has touched each but it actually goes well beyond death. Wounds, illness and breakdown in relationships are among the price paid and an added price too often not recognised is illness suffered post service related directly to that service. We should never glorify War, nor brush it off as something "necessary". It must be the very very last resort. In the rumbles surrounding the Iraq crisis are accusations of the existence of "weapons of mass destruction". Whilst the phase rolls well off the tongue claims are that Iraq already has such weapons and thereby hangs

the real tale. The real concern is the possibility of these lovelies being lobbed by the combatants in the heat of the moment. The motion is specifically designed to provide a medium for Norfolk Island to express a desire; for those with the most power; The United Nations to do all within their power to achieve a diplomatic solution. It is hoped that Members will support for this motion, thank you

MRS JACK Thank you Madam Deputy Speaker. Yes I can listen to Mr Nobbs voicing his concerns. I was under the impression at a previous meeting that this could be seen as a foreign affairs matter and contrary to any inclusion of Norfolk Island dealing with anything but I also have a problem with this proposal on other grounds. I would like to know why, and why now bring this proposal forward. I find reference to this international incident over any concerns we might have regarding either a) our closer and more relevant Pacific Island neighbours that are in turmoil such as the Solomon's or b) countries, some near some far but countries that are like ourselves, part of the Commonwealth that are in crisis. Countries such as Zimbabwe for example. I feel that in forgetting to acknowledge these areas and just focusing on Mr Nobbs proposal shows two things. It shows a complete lack of consideration with countries which have more geographical and cultural relevance to ourselves and it also shows a lack of understanding or regard for Commonwealth issues and that by overlooking these issues and concentrating on the one mentioned here, to me it seems to desensitize those which also require voices to be raised. I can understand the reason for Mr Nobbs to pen this proposal, after all I should imagine that just about everybody on this planet would like this conflict sorted. I can only say how disappointed I am that Mr Nobbs has never seen the other issues worthy of a mention, thank you

MR NOBBS Thank you Madam Deputy Speaker I would like to respond to that. Mrs Jack refers to the Commonwealth. We are members of the Commonwealth Parliamentary Association. I understand that I'm one of the few members if not the only member that spoke at an issue on I think what is called the General Council where all the world Commonwealth Parliamentary Association members meet and they deal with one particular subject and I spoke on Global Warming and I spoke about the Pacific in relation to globalisation. The topic was globalisation in 1999 and I spoke my due time on globalisation and its effects on warming. I understand the issues that Mrs Jack is talking about. We are very conscious of our neighbours. All of those she is talking about are members of the Commonwealth Parliamentary Association. We go to regional meetings of the Commonwealth Parliamentary Association, we go to a world conference like the one that the Chief Minister and the Speaker has just attended. I don't know what they spoke of at that particular meeting but I do know that the opportunities are there. We get the Commonwealth Parliamentary Association papers so we have that opportunity. This is global and the outfit that runs that particular situation is the United Nations and that is why I say we should go to them, to give their Secretary General some support. That guy must be under tremendous pressure at this particular point in time and if for no other reason, you give those people support. Thank you

MR BROWN Madam Deputy Speaker I have no doubt that Mr Nobbs is absolutely genuine in what he has put to us today and in many ways I regret that I will have difficulty supporting it but let me explain the reasons. Firstly this is not a meeting of the Commonwealth Parliamentary Association. If it was I think it would be reasonable for us to urge the world body of the CPA to pass such a message on our behalf but this is a meeting of the Legislative Assembly. Our powers come to us through the Norfolk Island Act and we need to be sure that we properly exercise all of those powers that we are being involved with but that we observe the protocols and the legal facts in other areas. The fact is that our foreign affairs are handled by Australia. Perhaps it would be appropriate for us to request the responsible executive member to contract the Australian authorities and ask the Australian authorities to take account of

our concerns. Perhaps it would be appropriate to even ask if the Australian authorities could pass on our concerns but I don't think it is appropriate in this type of matter for us to be going directly to the United Nations. When you look at the restrictions in the Norfolk Island Act I think it has to be said that there are a few areas in which we do not have legislative powers. Now what Mr Nobbs is seeking to do is not to pass legislation so it could well be argued that although we don't have the power to raise an army or to pass legislation in relation to raising an army, that perhaps doesn't mean that a comment of this nature can't be made. But my greatest concern is that I don't know enough about it. I've watched the news this morning. I have listened to what was said by the British Prime Minister. I have listened to criticisms by an old colleague Geoffrey Robertson but I really don't think that I know enough to express a view about whether the Governments of the United States of America, the United Kingdom and Australia are right or wrong in whatever they might be doing at the moment so I'm not going to be able to support the motion but I don't want it thought that I don't have sympathy for it, thank you

MR I BUFFETT Thank you Madam Deputy Speaker I had similar sort of thoughts to what Mr Brown has expressed. Whilst I understand the very deep and significant meaning of what Mr Nobbs motion is attempting to do, I was of the similar view in respect of where our position stood in respect of being able to deal direct with world bodies foreign Governments and in fact I don't dispute that we can appear at the United Nations. In fact I think my memory tells us that from time to time whether it's on behalf of the Norfolk Island Government or whether it's a singular motion people from Norfolk Island have popped up at the United Nations. Madam Deputy Speaker the suggestion that I had come up with was this. That I had no difficulty in supporting the sentiment of the particular motion and that my suggestion and Mr Nobbs may not agree with this, but what I had suggested was an amendment that said, and depending on whether Mr Nobbs wants to withdraw his exact one, he may not, but it says this, that this House requests the Prime Minister of the Parliament of Australia to convey to the United Nations Secretary General that Norfolk Island requests the United Nations to do all within their power to achieve a diplomatic solution to the current Iraq crisis. I suggest that amendment for the following reasons. Federal Parliament is still themselves discussing their position on this matter and there is a possibility that the Australian Parliament will convey the views of other States and Territories to the United Nations. If it is the intention of them to do that then I believe that we can certainly ask them to add Norfolk Island's name to that as a Territory. I'm not interested in constitutional debates etc in that issue but I'm interested in that Norfolk Island's voice does get heard. I have a strong feeling that if we wrote directly to the United Nations we may not get that hearing and it may be lost. It also occurred to me and it was touched on by Mr Brown and Mr David Buffett who holds a senior position in the Commonwealth Parliamentary Association, they may set the record straight but it also occurred to me that there may be yet another avenue. We are members of the Commonwealth Parliamentary Association and perhaps a motion that includes conveying our views through that process, through all the Commonwealth countries. I'm not too sure whether they've done that at this particular point or if they are of a mind to do it but I certainly had a thought that perhaps a motion from this Legislative Assembly that says to our Commonwealth Parliamentary Association colleagues, this Parliament of Norfolk Island is of that view that we would prefer a diplomatic settlement then that may be another avenue. I find myself like Mr Brown not in the position to totally support the motion as it currently stands for those reasons that I've expressed

DEPUTY SPEAKER
forward Mr Buffett

Thank you. Are you putting your amendment

MR I BUFFETT Well, I was wanting to hear what the rest of the members have to say on the issue. I have that in fact written on this piece of paper

DEPUTY SPEAKER At the moment Mr Buffett continues to foreshadow an amendment. Does anyone care to speak to that

MR BROWN Thank you Madam Deputy Speaker, if an amendment is to be considered I wonder if something along these lines might be appropriate. To change the motion to say that this House requests the responsible executive member to convey to members of the United Nations through the Australian Government that they encourage a diplomatic solution to the current Iraq crisis. I think that that doesn't involve us passing judgement on whether or not world powers are correct in the very substantial concerns that they are expressing. That is, on line two delete the words "the Office of the Secretary General" and insert "the Australian Government" and on line three delete "do all within their power to achieve" and insert "encourage"

DEPUTY SPEAKER Are you putting that amendment Mr Brown

MR BROWN I seek leave to do so

DEPUTY SPEAKER Leave is granted. The motion now reads that this House requests the responsible executive member to convey to members of the United Nations through the Australian Government that they encourage a diplomatic solution to the current Iraq crisis

MR D BUFFETT Thank you Madam Deputy Speaker I endorse the sentiments of this particular motion and I think a number of other people have done that. I join them in doing that and Mr Nobbs I think has set out some vivid and good reasons to why diplomatic solutions should be encouraged to be sought in this particular instance. I too share views that there are some other places that may be closer to home and closer to us in a number of other ways in the first instance but closeness is a matter of degree and things grow and that has been demonstrated that growth can encompass us all but that aside, I too shared some difficulties about how we would go about this. I think the amendment that has just been proposed by Mr Brown takes up those concerns and places them in an appropriate context that might be acceptable around the table. I would be prepared to endorse the amendment and then endorse the motion as amended

MR NOBBS Thank you Madam Deputy Speaker I won't be supporting the proposed amendment although I can quite understand why some members are considering that but I'm just looking at what was said about why we should go through the Australian parliament. They're having extreme difficulties in working out where they are going themselves. It's quite incredible that one minute we have a situation that is full on war and then all of a sudden there's a shipment of wheat with some problems so then we become pacifists so it's quite difficult to understand where things are coming from. As far as the Legislative powers of the Legislative Assembly this is not talking about raising or maintaining a navy, military or an airforce. This is quite the opposite. This is requesting all the members of the United Nations, which includes Australia and the US and England to do all within their powers to achieve a diplomatic solution. It's difficult but it's fairly simple I would have thought. It's proving difficult to achieve but it's just adding another little bit of a nudge that this is the way we should go gents, let's pull back and have a look at where we are actually going on this particular issue so I would appreciate the motion passing. I don't think there's any reasons why we can't go direct to the United Nations though it may ruffle some feathers in some particular areas but I don't think it will from a political standpoint in Australia. It may do in some of the services so I won't be supporting the amendment at this stage thank you

MR D BUFFETT Thank you Madam Deputy Speaker I would just like to say this. That there is a sentiment being expressed in this motion and there is

danger of the sentiment which I think is a good one, being lost by another debate on the methodology and I would like to see whether or no we agreed wholeheartedly with the methodology that we try and find something, a method that does not create the tensions and difficulties that would lessen the impact of the sentiment, that's why I have said that I'm prepared to support the amendment. I'm not saying that I agree with every word of that but it is a method that may find better acceptance around the table to allow the sentiment to be expressed and I think the sentiment should be the key point and we try and find a reasonable meeting of minds in terms of the methodology

MR NOBBS Thank you Madam Deputy Speaker could I just say to curtail further debate on this now that most people have spoken out, that I won't be voting in favour of the amendment but once it becomes the motion, if it becomes the motion then I will have no hesitation in supporting it

DEPUTY SPEAKER Thank you Mr Nobbs. Is there further debate? There being no further debate I put the question that the amendment be agreed that is, that the words "office of the Secretary General" be deleted and "the Australian Government" be inserted and the words "do all within their power to achieve" be deleted and the word "encourage" be substituted. The amended motion therefore reads that this House requests the responsible executive member to convey to members of the United Nations through the Australian Government that they encourage a diplomatic solution to the current Iraq crisis, and I put that amendment to you

QUESTION PUT

Would the Clerk please call the House

MR D BUFFETT	AYE
MR DONALDSON	AYE
MRS JACK	AYE
MR IVENS BUFFETT	AYE
MR NOBBS	NO
MS NICHOLAS	AYE
MR SMITH	AYE
MR BROWN	AYE

The result of voting Honourable Members the ayes seven the noes one, the amendment is carried. I now put to you the motion as amended be agreed to

QUESTION PUT AGREED

That motion is carried unanimously, thank you

I believe we should look at the clock Honourable Members, it is now heading for a quarter to one and it seems an appropriate time to suspend the sitting for lunch. Shall we say we shall assume at, what say you

MR BROWN 2.15 Madam Deputy Speaker

DEPUTY SPEAKER The House stands suspended until 2.15 this afternoon

SPEAKER We resume after the suspension for lunch Honourable Members. We are at Notice No 2

CONTROL OF NORFOLK ISLAND AIRSPACE

MR NOBBS Thank you Mr Speaker. I move that this House requests the executive member to institute negotiations with the relevant authorities to provide that a ban be placed on aircraft below a height of 4,000 metres within the airspace immediately above the land mass of Norfolk Island other than aircraft which – a) are in the process of landing or have taken off from the Norfolk Island airport and are within the designated airspace for such a procedure; or b) are directed by the Airport Manager under circumstances of an emergency or safety.

SPEAKER Thank you Mr Nobbs. The question is that the motion be agreed to

MR NOBBS Thank you Mr Speaker. The issue of intrusive noise is one which concerns all communities and Norfolk Island in that sense is no different. There have been complaints about the intrusive nature of Light aircraft operating over the island. Complaints have been received from tourists, those in the tourist industry, as well as members of the wider community. I guess it is human nature that people wish to ban something that they find annoying. On the other hand there are those who are happy to retain the current arrangements. I am aware of a tourist operation and there are a number of those residing on the Island who wish to fly, from time to time. The tourist operator provides a service to the tourist industry, yet there are complaints against the operation from tourists and others in the industry. Whether the community can continue to put up with anything a person or small group of persons may wish to participate in, without restrictions is questionable. In this case I believe there is a potential to compromise and thus the motion. The proposal is to preclude light aircraft tracking backwards and forwards over the Island time after time. There is a noise aspect which is bad enough but the procedure is also claimed to be quite intrusive. The proposal is to provide for aircraft taking off, or landing at the Norfolk Island airport to track over the island, within a designated airspace for such a procedure. Apart from take off or landing or in an emergency the aircraft must stay outside the airspace immediately above the Island's land mass, below a height of 4000m which is some 13000ft. I would request that this motion remain on the table until the next meeting to allow community input and as a consequence I will seek leave at an appropriate time to move that the motion be made an order of the day for the next day of sitting. Thank you Mr Speaker

MR I BUFFETT Thank you Mr Speaker I note Mr Nobbs intention to adjourn the motion and I would agree with that particular aspect of the motion. I have some concerns. I'm not certain and we would need to check this during this adjournment period whether such a motion would be enforceable. The second issue I have difficulty with is the 4000 metre which equates to about 13200 feet. It's my understanding that the maximum we may have some say in and I say purely may, takes us to the 9500 fee mark which leaves us an airspace which I'm led to believe may be controlled by the New Zealand flight centres. 13,200 feet is a fair distance up and we have small aircraft or non pressurized aircraft that probably transit this area. We have a navigation assistance system, a Doppler whatever it's called, sitting on the end of our airport which a number of aircraft probably use. Also there is the question on the matter Mr Nobbs touched on of small minority of people being able to do things. That's a separate issue and that's one we would need to consider across a whole range of different things in Norfolk Island but in respect of the tourist operation and those sorts of issues, some of those are existing. The question then raises its head in my mind what do we do with the existing uses that have been established in these areas. Another difficulty I have are emergencies. Sometimes the Airport Manager by the mere fact that the airport sits where it is, we may not be able to even direct certain situations

there that just occurs. So having said those brief things, I would appreciate that adjournment to clarify some more of those issues in my mind

MR BROWN

Mr Speaker I'm a little like the previous speaker in I think there needs to be a little time. Some of the concerns I have are firstly is the proposed legislation within our power. We do not have the power to take property from people without just compensation and this would take from an existing business, the Chief Pilot of which has written to us all about the whole of their business because you cannot take an unpressurised aircraft beyond 10000 feet without your crew and passengers being on oxygen. That facility just wouldn't be available. You cannot go beyond 10000 feet without obtaining approval from the Auckland flight control zone. Frankly, the extra costs involved and the extra time involved in slowly climbing up to 13000 feet and then descending from 13000 feet while keeping in mind the health of all of your passengers in one of those aircraft is such that the cost would simply be prohibitive so I have a difficulty firstly as to whether the proposal is within our power, I have a difficulty secondly in calculating the compensation that we would need to pay, not only to the scenic flight business but to anyone else who may have made commitments to bring a private aircraft to the island. I have a difficulty thirdly in selecting just aircraft. It's well known that I find the noise of jet skis and loud motorbikes and boom boom boom stereos in cars, and the loud exhaust pipes in cars a bit disturbing and if we are going to go down this track we need to go down the whole of the track and we need to sort the whole of the problem out. I don't think its unreasonable. For example, for us to say well henceforth, you don't bring in a noisy motorbike and henceforth you have a decent exhaust on it so that it won't be louder than x. Henceforth if you choose to drive around at night going boom boom boom and waking people up with your stereo you have to accept that if you are sprung doing that you'll get an on the spot ticket. You've got to accept that if your exhaust system isn't working properly you are liable to an on the spot ticket. Now there are a lot of things that we can fix that are long overdue for fixing, but let's try if we are going to fix one, to do our best to fix them all. Fortunately we won't have to make a decision on this today so there'll be time for Mr Nobbs to contemplate whether or not he wishes to widen the motion and take account of the difficulties in going beyond 10,000 feet but there will similarly be the opportunity for the relevant executive member to provide assistance to Mr Nobbs by letting him know just what would be involved in tackling a lot of the other problems at the same time and in doing that it may well simply involve an amendment to the Environment Aft and so if someone wants to take off in an aeroplane and go out to sea and not annoy anybody that's one thing, but if they want to buzz noisily backwards and forwards across the Island all day and if that happens to infringe whatever rules you might put under your Environment legislation well there's another ticket that might go out there

MRS JACK

Mr Speaker thank you. Well when I first read this notice I must say I read it incorrectly because I thought what on earth is Mr Nobbs' on about here because I thought he was trying to stop model planes flying down town. Then I thought again and read the notice and realised that it was a height of 4000 metres which is just over two miles so I started to make some enquiries and found out some of the following. Some of these are repeating what other members have said but I would like to reinforce what they've said. That we have scenic airflights available and they fly at around 1200 to 1500 feet. Last year 500 people, just about all tourists took advantage of seeing not just Norfolk but Nepean and Philip Islands from the air. The pilots of this aircraft and those who have their own planes here but have them for private use only have undergone extensive and expensive training but their small aircraft are not permitted to fly above 4000 metres as they are nonpressurised and the limit mentioned is greater than nonpressurised aircraft are permitted to operate. So we have a proposal before us which sets to wipe out a Norfolk Island business. Well I don't think so. We could ask them to fly higher. Why? Mr Nobbs mentioned in our MLA's

meeting the other day that he had received complaints over this issue. Well where are they. The ramifications of this proposal could sound the death knell for a locally owned and operated business., I would like to see the complaints and I would want them to be written and not oral and I would want to know who the complaints were by, locals, tourists, just who and I would like to know the specific reasons given in those complaints. This proposal also flies in the face of the Tourist Symposium held recently. What came out of that forum was the need to get greater customer satisfaction and greater diversification of our resources. To me this proposal makes a mockery of the Symposium and its findings. I'm also led to believe that flight altitude heights come under the Commonwealth Civil Aviation Regulations so is this proposal to usurp that authority. I've got no idea. Perhaps Mr Nobbs wants to take over control of Norfolk Island airspace. If that's the case I wish him well on getting the funding to police it. I'm glad that this proposal is certainly going to have wider community consultation because in its present form I find it severely lacking

MS NICHOLAS

Thank you Mr Speaker. I would like to make mention of a letter which I think all members have received and it does in fact as Mr Brown has said, come from the Chief Pilot of Norfolk Aviation and I would like to thank him for providing that letter and I wish more people in the community when they see something on the Notice paper and have something to say about it, would let us know in this way. Mr Evans has drawn our attention to undertakings of the Administration of Norfolk Island made with the Commonwealth Government and contained in the Aerodrome Transfer Deed dated 25th February 1991. He's also talked about, as has others here about Commonwealth Civil Aviation Regulations which are in force in Norfolk Island, already providing that an aircraft must not fly over any city town or populace area at lower than 1000 feet or over any other area at lower than 500 feet above the terrain and there are obvious exceptions to that including take off and landing. I certainly would like to familiarize myself with those documents so I'm pleased to hear that Mr Nobbs is to adjourn this motion thank you

MR NOBBS

Thank you Mr Speaker. I'm abit surprised from a couple of comments because I don't think the people actually read the motion. There was some comment there which I found a bit difficult. Like I was trying to usurp the authority for the airspace above Norfolk Island. What's been said in this meeting is that the executive member institute negotiation with the relevant authorities. That's what it's about. As for wiping out a local business that is not part of the motion. What I said in my introductory remarks was that this was a compromise and I'm sure that the operations can still work without flying backwards and forwards over the Island consistently and why I'm bringing it on now is that summer's coming on and there'll be greater use of that facility than has been in the winter periods as far as I can understand. As far as the letter goes from the Chief Pilot of this airline, I haven't got a copy of that although I have had a couple of phone calls from people and that was actually on Friday, just after the notice paper came out and I accept what they had to say and I spoke to them at length about it but I haven't had the opportunity of seeing this letter from Mr Duncan Evans. That's fine. If they fly at a 1000 feet well I don't know who would pay the fine because one bloke came in under my pine tree at one stage with no engine running and I understand that Mr Evans was at the wheel of that one. And there's nothing worse. The noise of a plane is fine. I'm used to that sort of thing but when it cuts out is when you have problems and that really draws your attention to but all I can say is this, there's no proposed legislation. There's negotiations with the relevant authorities and that it's for the airspace over the land mass of Norfolk Island. There's nothing stopping anybody flying outside that airspace as much as they like. Nothing to stop them whatsoever and that's what it's about. If we need written advise that's fine, but it wasn't so long ago that the members didn't seem to take much credence about a referenda that we had where 70% or more of the population made

their views very clear so I don't know. Anyhow, if there's no more discussion on this Mr Speaker I'll be moving an adjournment

SPEAKER Just let me test that please Mr Nobbs. Any further discussion

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

SPEAKER There being no further debate I put the question is that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

That matter is so adjourned

SPEAKER Honourable Members we have completed Notices as listed on the Programme but there is prospectively another for which leave is to be sought

MR DONALDSON Thank you Mr Speaker I seek leave to move a motion dealing with mobile phones on Norfolk Island

SPEAKER Thank you. Is leave granted? Leave is granted

MR DONALDSON Thank you Mr Speaker. I move that in response to the wishes of the people of Norfolk Island as expressed in a referendum on 21 August 2002 this House resolves to a) not to proceed with the current proposal to introduce cellular phones to Norfolk Island and, b) that no further upgrade be undertaken to extend the capacity of the existing Trunking Mobile Phone system and that no further subscribers be connected

SPEAKER The question is that that motion be agreed to

MR DONALDSON Thank you Mr Speaker, just in discussion on this the referendum was held on the 21st August 2002 and at that referendum 62.6% of those who voted, voted no to this following question; do you support the installation of a digital mobile telephone system in Norfolk Island. This question arose from a specific proposal by Norfolk Telecom to introduce mobile phones to Norfolk Island. The proposal was to be funded by a grant of approximately one million dollars sourced from networking the nation, they were Commonwealth funds, and a similar amount was to be provided by the Norfolk Island Government. The second part of the motion that I put to the House today is dealing with the existing trunking system and it's been included in this motion because the expansion of the trunking system has the potential to effectively circumvent the wishes of the majority of the electors in introducing mobile phones by default. The trunking system was originally introduced to provide communications for emergency services but has grown since then to encompass many commercial activities. The resolution gives effect to the wishes of the people as expressed in the referendum. I would also like to point out that the referendum is not binding on the Government. It only serves as an indication to the Government of the wishes of the people. There may be compelling reasons as to why the Government chooses not to follow the wishes of the people. I actually look forward to hearing the views of the other members of this Assembly and as those views may change as more

information becomes available over the next couple of weeks, I'm going to propose that this matter be adjourned and made an order of the day for the next sitting but I will do that after other members have had a chance to express their comment

MR I BUFFETT

Thank you Mr Speaker. I find myself in the awkward position that I cannot support this motion in its present form. This proposed motion was circulated late yesterday afternoon and although I believe that the Minister responsible did not have many options in the light of the referendum, because he had executive responsibilities, I'm of the view that to hastily agree to this motion may well invoke the provisions of Standing Order 110. Now Standing Order 110 seems to me that if we refuse cellular phones then we may not be able, without some special provisions, be able to discuss those issues and a couple of other associated issues. It was my clear recollection that the ordinary meeting of members on the 16th September 2002 we requested certain information from the Administration and that information have not yet been circulated. I therefore at the appropriate time intend to move an amendment to this motion by adding a c) after the b) that reads thus, that should an alternate cellular system be available at a more acceptable cost that alternative be examined and considered for introduction. Mr Speaker let me just briefly say why I have suggested that amendment. The referendum that we recently had, had two basic principals and the ones that were more publicized were the noise intrusion on privacy and a general feeling in the community that this Assembly could well spend the money that was intended to be spent on a cellular system on roads. The questions were being asked of the like, why not take the money that's been given to you and spend it on the roads. Those two issues are flawed for the reasons that noise intrusion already occurs. Noise intrusion occurs, and let's limit this to the particular topic we are talking about. Over 200 of the existing trunking phones are already on the Island. They are fairly large, they are fairly obvious, they are hellova noisy and most people don't turn the volume off when they talk so as I said, noise intrusion already exists. The funds provided by way of the grant from Networking the Nation could not be spent on other infrastructure. That was made clear right from the beginning of the whole process. They could not be spent on other infrastructure such as roads. Communication technology is changing so fast the Norfolk Island runs the very real risk of being left behind and being required to pay for the cost of what I might call "catch up" without financial assistance from Australia. The introduction of a cellular system would allow Norfolk Island to achieve ongoing benefits in the form of cost savings by moving to wireless technology thus avoiding the need to purchase stand alone equipment and the need to upgrade external plant and reticulation cables that I'm advised has limited capacity anyway. A quick discussion with the Telecom Manager prior to the meeting indicates estimates as follows for the upgrading and provision of extra capacity on the existing facilities. The estimates for the billing system is about \$220,000 the remote subscriber switch is about \$96,000, the upgrade of the external plant and equipment – and this I must say is only in four small areas of the Island – totals about \$42,500. Up to about 358900 without much effort and we haven't serviced the whole of the Island because in the areas that were mentioned to me, did not include a fairly large area of the eastern part of Norfolk Island. This does not include any major expansion of the existing trunking system. Now I questioned that and I was told that those sorts of indicative costs did not include and I emphasize that, any major expansion of the existing trunking system. I was also advised that there is a waiting list of considerable length of applicants wanting to go onto that trunking system in the absence of a cellular system available in Norfolk Island. They are the reasons why I at this point can't support the motion in its present form and at the appropriate time will seek leave to propose the amendment which in my view would leave the door open for the benefit of this community. There is another alternative to the above and that is, should the matters I have raised not be seriously considered then this Legislative Assembly may not have many other options then to immediately impose a flagfall charge on all telephone calls made locally, that is not said to be confrontational, nor is it said to cast

any aspersion on those persons who arranged the referendum. It is said simply because I believe Norfolk Island needs to consider these things. That suggestion has been made for one reason. As I mentioned earlier, the technology in this area moves almost as fast as the clouds above us and there is a new beautiful thing and things change. Should that happen and we have not done anything at this point then I think the critical position that Norfolk would need to find itself in when that occurs is that we are able at that time to afford the technology. Present indications are that if we keep doing what we are doing and not make that provision, then we may not be able to afford that technology when it happens and we may need to look at a borrowing regime again and then back to square one. For those reasons as I've said, I cannot support the motion in its present form

MR BROWN

Mr Speaker if we make a comparison with computers I think we would quickly conclude that it is at least possible if not likely that the cost of technology in this area will reduce rather than increase in the future so I'll make that acknowledgment. I think one of the greatest tragedies in this is that we were not given sufficiently detailed information before the referendum and the Yes case suffered as a result of that. Now I'm not saying that means we forget about the referendum but I think it is a tragedy that detailed and reliable information was not available. I'm told as has been the previous speaker that there is a cost that is going to have to be met for a new billing system. The previous speaker has been more successful than I in having that quantified. I had figures that ranged from about \$200,000 to about \$500,000 and I have absolutely no idea where in that spectrum if at all the correct figure lies, but if by adopting the mobile phone system we had overcome or we had incorporated that spending then that's something people should have been told about. But it's also something we need to take account of when we make a decision about what we do because I think it would be irresponsible of us to simply say okay, there's a referendum there fullstop. We are elected to wisely govern the Island and it is very easy to whip up hysteria about an issue without a great deal of basis. Now it may be that the No case was correct. I'm not saying that it was correct or incorrect but what I am saying is that I don't think the Assembly can just say oh well, throw the baby out with the bathwater, the referendum said no so we will disregard things from now on. There is the issue of the billing system. There is the issue of the existing mobile trunk radio service. I've no doubt that many people find it annoying and certainly if anyone was going to find a cellular phone annoying they would find the existing service annoying. I don't think we were told in the lead up to the referendum just how many people were on the list waiting to buy the trunk radio phones. I don't think we were told the extent to which that trunk radio system needed to be upgraded to cater for the existing people and for the new people. I don't think we were told the comparison in handset costs between trunk radio phones and the cellular phones. We did not have it adequately explained to us at least not within an appropriate time frame that a cellular phone service may provide a solution for those parts of the Island where telephone lines are simply not available. We know there are parts of the Island in that position. The Minister for Land and the Environment gave us a price of \$42,000 a moment ago. I had been given a price of something like \$4million so I have no idea where in that whole spectrum the correct figure lies but what I do understand is that if you need to get a line all the way to Steeles Point and there are no lines available between Channers Corner and the School say, you've got to put lines all the way in order to provide a land based line. All of that really worries me. I don't know what the correct decision is but I tend to agree that at the very least we should preserve the ability to look at a different system. My understanding is that there are other systems available which would be able to block out say Anson Bay beach and say Emily Bay. Emily Bay already at least has a land line from the safety point of view but I wonder what people would think and I think you would need to go back to them by referendum before you made the decision but I wonder what people would think if you had a much simply cellular phone system, the range of which was able to end at Government House

and the Assembly and not get down the beach, perhaps not be at the Golf Course, certainly as I said not be at Emily Bay or Anson Bay. Perhaps something that could very easily be switched off in terms of restaurants. I realise a normal cellular phone can be switched off by turning it off but there are other ways to stop cellular phones from ringing if you don't want them ringing in your premises but I think we have to look at the whole of the consequences of the referenda decision and look at whether there are elements that might not been adequately considered and look at whether there is a way to have them adequately considered and perhaps provide a slightly different or a vastly different proposal such as to overcome the difficulties that were perceived if we could work out what those difficulties are by the people who voted no at the referendum

MR DONALDSON Thank you Mr Speaker, does anybody else wish to speak or should I move the adjournment

SPEAKER I thought you had signaled earlier that you wished to speak

MS NICHOLAS Thank you Mr Speaker. I think both Mr Ivens Buffett and Mr John Brown have both eloquently expressed what I would have chosen to say. Essentially that detailed and reliable information was not available or publicized at the time of the referendum and that distressed me at the time, it has continued to distress me and I have been astonished at how much more information has come forward subsequent to the referendum however, Mr Brown has made mentioned of the possible limitation of some of the intrusions that mobile phone have or we perceive them to have, and in particular he made mention of ways of preventing them ringing and that indeed was one of the things that I brought up in our preliminary discussions. If Mr Brown could throw some more light on that I would be very very interested to hear how that is achieved. But that is the main point I want to make. There were so many issues which weren't brought to our attention prior to the referendum, thank you

MR NOBBS Thank you Mr Speaker. As far as the motion is concerned, I voted Yes and I'm trying to get a mobile phone but I would agree that this motion on the basis of the information that was provided to the electorate at the time of the referendum I would support this motion. But what we are doing now is a different situation. What's being brought up now not only changes the goalposts, we are running uphill against the wind and into the sun! We're changing the information that was provided earlier, completely to what was given to the electorate when the referendum was made and therefore it's a completely different issue. I would say yes to this motion and let's move on to the next stage. If you've got a cheaper option, if you've got all these issues that can stop them, if you want to say well there's 350 of them now and there's 120 people that want these sort of trunking system which is really very intrusive, well make it that there'll only be 370 issued of the cellular system. There are heaps of ways of going around it, but what we've had, we've had a referendum, the people have spoken, as I said I didn't agree with the result of it. I voted yes for the thing, because they don't really worry me, but the thing is, if we are changing it then let's change it but we should accept I believe that the referendum has said that there's no cellular mobile phones under the current proposal. Which is what it says here. Not to proceed with the current proposal to introduce cellular phones to Norfolk Island. If you want to change it all that's a different story so I don't know how you are going to get around it. We can add c's and d's and e's but the issue is that the people spoke on what was told to them and there were 600 and something to 300 and something which is a fairly clear margin who said no, and that's it. If you put this motion through now Mr Minister for Finance, I would agree with you. But if you've got something else up your sleeve and obviously Toon Buffet has something up his sleeve with all the facts that he reeled out, let's get them out and go through the whole process again on the basis of all this additional information that's now available, thank you Mr Speaker

MRS JACK Mr Speaker I just want us to get our skates on over this issue because there are people in this community who are in business almost in the CBD who don't have access to a land line, are borrowing a trunking system phone and want to know when they can start having proper business communications. Now there are people also in the community in the private field that want proper communication so I suggest that we get the skates on and lets get going

MR NOBBS Thank you Mr Speaker I would just like to make comment on a couple of things. The first is the provision of the service. One of the problems that was encountered was with electricity. If you want electricity you pay for it. You want it upgraded for a development like tourist accommodation or something like that you pay for it whereas with the telephone system everything's in and it's a charge then on a rental basis for that line and the likes so the charging arrangements have raised an expectation I believe that telephones will be placed everywhere on the Island. Not a worry in the world. And as many as you like and that's an issue that has to be addressed and Mrs Jack mentioned the business community, I thought that sort of issue was to be addressed under a development arrangement where a charge was to be placed on developments in the future but I don't think that's been progressed very far at this stage

MS NICHOLAS Thank you Mr Speaker. The point I sought to make was that it was like trying to draw teeth to get information. We as the Legislative Assembly and the community required prior to the referendum. Hopefully this time we will be provided with what we need and what the community needs to enable us to consider the matter properly and fully, thank you

SPEAKER Further debate. Mr Donaldson you foreshadowed an adjournment but Mr Buffett you foreshadowed an amendment

MR I BUFFETT Thank you Mr Speaker I would happily propose that the following amendment be made to this substantive motion and that after (b) the following be added "(c) that should an alternative cellular system be available at a more acceptable cost that alternative be examined and considered for introduction". Now Mr Speaker as I mentioned earlier, that gives us the ability to revisit the issue without closing it off. I'm in the Member's hands. If they have better words than that to suggest then I'm happy to listen

SPEAKER At this stage I'm accepting Mr Buffett's amendment to the motion which is that item (c) is to be added and the words in item (c) would read "that should an alternative cellular system be available at a more acceptable cost that alternative be examined and considered for introduction". Is there any further debate in respect of the amendment before I turn to Mr Donaldson in respect of the adjournment

MR DONALDSON Thank you Mr Speaker if I could comment on the amendment. I don't disagree with the amendment at all and in fact the amendment fits in quite nicely with part (a) of my motion which says not to proceed with the current proposal. Well the current proposal was a very specific proposal. We were told by Networking the Nation who our contractors would be, who we would buy the equipment from and how it would be installed and what it was. What this amendment does is open the door a bit wider for us to look for more modern, more updated technology which has become available in the six months since the Networking the Nation project actually was decided upon so I have no problem at all with the amendment and I intend to support it

SPEAKER Thank you. Further debate

MR NOBBS Thank you Mr Speaker. My view still stands. I believe there are two completely different issues in this thing. If you want to bring in a new rule well it's a different ball game and this motion, if you accept that under the arrangements we had in place prior to, and the information that was provided prior to the referendum, that's it. The people have spoken and NO won, hands down. That's it. So we can now go on from there and do something new. But it will be new. It won't be the same sort of thing obviously, otherwise we would be just flying in the face of what the people said

MR SMITH Thank you Mr Speaker. I just thought I would suggest that maybe this is a good time to adjourn, before the amendment is agreed to or not agreed to and leave it sitting on the table rather than agreeing to the amendment

SPEAKER Thank you. I thought that was the plan. That the extent of the information would be put on the table and then Mr Donaldson would move the adjournment but if I have misread that then please let me know

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

SPEAKER There being no further debate I put the question is that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

That matter is so adjourned thank you

ORDERS OF THE DAY

WITHDRAWAL OF LAND PACKAGE BILLS

PLANNING BILL 2002

NORFOLK ISLAND PLANNING AND ENVIRONMENT BOARD BILL 2002

HERITAGE BILL 2002

SUBDIVISION BILL 2002

ROADS BILL 2002

TREES AMENDMENT BILL 2002

LAND TITLES AMENDMENT BILL 2002

BUILDING BILL 2002

Orders of the Day Honourable Members. Can we just move through these with some element of explanation. I'm going to call on Orders of the Day numbers 1 to 8 as a bundle so that you Mr Buffett might address them in the manner that has been foreshadowed

MR I BUFFETT Thank you Mr Speaker. In accordance with the procedure that is foreshadowed on the Notice Paper and the Programme for today's sitting I seek leave to withdraw Orders of the Day numbered 1 to 8 on the Notice Paper

SPEAKER Thank you. Is leave granted Honourable Members. Leave is granted and therefore Orders of the Day numbered 1 to 8 are withdrawn.

NOTICES**REINTRODUCTION OF LAND PACKAGE BILLS****PLANNING BILL 2002****NORFOLK ISLAND PLANNING AND ENVIRONMENT BOARD BILL 2002****HERITAGE BILL 2002****SUBDIVISION BILL 2002****ROADS BILL 2002****TREES AMENDMENT BILL 2002****LAND TITLES AMENDMENT BILL 2002****BUILDING BILL 2002**

Honourable Members I now look at the Notice Paper continuing and look at items 3 to 10. With your concurrence but you need to give me the signal about this, I will give Mr Buffett leave to introduce those as a package but if in fact any member wishes to address each of them individually, please signal to me now because then I will ensure that they are addressed and introduced separately and individually. Are we comfortable about a package arrangement. Yes. Thank you. Mr Buffett on that basis please proceed

MR I BUFFETT

Thank you Mr Speaker. Mr Speaker I present the following Bills and move that the Bills be agreed to in principle. I present the PLANNING BILL 2002 and I table the explanatory memorandum to that Bill; the NORFOLK ISLAND PLANNING AND ENVIRONMENT BOARD BILL 2002 and I table the explanatory memorandum to that Bill; the HERITAGE BILL 2002 and I table the explanatory memorandum to that Bill; the SUBDIVISION BILL 2002 and I table the explanatory memorandum to that Bill; the ROADS BILL 2002 and I table the explanatory memorandum to that Bill; the TREES AMENDMENT BILL 2002 and I table the explanatory memorandum to that Bill; the LAND TITLES AMENDMENT BILL 2002 and I table the explanatory memorandum to that Bill and the BUILDING BILL 2002 and I table the explanatory memorandum thereto and move that the Bills be agreed to in principle. Mr Speaker having tabled those Bills and explanatory memoranda I don't expect that we will be dealing with those Bills in detail but I think a brief explanation to members and to community of the procedure needs to be made. Those Bills were originally tabled in the Legislative Assembly on the 24th April 2002. The Land Initiative Taskforce priority was to develop Bills before Regulations and to provide the Bills that had been completed to myself as a Minister at the earliest possible date. Regulations and development control plans were subsidiary forms of legislation and are not normally presented to the Legislative Assembly at the same time as Bills. The Taskforce team was also expecting that feedback from myself as executive member and members would provide policy direction with regard to a number of the Bills and the subsidiary documents. At this point I must point out that all of the Bills would fall into the reserve category. In other words they deal with land matters and they will be reserved for assent. It was agreed in discussions with the Commonwealth representatives that it was appropriate that these Bills be tabled in the Assembly and then the Commonwealth would be formally asked to consider them before they were debated as to some of the details and the issues in those Bills. Comments from the Commonwealth and discussions with members led to a number of changes. Issues raised by the members helped the Land Initiative team to develop the various Regulations and other codes. Issues raised included the relationship between the Planning bill and other Bills such as the Subdivision Bill and the preference of some matters for example, Environmental Impact Statement requirements be included in Bills rather than in Regulations. Later discussions with members and with Commonwealth officers and consideration of a recent High Court Judgement led to agreement with the Commonwealth that the Roads Code as we were then anticipating it to become a Roads Engineering Standards and Development Control Plan. A number of changes to the Roads Bill were required. More recent discussions with the

Commonwealth on this package bearing in mind that it was a joint Land Initiative Taskforce that was doing this has also resulted in some significant changes in the proposed Heritage legislation. Just quickly so that there is no suspicion about that, the Norfolk Island officers including myself as executive member had recommended a regime to deal with heritage issues that was not accepted in the first place and then we find ourselves having to go back to square one and their accepting our recommendation in respect of some of the heritage issues. The MLA's subsequently indicated that they wanted to see all of the Land Initiative legislation including Regulation and Development Control Plans at the same time. Given the MLA's preference with the Bills and subsidiary land initiative documentation be provided as a complete package the changes to the Bills tabled in the House and the size and complexity of the land initiative package it was decided that the most satisfactory and least confusing approach would be to go through the procedure that we have done, and that is to withdraw the Bills that have been amended, totally replace them and then to table new Bills which are clean, have gone through the full process and now Mr Speaker I'm happy to say, we are in a position where we can discuss in detail each one of those Bills where they fit and hopefully it is with some anticipation that at the Sitting of the 16th October of this Assembly we may be able to at last progress the Land Initiative package

SPEAKER Thank you Mr Buffett. Is there any debate Honourable Members? I just remind you that the motion before us is that each of the Bills be agreed to in principle

MR I BUFFETT Thank you Mr Speaker I so move

SPEAKER The question is therefore that we adjourn these matters and they be a matter for debate at a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it thank you

ORDERS OF THE DAY

UPGRADING OF ROADS OTHER THAN PUBLIC ROADS

SPEAKER We continue with Orders of the Day. Order No 9 and Mr Brown you asked that I bring that on so that you might address it and then handle it in a particular way

MR BROWN Thank you Mr Speaker. Yesterday I received a telephone call from a person who lived on a road which might be affected by this motion and he said to me words to the effect, look I've got no trouble at all with paying my share of getting this road done, but how will you cope with people who live on a different road which is accessed along my road. They don't have a frontage to my road therefore they wouldn't contribute the way the motion is worded at present. That needs to be reviewed Mr Speaker. I've not had time to do it between yesterday and today. Perhaps some members will have other comments but if there are no other comments I propose to seek an adjournment

SPEAKER Thank you Mr Brown. Let me enquire if there are any other contributions

MR I BUFFETT Thank you Mr Speaker I recall Mr Brown saying that if my Roads Bill didn't fix a couple of these things that he would do this. Mr Speaker

in respect of roads and purely from the planning aspect, a number of people have approached regarding what are we going to do with private roads. What are we going to do with maintenance and upkeep of private roads. I have in recent weeks sent a ministerial off to the Administration. I have been advised as late as this Tuesday of this week that some comprehensive work is being done in that respect including looking at what might be called minimum road maintenance; looking at some of the legal ramifications of the proposed motion that Mr Brown has on the Notice Paper and the range of issues that has brought up so in terms of upgrading other than public roads, yes, there are some things being done and as soon as I receive those papers I will circulate them to members

MR BROWN Mr Speaker I should have added that the Roads Bill which has been tabled by the Minister for Lands today may well overcome the very problem that my motion is seeking to overcome and I apologise for not having mentioned at the time that in the event we are further down the track with the Roads Bill it becomes obvious that my motion is unnecessary then I will of course seek leave to withdraw it

MR NOBBS Thank you Mr Speaker there are a number of issues from the last meeting that I mentioned I needed clarification. I don't think by the sound of things that anything's really been done on that. How many roads are there? Who actually owns a road? These are just some of them. Is it proposed that title to portions on which roads are located will be transferred to the Administration on completion of the required works? What standard will be required? What is the proposed payment procedure? Will there be a deposit required? How will the programme of private road upgrades be actually worked out? Will there be a potential for considerable amount of Admin funds being tied up in such works and will the programme be equitable to both landholders and the Administration? Is the proposal actually achievable. And I think that those are issues people really want to know about and if the Minister could take that on, that would be nice

MR I BUFFETT Thank you Mr Speaker sometimes my head looks like a sponge but trying to absorb all of that in the speed in which it was said becomes a little difficult. Mr Speaker may I once again remind members there is a well known procedure. We cannot always remember things that are said in the middle of debate and say Minister do this. Could I strongly recommend that when you have something as comprehensive as what Mr Nobbs has just now handed to me in writing and that we might be able to get somewhere. The second issue is that some of these questions I do recall that some of those papers have already been circulated to members in terms of the number of private roads. I think Mr Brown asked a question earlier in the life of this Legislative Assembly. I thought at that time I circulated a fairly detailed paper. A couple of the other questions that Mr Nobbs has asked I will certainly undertake to provide him the answers he hasn't already got

MR BROWN Mr Speaker I move the adjournment

SPEAKER There being no further debate I put the question is that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

**QUESTION PUT
AGREED**

That matter is so adjourned, thank you

FIXING OF THE NEXT SITTING DATE

We have concluded Orders of the Day Honourable Members. We move to fixing of the next sitting day

MR BROWN Mr Speaker I wish to move a motion for which I expect to receive unanimous support. I move that the House at its rising adjourn until Wednesday 16 October 2002, at 10.00 am.

SPEAKER Thank you Mr Brown. The question is that the House at its rising adjourn until Wednesday 16 October 2002, at 10.00 am. Is there any debate. The question is that the Motion be agreed to.

QUESTION PUT
AGREED

That motion is agreed thank you

ADJOURNMENT

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

SPEAKER The question is that the House do now adjourn. Are you comfortable that Mrs Jack now have the floor Mr Smith

MRS JACK Mr Speaker thank you. I would like to take this time to say thank you to Mr Shane Quintal, Sexton of the cemetery. As a result of a question without notice in the August sitting of this House regarding concerns I had at the cemetery I was contacted by the Chief Minister by Mr Quintal. I would just like to thank him for his time taken in allaying any concerns I had and in fact raising some issues with me. Thank you

MS NICHOLAS Thank you Mr Speaker. I'm lacking in lung power today and shall therefore perhaps mercifully be brief. I would like to refer to the matter addressed earlier today. The electoral issues. The JSC has made three recommendations and I really hope that those in the community who are showing an interest in them have read the entire document for themselves and if not, may I encourage them to do so. Be informed on the issues. There are three recommendations in the report. To be an Australian to be eligible to election to this Legislative Assembly and I have no difficulty with that recommendation and I accept it. To involve the Australian Electoral Commission in our elections and referenda. As has already been said today, successive Norfolk Island Legislative Assembly's have made recommendations in respect of electoral reform on Norfolk Island over past years and perhaps for more than six or seven years that I'm aware of, none of those recommendations have been carried through for varying reasons and that's as Mr Buffett has said, I think he's been reading my script, that's not a good track record. I see the potential for the involvement of the Australian Electoral Commission as one of assistance. Assistance in developing comprehensive yes and no cases for referenda, assistance in amending some of the existing provisions of our Legislative Assembly Act and again if I may refer to something we've already been discussing this afternoon, is it thought that the involvement of the Australian Electoral Commission is going to change the result of the poll. There are concerns about the presentation of the yes and no cases in our referenda and do you think as a voter we or the community were fully informed of all the issues in respect of mobile telephones and I've already said my piece on that. I don't believe we were. I have no problem with the result but when we cast our votes did we, did the community believe that they were fully advised on both sides of the issue so that they were in a position to make informed choice and if that

was the case why are we all now hearing oh, but we weren't told that! Maybe the Electoral Commission can help us with that. There's only a period of 21 days between the announcement of the poll and voting day and given today's mail speed and it's not called snail mail for nothing, we all know that 21 days is often not enough for voting papers to get from Norfolk Island to anywhere in Australia and back, let alone anywhere else and that's just one small example of some of the anomalies in our present Legislative Assembly Act and again successive Assembly's on Norfolk Island have sought reform on the issues and they have failed to put in place the various recommendations of their committee's. We could perfectly well have made these changes ourselves but we have not and I would welcome the involvement of the Australian Electoral Commission. I don't see them as interfering but assisting however there's no reason why we can't do it ourselves if that's the wish. Yes we are capable of doing it ourselves but we failed to do so, therefore I have no difficulty with that recommendation and accept it. There's even a paper floating around today where there is a paper from the Immigration Officer where he indicates that we are presently involved with the Australian Electoral Commission in our present election system. I have yet to found out precisely how. There may not be great change to what we are already doing. The third recommendation is that someone be eligible to be on the Electoral Roll having been here six months. I do and always have had difficulty with that recommendation and I don't support it. I seek negotiation within the first instance Minister Tuckey, as has been discussed here today, to agree a period acceptable to both parties and the Minister tells us that his Government is yet to respond to the recommendations contained in the JSC report and he encourages us to have dialogue with him before that event even takes place and I think that's come to a point of acceptance today. I've had some pretty deep and meaningful discussion with a colleague on this and other issues the other day and during that time I put the question, why is it that other areas receive so much assistance from the Commonwealth and Norfolk Island in many ways seems out in the cold. It was suggested then and I agree that there is a perception of an attitude problem. There has undoubtedly been over the years of the life of Norfolk Island's Legislative Assembly's a confrontational attitude towards the Commonwealth. We can no longer afford that. During this year members of the Government and others have had fruitful helpful cooperative discussions with Commonwealth authorities and I think this is the first time in this year that Australia is asking something of us and it's essential that we discuss the matter rationally and negotiate a reasonable position. We must break down that perception of Norfolk Island's attitude or we will indeed lose our ability to negotiate on issues which may be far more significant than this one. Thank you Mr Speaker

MR BROWN

Mr Speaker if Ms Nicholas thinks that you simply lie down whenever a challenge confronts you because one day there might be something more important, she's going to spend a lot of her life lying down. There have been two referenda. They have been overwhelming in their result. We have no entitlement to just disregard them. Ms Nicholas has talked of recommendations of Committee's of various Assembly's. they were recommendations of Committee's Mr Speaker. They were not adopted by the Legislative Assembly's and their contents were not the subject of undertakings to committees, the Commonwealth Government or anyone else so it's mischievous with respect to suggest that we have been less than competent about adopting those recommendations. It is mischievous with respect to suggest that the Australian Electoral Commission is going to cause a much more detailed yes and no case to be provided to electors at a referendum. That's poppycock. They don't get involved in that Mr Speaker and there is no need for them to do anything other than what they do now and that is, to be available for consultation in the event that the Norfolk Island Government or Norfolk Island Legislative Assembly seeks to consult with them. Now Ms Nicholas has spoken as if Australian citizens presently can't enroll. And can't stand for election. Well subject to the residential qualification they already can. Nothing needs to be changed to allow an Australian citizen subject to the

residents qualification to apply to enroll to vote or to seek to stand as a candidate at an Assembly election. It is very distressing to hear someone such as Ms Nicholas sitting here happy to throw away the last 150 years of what this proud community has achieved Mr Speaker

MR NOBBS Thank you Mr Speaker. I won't continue this because actually I agree with Mr Brown yet again. It's a bit strange isn't it but anyhow. His last passing words were that it's been a proud tradition of this Island for 150 years and that's it. Our system of voting which the Australian Electoral Office – was proven at the last election when there was an appeal against me – that it was foolproof. The method of counting that they have, my scrutinizer said is foolproof. They're wasting their time. So I mean that's what they do. The Electoral Commission they take your papers, they put them in the ballot paper and they ask you to put them in a ballot box then they count them. They do exactly the same here. And they do it very well so why do we need to have the Electoral Commission come in on it. It came out of left field that one. I think I know why but I'm not saying it over the air here as to why they've done it but this is something that's brand new. As far as the rest of it is concerned it's wonderful the Australian Electoral system but just remember – and I thought this would really interest Ms Nicholas – we had the vote for women years and years and years before the Australians did and I would have thought that would have been one of the most important things that's ever been done in an electoral system. That you Mr Speaker

MR I BUFFETT Thank you Mr Speaker. I didn't intend to participate in this debate on the electoral issue because I thought we had agreed a little earlier in this sitting that we might have some special sitting or we might have some special occasion in which we could do this and therefore all the comments that people are entitled to make should be made at that particular time, and there are some differing views but perhaps it's related and maybe even too closely related but over the last weekend we had a multicultural festival in Norfolk Island. I know this is in your bailiwick but then I understood you were busy representing the Island maybe in other places for part of that festival. I would just like to reiterate the words that I said on the radio last Friday and that is to thank those people who organised such a very successful multicultural festival, and perhaps we could leave with the fact that we are celebrating multiculturalism in Norfolk Island Mr Speaker before we have a special sitting to deal with electoral issues which will certainly touch on some of these things

SPEAKER Thank you Mr Buffett. Any further participation Honourable Members? The question before us is that the House do now adjourn and I put the question

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 16 October 2002, at 10.00 am.

