



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 22 SEPTEMBER 2010**

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

Thank you Honourable Members. If you would like to remove your coats, please feel free to do so and make sure your mobile phones are turned off

LEAVE OF ABSENCE FOR MR LISLE SNELL MLA

MR BUFFETT Thank you Madam Speaker, I seek leave of the House for Mr Snell

SPEAKER Thank you Mr Buffett. Honourable Members, is leave granted? Thank you. Leave is granted?

WELCOME TO MRS GRIFFITHS MLA

CONDOLENCE

SPEAKER Honourable Members I call on Condolences, and firstly I call on Mr Sheridan

MR SHERIDAN Thank you Madam Speaker. It is with regret that this House records the passing of Richard Harber, William Winton Sanders, Charlie Shaw and Thomas Robertson Sim

Richard Harber was born at Winchcombe, England in August 1941 just after his father had been sent to India. He spent the first five years of his life there until his father returned and they moved to Kempsey. Those first few years were very happy ones but when his father returned his life changed. Richard was jealous of this strange man who suddenly appeared and took his mothers attention away and his father found him difficult. They never enjoyed a good relationship although Richard desperately wanted to. When Richard was nine his brother Julian was born, whom he loved very much. Richard was educated at a private school which equipped him with the ability to get on with people of all stations in life. At sixteen Richard met Rona Moira Faulstone and it was an attraction of opposites from the word go. Richard a country boy. Moira a city girl training to be a model. They were married at 18 and Michele was born twelve months later in 1961 and Kate in 1963. Richard worked hard to make a success but was persuaded to move his family to Newport then to Surrey. It was the mid 60's and life was fun. Richard and Moira had great friends and great parties. After a few years they moved to Cheltenham and started another piggery. After a few years the farm got into difficulties. Richard moved out in the early 70's and they divorced. Despite that Richard and Moira remained friends, going to court together and having dinner together afterwards. Richard moved to Coventry and there he met Christine. They married and moved to New Zealand where Richard worked as a Chef at various restaurants until he and Christine took over the catering of the local RSA. He then bought a boat and spent a year fishing for flounder in Wellington Harbour which he sold commercially. In 1989 their daughter Fleur was born. Following a holiday to Norfolk Island in 1993 they decided to live here. Richard loved cooking, gardening, fishing and caring for all the animals. He

went from working at the Polynesian to the Sports and Workers Club and then the RSL Club. Throughout his time at those places he gained friends from around the Island. After work he would go out at night and enjoy the company of other islanders and tourists at the local bars. He was proud of his garden and hydroponics as well as looking after the chooks, cats and dogs. He enjoyed going outside to Norfolk's beautiful weather and to slowly puff away on his pipe, whether it be on his verandah at home or outside at the R.S.L. Richard passed away in August. He loved his daughters - Michelle in England, Kate in Auckland, Fleur on the Island, and Shea whom he and Christine fostered for several years and became a daughter to him. To those daughters and to Richards many friends this House extends its deepest sympathy. May he rest in peace.

William Winton Sanders, better known as Bill or WW, was born in March 1933 to William Herbert Sanders and Dorothy Mary Sanders (nee Rossiter), a younger brother to Margaret. His Dad was a cable engineer and he spent his childhood in various places including Norfolk Island, Auckland, Suva, Southport and Sydney. Schooling at Suva Boys Grammar was one of the happiest times in these years. At the age of eight he had a major accident which governed much of his future. He had an altercation with a rock on a cliff and came second, and he spent long periods of his life in hospital as a result. His last years of schooling was at Trinity Grammar in Sydney but Bill abandoned Trinity in favour of Norfolk Island before completing his studies. Here, he worked for the Department of Works and Housing, grew beans and in the 1950's opened his butcher shop, Bill's Butchery. He married Sally Snell in 1953 and from that union stepson Maurice was joined by six brothers, twins Willie and Winton, David, Barry (deceased), Micky and Mark. There are now twelve grandchildren, four great-grandchildren and another on the way. This marriage ended in 1966. As well as working long hours in the butchery he built a movie theatre opposite the airport, where the Brewery is now located, and later opened "Norfolk Rentals" in that building. In 1972 one of the customers of Norfolk Rentals, Elaine Lyons, caught his eye and they were married in January 1973. They worked hard in both businesses until Norfolk Rentals closed in 1979 and the Butchery was sold in 1980. This followed an ultimatum from his orthopaedic surgeon, who insisted that Bill give up the shop or lose his leg. He chose the former. In January 1982 Bill was elected to the Second Legislative Assembly. He then served in the Third, Fourth, Fifth and Sixth Legislative Assemblies, until May 1994, at various times as a backbencher and as Minister for Immigration, Tourism, and Education to name a few of the portfolios which he administered over the years. He represented Norfolk Island at a number of parliamentary conferences, where he was very well known and respected. Bill had a short period of retirement following which he and some of the family bought the South Pacific Hotel leading to another 12 ½ years of interesting and challenging work. Having so severely damaged his leg in childhood he was precluded from playing major sport until in 1975 he became a founder member of what is now The Norfolk Island Clay Target Association. This was a sport he thoroughly enjoyed and it opened up some marvellous opportunities. He was a member of the Norfolk Island Shooting Team that participated in the Edinburgh Commonwealth Games, the first team that had this privilege. He was a member of the teams that went to the Games in Vancouver, Auckland and Kuala Lumpur. While at the Auckland Games he persuaded an Asian Official that Norfolk Island should be allowed to join in the Asian Games in Japan and a team from Norfolk was duly invited. Bill was thrilled to also go to numerous South Pacific events and was a yearly participant at the clay target Nationals in New Zealand, making lifelong friends there. He became the Norfolk Island executive member of the Oceania Shooting Federation and attended their yearly meetings in such places as Papeete, Noumea, mainland Australia and New Zealand. He was looking forward to travelling to Samoa this year but sadly his health did not allow that. The sale of the Hotel in 2008 coincided with the discovery of major health problems which led to two years of debilitating illness. He fought valiantly and without complaint until he finally succumbed on 17th August 2010. To his wife Elaine, his sons and step-son, daughters-in-law, grandchildren, great-grandchildren, his sister Margaret, his three nieces, his step mother Patricia, his cousin Jill and her family, his honorary New Zealand daughter Pauline, and his many friends, this House extends its deepest sympathy. May he rest in peace.

Charlie Shaw was born in 1946 at Kurri Kurri, NSW. His family moved to Penrith when Charlie was 6 years old and around this time his parents separated and Charlie lived with his mother Dot and brother Peter. Although times were tough Dot worked tirelessly to raise Charlie and Peter instilling in them a great sense of humour, self-confidence and a strong sense of social justice. Charlie attended Penrith Primary and Penrith High Schools and upon matriculation was successful in gaining a traineeship with the Overseas Telecommunications Commission where he trained as a Technical Officer for a number of years. His first posting was to Doonside High Frequency Radio Station where he met Stephanie. They married and moved to Port Moresby in Papua New Guinea. In 1973 Charlie and Steph moved back to Sydney and after doing a three month relieving stint on Norfolk Island, they decided to apply for a permanent transfer to Norfolk which started in 1976 for two years and ended 24 years later in 2000. By mid 1980's Charlie's job with OTC was made redundant and they decided to start their own business doing electronic repairs and video hire. Charlie was also employed by the Norfolk Island Administration as a technician and was responsible for maintaining the local radio station and mobile radio and satellite services. He also had a part time role with the Australian Government, running the Ionospheric Prediction Station that played a vital part in determining correct radio frequencies. When Pay Television became available via the Australian satellite, he and Warren Brinkman worked together to install satellite dishes around the Island to enable the local population to keep up with current worldwide events. Charlies' last major role for the Norfolk Administration was to install a 10M satellite dish in Burnt Pine to upgrade the Island's satellite capabilities. One of Charlies hobbies was Amateur Radio communications, more commonly called Ham Radio, and many hours were spent shivering in his ham shack behind the house, whilst he 'worked' contacts all over the world both on voice and via morse code. Steph's job was to collate the contacts and send out the 'QSL' contact cards. Norfolk Island was a very rare contact in the Ham world and Charlie's callsign, VK9NI, was in great demand from all corners of the globe. Another of Charlies hobbies was flying radio controlled model aircraft. Charlie was reluctant to start a family but as life would have it, one day Steph arrived from Brisbane with a little bundle called Ellie and Charlie was transformed. Eleanor was his pride and joy. Charlie, Steph and Eleanor moved back to Australia and settled in Currumbin Valley in 2001, moving to their current home in Palm Beach in 2005. In 2004, Charlie and Steph took off on a round the world holiday, meeting former Norfolk resident, Ken Cochran in Buenos Aires, Argentina, when Ken convinced them to invest in a small apartment where they lived on and off for three years. After Charlie was diagnosed with cancer in 2007, they moved back to Australia and for a while, treatment was successful. In 2009 Charlies' health started to deteriorate again and from then on the disease slowly took its toll and Charlie left on the 27th August 2010. To Stephanie, Ellie and Grandma Dot and to all their friends on Norfolk and in Australia, this House extends its deepest sympathy. May he rest in peace.

Thomas Robertson Sim was born in February, 1930, the second son to his Scottish parents, Frank and Jean. His older brother Robert was a doctor and his younger sister Marion a devoted mother to five children. Tom did his baker's apprenticeship in Sydney and moved on to a managerial position in a factory before he moved to Norfolk Island where he worked in Administration at the Bond and as Tourist Accommodation Officer. Tom was a true gentleman and held on to many traditional values - honesty, integrity, courtesy and kindness. During his time in Sydney, he was very involved in his local church and became an elder in the Presbyterian Church. He came to Norfolk for a holiday and enjoyed the island so much, that he returned again and again, usually staying at Aunt Em's guest-house. It was through his connections with Aunt Em's that he met the love of his life - Eleanor Jean Ormsby Olsson, nee Buffett. Tom once said "*Life began for me at 44 when I met myse darling Jean*". These lovely words captured the feelings that Thomas Robertson Sim had for his wife. Jean had to teach him a great deal about farming and machinery as he had very little idea about cattle and planting, being a "big city man." Tom was very proud of his family on Norfolk, spoke fondly of his many nieces and nephews in Sydney and enjoyed the visits of his neighbours and

friends. Tom developed a passion for Norfolk and this was reflected in his welcoming and generous nature to those living off shore. Tom became more knowledgeable about animal husbandry with the help of Jean and the 'muster crew.' He loved animals and was very protective of their geese, cats and Jean's dog Rastus. He named each and every new calf after someone he knew or for special occasions related to their birth. He could recognise them at a distance on the common and they would come when he called to hand feed them. Since Jean passed away, Tom has been biding his time and he passed away last Thursday, 16th September. To Glen, Helen, Shaune, Jess and Kaitlin, to his family in Australia and his many friends, this House extends its deepest sympathy. May he rest in peace.

SPEAKER Thank you Mr Sheridan. Honourable Members as a mark of respect to the memory of the deceased, I ask that all members stand in silence please. Thank you Honourable members.

PETITIONS

We move now to presentation of petitions. Are there any petitions this morning?.

GIVING OF NOTICES

Are there any notices today?

QUESTIONS WITHOUT NOTICE

Are there any questions without notice Honourable Members

MR KING Thank you Madam Speaker a question for the Minister with responsibility for Telecom, is it a fact that the Administration is in breach of its commercial agreement with New Zealand Telecom through non payment of agreed charges for carriage of our communications. Is it not a fact that the Administration owed at a recent point in time some \$1m and is it not a fact that default in payment to New Zealand Telecom places our communications at risk

MR NOBBS Thank you Madam Speaker there is an amount that has not been invoiced to Norfolk Island for some years by Telecom New Zealand to tidy up that arrangement so that we were presented with an invoice I travelled to New Zealand with the Telecom Manager and met with the executive of Telecom New Zealand and discussed an invoice arrangement whereby they present that to the Norfolk Island Administration keeping in mind that it perhaps should have been presented to us at a more timely fashion and that an appropriate programme schedule of payment could be arranged which they are quite in favour of. At this point I'm certainly not aware of the \$1m figure that Mr King's is alluding to however, it is in hand with the executive of Telecom New Zealand and ourselves to work our arrangements moving forward

MR KING A supplementary question if I may to the Minister, is the Minister able to confirm that we have the capacity to meet whatever amount is outstanding to New Zealand Telecom without placing our communications at risk

MR NOBBS Thank you Madam Speaker at the present time there is an amount in the arrangement that Norfolk Island has with New Zealand Telecom where New Zealand Telecom credits us a reasonably substantial amount per month. We have discussed in our assessment of a payment program whether that could be the payment program moving forward for this outstanding invoice when it is presented that rather than Norfolk Island receive that payment from New Zealand Telecom that, it become an installment payment but it is basically a book entry for them and at this stage that's part of the discussion. In terms of the capacity to pay in that regard, I have briefly discussed it in Cabinet and it would seem that it is within our means

MRS GRIFFITHS Thank you Madam Speaker my question is for the Minister for Tourism, Industry and Development. On May 19th I placed a question on notice, asking, given Norfolk's poor financial situation can the Minister advise the community of at least three revenue generating activities he has planned to reverse our current financial trends, to which the Minister gave a lengthy reply covering issues such as negotiations with Air New Zealand, gaming and financial services. Can I ask the Minister what if anything he has done to progress or all of these initiatives

MR NOBBS Thank you Madam Speaker and thank you Mrs Griffiths for the question. There are a number of results that I can report in those areas with regard to the Air New Zealand arena. Prior to travelling to New Zealand and this was a combined visit with the Telecom visit, to make best use of time, the meetings I had with air New Zealand executives were able to re establish a bit of certainty in terms of how Norfolk Island was progressing with Air New Zealand. At that stage I think they had us on the critical list. We made a commitment to do a significant amount of profile work to raise Norfolk Island's profile in New Zealand which we have already put in place. Air New Zealand showed an interest in that as well as some other initiatives that are still on the drawing board at the moment that involve Norfolk Air and Air New Zealand in potential triangulation of flights which sorts out one of the issues that Air New Zealand raised in terms of seven day travellers as opposed to those travellers from New Zealand who may only like to have four day stays. That I think is the answer to the Air New Zealand aspect and just to expand on that. For New Zealand we also worked with Air New Zealand Holidays and our representative in New Zealand also put together a twelve month profile programme for Norfolk Island to make Air New Zealand a lot more not only confident as a destination but also collaborative in how we work together. The results of that have been evident in the fare structures that they have put out. You mentioned some of the other initiatives that were on the drawing board. Some of those include renewable energies and the options for that to bring in revenues for Norfolk Island...

MRS GRIFFITHS I mentioned gaming and financial services

MR NOBBS Thank you Madam Speaker there have been a number of movements in the area of gaming. One is that earlier on I had asked the Gaming Director to produce a prospectus as well as more profile building opportunities for Norfolk Island to encourage gaming. I have also through Norfolk Telecom had them construct some commercial documentation so that it becomes very straight forward for those people who have an interest in relocating their gaming servers to Norfolk Island or utilising any of the facilities on Norfolk Island in terms of Telecom technical services. Within that there has been an ongoing interest and indeed a presentation to Members on some prospective new gaming initiatives. At this stage I don't think I can report on that because it is in the early stages however they are in serious stages. There was one other aspect to Mrs Griffith's question that regarded financial services and although there has been some work moving along in that arena with the change of Government within Australia has brought that to a bit of a slow down so we are recommencing that

MR KING Madam Speaker I would like to ask the Minister a supplementary question if I may, Minister where is the \$3m per year that the previous Government announced that they would receive by this year from gaming initiatives taken by the last Government

MR NOBBS Thank you Madam Speaker I think you are referring to a proposal that was put out at the time that also related to funding of the SPIN initiative

MR KING No Madam Speaker. I am referring to gaming initiatives taken by the previous Government of which Mr Nobbs was the Chief Minister, a gaming initiative I imagine was much of the same nature as that taken by him now, wherein they announced, heralded the arrival of \$3m additional revenue from gaming

enterprises which they were to attract then. I ask how does the House expect to reconcile that failure with the gaming initiatives reported to be taken now

MR NOBBS Thank you Madam Speaker the simple response to that Madam Speaker is that those advises are obviously provided on the advise to us from the officers as in directors and those participants in the industry as to where they see financial capacity. Now there were a number of issues I suppose that negated that happening outside of Norfolk Island's control. However that doesn't mean that we've lost the interest of those potential operators

MRS GRIFFITHS Thank you Madam Speaker this question is for the Chief Minister. On June 15th I placed a question on notice asking how is the Chief Minister planning to increase the knowledge and participation of the Legislative Assembly in Norfolk Island's political processes for enhanced performance to which the Chief Minister also gave a lengthy reply. Can I ask the Chief Minister which specific mechanisms he has introduced to ensure that the Legislative Assembly is as informed and effective as it can be

MR BUFFETT Thank you Madam Speaker. In the question that I responded to earlier I mentioned these sorts of things. I mentioned briefings for incoming Members, which was designed to equip Members about activities of the Administration, and the roles and responsibilities that relate there. We had site visits and the like. When we were preparing the budget, Members were particularly invited to be present so that they might hear the bids from various people within the Administration and be able to equally assess the importance of them. Just to respond to the present question, Members have had that opportunity to do that so that is equipping Members in terms of their particular tasks. There was foreshadowed and has been put into place, standing committees of this House, particularly that might examine Bills that have come and I understand that there are Bills that have gone from this House to that forum already in the life of this Legislative Assembly so that equally is equipping Members in being about their tasks and assessing what is to happen within this community. I also mention that, and this is in a much wider sense of course, that Norfolk Island and its parliament participates in the Commonwealth Parliamentary Association and especially in the smaller countries arrangements, there are gatherings that are discussing things that are peculiar to small places, including this, and Mr Snell of course, leave has been granted and he is particularly attending one of those activities at this moment. So I'm just trying to illustrate some of those things earlier mentioned how Members may participate in them, the aim of course is to not only deliver good Government in the island and their participation for that purpose, but also to equip Members in terms of their wider knowledge about how things tick and be able to participate in the processes

MR KING May I ask a question, it's a substantive question Madam Speaker but it is in relation to the answer that Mr Nobbs' provided to my first question relating to the outstanding debt to New Zealand Telecom. During that answer the Minister said both that the payment was within our means and he also spoke about an installment plan. I would ask the Minister which is it. Is payment of the entire amount within our means or has he entered into, as a default creditor, an installment plan for the repayment of the amount

MR NOBBS Thank you Madam Speaker as I actually clearly stated, we are talking about a repayment schedule that is no way locked in at the moment. As I also stated, it's in an early stage of discussion with the executive of Telecom New Zealand and that installment program would seem to be within our means

MR KING A supplementary question Madam Speaker, can I ask the Minister if I could take that as a no answer, that we are not in a position to pay that the outstanding debt to New Zealand Telecom, for the purposes of clarity of course

MR NOBBS Thank you Madam Speaker for the purposes of clarity, the invoice has not yet been presented so it would be entirely...

MRS WARD Thank you Madam Speaker a question to Minister Anderson for Finance, Minister is it a fact that \$30,000 has been appropriated in this years budget to allow for the extension of the arrival hall at the airport terminal in order to house the x-ray machine, and will customs staff be provided with adequate training to report and provide data on this system once in place

MR ANDERSON Thank you for the question. The situation is yes, there has been funds allocated for the extension of the arrival hall, I think it's \$35,000. At the moment the work staff is currently working on the Visitors Information Centre and when they have completed their work there the intention is they'll move to the airport. Once the work is completed the machine will be moved and that machine is currently in use at the Post Office so all customs officers are currently trained on it and on the machine that will continue to be used at the Post Office and any information or intelligence that arises from its use will obviously be transmitted through to us

MRS WARD Thank you Madam Speaker another question to the Minister for Finance, Minister what is this financial years projected revenue under the heading gaming

MR ANDERSON Madam Speaker I would have to refer to budget papers and come back to you on that. I don't know of the top of my head

MRS GRIFFITHS Thank you Madam Speaker I'm not sure who this question is for, it's in relation to fuel handling. Last July 2nd a gazettal notice sought expressions of interest for fuel handling, delivery and management on Norfolk Island, with these expressions closing 16 July could the Minister please advise the House whether the matter is finalised by public notice; how many applicants lodged the expressions of interest documents; who was the successful applicant and what are the financial arrangements of the parties and what are the security and insurance details of the agreement

MR NOBBS Thank you Madam Speaker as that is a procedure that is handled by the Administration I will seek to get that information

MR KING Madam Speaker while we are talking about fuel perhaps I could ask the Minister what mechanisms or what formulas or factors have caused the local fuel prices to soar in the order of \$2.30, I think especially diesel when mainland prices are expected to fall to about \$1 per litre

MR NOBBS Thank you Madam Speaker as you say in your own words Mr King, are expected to fall. The purchase arrangements as I understand it for Norfolk Island fuel are subject to delivery at Singapore and are subject to different timelines and also the resultant exchange rate as well as barrel cost at that time

MRS GRIFFITHS Thank you Madam Speaker again, I'm not certain of the Minister with responsibility for the Airport Fire Service. Mr Nobbs. Can you advise this House on the current certification status of the Norfolk Island Airport Fire Service

MR NOBBS Thank you Madam Speaker recently there was a CASA audit carried out on Norfolk Island Aviation Rescue Fire Fighting Service and what that revealed was that the certification needed to be renewed. That is in the process of happening. As it stands at the moment, my understanding is that we are category 6 notified but not certified so that each of the aircraft that arrive into Norfolk Island are provided that advise

MRS GRIFFITHS Thank you Madam Speaker a supplementary question please, can I just confirm that you are saying that the Airport Fire Service is not certified

MR NOBBS Thank you Madam Speaker with regard to the normal CASA arrangements, yes, as I understand it the certification has expired and is to be renewed

MRS GRIFFITHS Thank you Madam Speaker can I ask the Minister whether the Minister would please table the past two CASA audits

MR NOBBS Thank you Madam Speaker I would seek advise on that in regard to that is something that is with CASA as I've raised earlier in that regard

MR KING Thank you Madam Speaker a question for Mr Sheridan in his capacity as Minister responsible for healthcare, can the Minister unequivocally guarantee that medical treatment for Norfolk Island referred patients is not denied, delayed or threatened in any way by altered, reviewed, or reduced credit facilities with mainland health providers

MR SHERIDAN Thank you Madam Speaker as far as I'm aware of, no

MR KING No you can't guarantee

MR SHERIDAN No, no, no

SPEAKER Honourable Members questions without notice through the Chair please. Mr King, you have a supplementary

MRS WARD Thank you Madam Speaker my question is to Minister Sheridan, what are the significant findings in the draft actuarial report on the healthcare and workers compensation funds and will the Minister be tabling the final report

MR SHERIDAN Thank you Madam Speaker I intend to make a statement on the actuarial report during statements if that can wait until then but just as to tabling the final report, I intend to table the final report but it won't be today

MR KING Thank you Madam Speaker a question to the Minister with responsibility for Social Services, given that the Norfolk Island Social Services system does not [provide for a carer's allowance, and given that a Commonwealth allowance is not available for carer's of War Veterans living in Norfolk Island in their own homes, will the Minister show some compassion and understanding for our Veteran's by adopting whatever means is necessary to accommodate such carer pension or allowance arrangements

MR SHERIDAN Thank you Madam Speaker I will have to take that on notice but I will take that on notice to get a complete answer but I can assure Mr King, that we are actively looking at some caring type arrangements for not only the veterans of Norfolk Island but also just for our elderly in the community

MR KING A supplementary question if I may could I ask the Minister whether there is a timetable that he can inform the House of

MR SHERIDAN Thank you Madam Speaker I'll get back to Mr King on that too, because I haven't got a dedicated timeline at this point in time

MRS WARD Thank you Madam Speaker this might be a supplementary question, is it a fact that the Minister is also currently reviewing the deemed income policy attached to the Social Services Act

MR SHERIDAN Yes that is correct I am looking at the deemed income or the lump sum income. Yes I'm reviewing that and it is expected that at the time the next review of pensions are undertaken which is in July next year, that policy will be in place

MR KING Madam Speaker can I reflect for a moment on the answer to a question previously on Mr Sheridan. Mr Sheridan mentioned that as far as he knows the treatment provided by health providers on the mainland for Norfolk Island referred patients has not been denied, delayed or threatened in any way or altered or affected in any way. Can the Minister confirm that he is not aware of one instance where health providers have confronted patients with questions relating to the ability of Norfolk Island to pay its healthcare providers

MR SHERIDAN Thank you Madam Speaker Mr King is quite correct. When patients do get referred off shore for treatment, some hospital or all hospitals, they virtually ensure that a guarantee is available from the healthcare system that the accounts will be paid. In some instances some Hospitals don't acknowledge the letter that is accompanied by the patient guaranteeing this payment and they have to have you might say a telephone conference between the two and some other guarantees so that those patients can be treated, but yes, it's usually just a hiccup in the paperwork when an occasion like that does arise, it is no intention or there's no need for concern that the accounts won't be paid, because they will be, it's just in some hospitals, they take the letter as it is, others won't accept it and we have to go down further

MRS WARD Thank you Madam Speaker my question is to Minister Nobbs, at the last sitting of this House the Minister said that Norfolk Island is currently contributing \$15m per annum to the Commonwealth taxation coffers. Can the Minister provide the source of this information and table any relevant documentation

MR NOBBS Thank you Madam Speaker that paper was produced through the Service involving officers with economics background and expertise as well as some input from areas outside of Norfolk Island to gain that relevant information. I will certainly have some discussion with the CEO of the Public Service to see whether that paper can be tabled

MR KING Thank you Madam Speaker, a question to the Minister for Finance, can the Minister advise what regular audit takes place on the expenditure on the yearly allocation of funds for CPA activities, that is, Commonwealth Parliamentary Association activities, which I understand was some \$20,000 appropriated this year. If no audit is undertaken, what means does the Legislative Assembly and the community have of confirming that funds have been spent properly and for the purposes for which they were appropriated

MR ANDERSON Thank you Madam Speaker and thank you Mr King for the question. The allocation for the CPA is audited as one of the normal accounts of the Administration's revenue fund. If you're concerned about the specific payments that are made to the CPA by way of subscription the auditing that is available there is, the subscription entitles us to certain benefits and where that involves travel, as per the current Deputy Speaker being away, that is actually paid by us first and then reimbursed to us by the CPA so there is an audit trail on the expenditure that occurs and that is reimbursed by CPA

MR KING A supplementary question if I may. That spun around my head a little bit that answer Madam Speaker, could I just seek some clarification. Is the Minister saying that the Commonwealth Parliamentary Association bank account into which the yearly allocation of funds from the Public Account is made, is subject to an ongoing and regular audit

MR ANDERSON It would be by the Commonwealth Parliamentary Association's auditors but not by ours

MR KING I have a further question. Do we then have an audit report from those who review or audit the expenditure of those public monies. Is there anything available for tabling in this House or production to the community about the expenditure of those monies

MR ANDERSON In the normal course of the audit conducted of the revenue fund by the Norfolk Island Government Auditors, if there was any reason to raise anything then it would be raised, but I'm not aware of any other document in relation to that particular account being produced

SPEAKER Chief Minister are you looking to entering the lists on this response

MR BUFFETT Madam Speaker I don't know whether it's helpful to Mr King or not I just wanted to make mention of this, in terms of the CPA itself, their accounts of course are audited and the accounts and the audit arrangements I understand are published and I understand that they are circulated to all of the Branches including this one and therefore Mr King as a Member of this Legislative Assembly would have access to that if that is his desire to have access to it. Whether that's helpful or not I don't know but I mention it

MRS WARD Thank you Madam Speaker by question is to Minister Nobbs. Is it a fact that the cruise ship pontoon has cost the community almost half a million dollars to date and is it a fact that the pontoon is still not suitable for safe handling and that more money is needed to get the pontoon to a stage where it is safe. If further structural changes are needed is the continuation of work funded in this year's budget

MR NOBBS Thank you Madam Speaker, and thank you Mrs Ward for the question. Can you just clarify for me, you say is the pontoon not safe for handling, do you mean handling or landing

MRS WARD Thank you Madam Speaker as I understand it through the Lighterage Department its weight in handling and putting it into the water, the use of the two cranes

MR NOBBS Thank you Madam Speaker I had previously answered a similar question to this with regard to the fact that there is a two crane lift that is required for the existing pontoon structure and that it had been engineering certified however, there is some concern in a two crane lift, so as such we are certainly exploring the option of reducing the size of the pontoon or having a two segment pontoon. Now that work as I understand it is capable of being done by our own works staff and the actual costings for that I'm not aware of at this stage

MRS WARD Thank you Madam Speaker my question is for the Minister for Finance, the Minister for Finance has previously stated in the House that specific income data is difficult to obtain from the business sector on cruise ship days. How then will the Minister determine whether or not the cruise ship and pontoon experience is viable

MR ANDERSON Thank you Madam Speaker and thank you for the question, the situation hasn't changed and the information that is available from the private sector in relation to cruise ship visits is still difficult to obtain and it's probably for the Minister for Tourism to ultimately determine the viability or otherwise of the cruise ships, but clearly when the ship unloads and the weather is good, just the increase in

activity and the general increase in morale would be seen to be a reasonable initial return on the investment as long as the ships continue to come. In determining the viability and therefore determining the commitment of any further funds, the expenditure would have to be based on a business case and at this time, the only indicator's we would have would be the spikes if any that appear in the GST when those visits occur and given their frequency we may or may not be able to determine the extent of that spike

MRS WARD Thank you Madam Speaker a supplementary question, is the Minister or the Government able to table the business plan connected to the cruise ship industry visits

MR NOBBS Thank you Madam Speaker during Questions On Notice today I intend to place some information in regard to the business and risk assessment plans that were carried out previously. There is still some further data that I would like to pursue that was available or was reported to the Legislative Assembly at the earlier stages of development of the cruise ship programme. In that data was a number of pre booked tours, experiences etc and what that would generate out of just that part of the definite component once those people are landed on Norfolk Island so that would certainly help Mr Anderson as well with his answer

MR KING Madam Speaker a question for the Minister with responsibility for the Emergency Services. Can I ask the Minister to advise the House of the assessed state of readiness of the island's Emergency Services to deal with natural disasters arising from extreme weather events experienced world wide as a result of climate change

MR SHERIDAN Thank you Madam Speaker and thank you Mr King. As far as I am aware the Emergency Services are quite capable of providing assistance in these areas and it was demonstrated during last weekend when we had a high wind alert where the Police were very active and the Emergency Services even though they weren't, the Emergency Services Centre was not operational, it didn't get to that level to ensure that the Centre needed to be open, but through the Police and the other Emergency Services personnel ie the Cliff Rescue Squad, etc I believe that we do have a very good grasp on things to ensure that if there are any natural disasters that do happen in regard to Norfolk Island and even with the climate change etc I believe that we would be in good hands Madam Speaker

MR KING Can I ask if the Minister's view is supported by any external professional audit as to our state of readiness

SPEAKER Can I ask Members to be mindful that we are moving into opinions

MR KING Madam Speaker I'm simply asking if there has been a professional external audit of our state of readiness

MR SHERIDAN Thank you Madam Speaker as far as I know I don't believe there has been a full assessment of our Emergency Services on Norfolk Island by an external authority. I do know that the Cliff Rescue, our Emergency Services area there are part of the New South Wales Emergency Services and we had people over here within the last couple of months casting their eye over our personnel and giving some advise as to where they were lacking and areas that they could improve on but as through Emergency Management Australia, no I don't believe that I'm aware of any audit that's been undertaken of Norfolk Island's Emergency Services

MR NOBBS Thank you Madam Speaker perhaps I can add to what Mr Sheridan has said there. Over the past year and a half we have had a number of

visits from the Commonwealth in particular we had a visit from a group that has been set up as I understand it in Canberra which is an Emergencies Co ordination Services which involves all of the Emergency Services agencies for Australia to very much look at some of the issues that Mr King has raised. They did an audit on Norfolk Island of the new Emergency Management Centre, the staffing and certification level some time ago, and as well as praising Norfolk Island for its work in that area also recognised Norfolk Island as a redeployment position or an evacuation position given some of those strengths that we had there should there be an emergency in the region

MRS WARD Thank you Madam Speaker a question for the Chief Minister, is it the Chief Minister's intention today to table a direction or strategic plan for the 13th Legislative Assembly

MR BUFFETT Yes it is Madam Speaker when we come to statements time I will have that for presentation

MR KING Madam Speaker a question for Mr Sheridan, can the Minister or confirm that funding has now been secured for the implementation of the Argentine Ant eradication program and also confirm that the time line for implementation as set out in his statement of intention has been met

MR SHERIDAN Has been met or is being be met or will be met

MR KING Is currently being met. Are you on time. Are you following the time line set out

MR SHERIDAN Thank you Madam Speaker yes we are following the time line. It is not expected to undertake any further progress with regard to the Argentine Ant until it gets a little bit warmer and that's our plan for the next couple of months and that's when the program will take full force over the summer months. As to the commitment for funding. Yes the funds have been allocated through this budget cycle and the funds area available

MR KING I may be in inaccurate in my assumption Madam Speaker but is it not a fact that the funding grant application has been approved in relation to that project

MR SHERIDAN Thank you Madam Speaker yes you are quite correct Mr King. There has been a application for some funding and at this point in time we haven't been advised as to the success of that funding but we have been advised of the result of that request but due to the agency who administers these types of funds, they wish to announce everything through their own office at the appropriate time through a press release and they've asked us not to state whether or not we've received these funds

MR KING Thank you a question for the Minister with responsibility for communications, will the Minister advise the expected roll out cost for the high speed broadband connectivity to homes and businesses from the SPIN project and how the roll out is planned to proceed

MR NOBBS Thank you Madam Speaker there is a Question on Notice that relates to that project

SPEAKER You will answer that at that time?

MR NOBBS I will defer this question to that point

MR KING A question to the Chief Minister if I may, could I ask the Chief Minister is the most recent engagement of Crosby Textor a current or ongoing

commission and what amount of public funds have been spent in total on the engagement

MR BUFFETT Madam Speaker I made a Statement or provided some information at an earlier time about that. The figures are not exactly in my mind. There has been no expenditure beyond that

MR KING If I may seek some clarification, could I ask a supplementary question of the Chief Minister, is the commission a current or ongoing commission

MR BUFFETT No, it was for a period of time and that period has expired

MRS WARD Thank you Madam Speaker the question is to Mr Sheridan. Will the Minister table the terms of reference for the undertaking of the Environmental Impact Study to be completed on the proposed high temperature pit incinerator at the airport

MR SHERIDAN Thank you Madam Speaker yes I can certainly obtain those and table them at the next sitting

MR KING Thank you Madam Speaker a question for Minister Sheridan, could I ask what are the salient findings in the preliminary report on the healthcare and workers compensation funds and will the Minister be tabling that report

MR SHERIDAN Thank you Madam Speaker I think I answered that question before that I will be making a statement in Statements

MR KING Thank you. Can I ask a supplementary question. Will the Minister's statement be reporting on whether any consideration has taken place to reducing or limiting certain benefits under the healthcare scheme

MR SHERIDAN Thank you Madam Speaker, no there certainly won't be any indication as to what the results of the report will be, whether or not we will be increasing or decreasing, no it won't mention those at all

MR KING Madam Speaker could I ask another supplementary question, Minister is it not a fact that on the 9th August you asked the Administration to consider a policy of reducing or limiting certain benefits under the healthcare scheme

MR SHERIDAN Thank you Madam Speaker Mr King might have to refresh my mind because I'm not sure what his...

MR KING I can answer that for him Madam Speaker. Yes. It's a fact

MRS WARD Thank you Madam Speaker a question to Mr Sheridan, Minister Sheridan in the media last week or the week before the body or corporation that are called the Ball Bay Harbour Corporation are seeking approval and comment from the community re a proposal to put harbour facilities at Ball Bay and they purport that there has been Government support. Is that this Government's support or is it the Government previous to this Government's support for this project

MR SHERIDAN Thank you Madam Speaker I think that when they say Government support it would have been the previous Government, this is when this all came about, over the last few years and the Government of the day gave in principle support for them to proceed with their project, yes

SPEAKER Minister Nobbs you are looking to give a further response

MR NOBBS Thank you Madam Speaker if you don't mind. The Norfolk Island Harbour Corporation have certainly maintained contact with the past Government and with myself in this Government and to enable a clear communication with the Legislative Assembly as a whole and the Harbour Board of any of the issues ongoing in their investigation of potential harbour options we have a Member of the Legislative Assembly who has offered to be on that Board and is welcomed by the Harbour Corporation

MRS WARD Can I ask the Minister who that Member is

MR NOBBS Thank you Madam Speaker the Member from our grouping here is Mrs Griffiths

MR KING Madam Speaker a question for Mr Nobbs, if I may. Can the Minister advise the Human Resources Policy whether an advisory committee in the nature of an economic development committee currently exists or is proposed to be formed. Who comprises or is proposed to comprise the Membership of the committee; what is the task or proposed to be the task of the committee and whether the Minister proposes to amount to the committee a former Member of the Legislative Assembly who showed no expertise in or understanding of economic development; whose assessment of public finances...

SPEAKER I would ask that you not reflect on a former Member

MR KING I'm not reflecting on any former... I've not identified any former Member Madam Speaker

SPEAKER On the House or a Member of the House. Please continue

MR KING the last part of my question was, or is now, whether the Minister proposes to appoint to the committee a person who showed no expertise in or understanding of economic development; a person whose assessment of public finances was that they were strong and stable when in fact they were irretrievably crashing and who when Norfolk Island was in the grip of a prolonged economic depression held out no hope or understanding to the community

MR NOBBS Thank you Madam Speaker I'm actually quite amazed that, that full dialogue got out

MR KING I took a breath

MR NOBBS Well your judgement of the past Members of the community who have given service to the community is your judgement alone. In answer to your question as you are referring to an Economic Development Committee which is a proposal that I have made to Cabinet to establish a sub committee in this regard, the purpose of that Economic Development Committee is to enable analysis and community awareness of some of the initiatives that are on the table at the moment such as renewable energy, research and development centres; training facilities on the island set up by external operators; a wide array of considerations in terms of economic development to Norfolk Island. In terms of the Membership I would see that it would be established through invitation or almost expression of interest in some regards to ensure that we've got people of the capacity that we need to provide this sort of advise and forward planning and policy advise as well that would relate to many of the initiatives that

are on the table at the moment. The reason I've brought it forward is also to evaluate incentives that we can put into Norfolk Island to enable upgrading of private sector operations such as accommodation and retail and things like that, so there are a huge diversity of considerations in line for this committee

MRS GRIFFITHS Thank you Madam Speaker a supplementary question I would ask Minister Nobbs why would he take this approach when economic policy falls directly within the bailiwick of the Minister for Finance and what would you propose would be the differences in these approaches

MR NOBBS Thank you Madam Speaker the Finance Minister forms an ex officio member of this sub committee. The difference between what this sub committee evaluates as opposed to wholly and solely economic policy is this is looking at specific commerce and industry development on Norfolk Island as well as affording the best options that we can in proposals to enhance the existing industry and commercial developments on the island

MR KING Thank you Madam Speaker. A question for Minister Sheridan in his capacity as Minister responsible for social services. For the purposes of clarification, does the Minister confirm the view expressed by him at the last meeting of this House that a financially distressed person should not expect to be properly informed by the Government or the Administration on what financial support might be available until or unless a formal application is made

MR SHERIDAN Thank you Madam Speaker I just don't know where Mr King is going with these questions but if people are in desperate need of assistance the Administration will not know until they present themselves. We can go on a PR campaign I suppose is what Mr King wants, and list the Act in press releases week by week, to advise people of the facilities that are available under the Social Services Act but I'm sure that if people are in need they would contact the officer concerned and this is what I meant in the response at the last sitting

MR KING A supplementary question, and of course that is not what the Minister said at the last meeting Madam Speaker but I understand in listening to what he's saying now, does he then accept that it is imperative that persons presenting in financial distress be fully and properly informed at that time, prior to having to make a formal application of the range of assistance which is available and will the Minister undertake to have published material immediately revised to fully reflect the range of social service assistance available, in other words, yes, undertake an extensive PR program

MR SHERIDAN Thank you Madam Speaker yes I can talk to the Chief Executive Officer about a program such as he indicates and get his advise on that and I can certainly, there is no harm in it and if people present themselves and yes, they are advised by the Administration officer of their rights under the Act

MRS WARD Thank you Madam Speaker my question is to Minister Nobbs. At the last sitting of the House the Minister tabled the RESA technical specification document relevant to Runway 29. Under the heading Chronological RESA History, it reads "engineering consultants were engaged to prepare a report to build a case for a long term exemption. This became a mute point". Why was this option not pursued by this Government

MR NOBBS Thank you Madam Speaker any of the exemptions as we were informed at that time, were short term exemptions. Eventually you would have had to satisfy the criteria. In amongst those exemptions were such things as mechanical barriers and the like that involved quite enormous expense and regular calibration and replacement of parts etc so in that regard an assessment was carried out on what was

the best option to ensure the best progress for the airport and our international gateway for tourism

MRS WARD Thank you Madam Speaker a supplementary question, a first draft of a report to build a case for a long term exemption was completed. I would ask the Minister why a final report was never called for

MR NOBBS Thank you Madam Speaker from my understanding the discussions with CASA of which there were direct discussions on the best options moving forward for this, it was on their advise that we moved forward in the way we have

MR KING A question for Mr Sheridan Madam Speaker

SPEAKER For the Minister for Community Services?

MR KING Yes

SPEAKER Thank you

MR KING If it is a fact that workers compensation and healthcare entitlements are being suspended or withheld for long periods of time pending legal advise would you as Minister condone those delays or would you issue instructions that entitlements should not be suspended or withheld or disrupted simply because advise was not more readily forthcoming. In other words, would the Minister ensure that he Public Service is properly equipped to ensure that an income stream for pensioners, claimants and beneficiaries is maintained

MR SHERIDAN Thank you Madam Speaker I can undertake. I am unaware of any impediment by these recipients of their pensions or their workers compensation being delayed because of awaiting legal advise. I will have to check on that through the Service and I'll get back word to Mr King

MR KING Once again a question for the Minister for Community Services. Would the Minister take the necessary steps to ensure that workers compensation and healthcare claimants receive detailed advise on what has been allowed and what has not been allowed in respect of related medical and travel expense reimbursements rather than simply receive a cheque in the mail

MR SHERIDAN Thank you Madam Speaker yes I can undertake to ensure that once a claim has been finalised that details of that claim is sent out along with the cheque

MR KING Once again a question for the Minister for Community Services, can the Minister advise the extent to which Government Medical Officers take into account the financial state of the healthcare scheme or the public account when deciding on referrals offshore for medical treatment

MR SHERIDAN Thank you Madam Speaker as far as I know they don't

MR KING A question for the Chief Minister if I may, will the Chief Minister in his capacity as the leader of the Norfolk Island Government provide details of the Government's present assessment of the Norfolk Island economy and Government finances including the date by which the Government estimates it will no longer be able to function effectively

MR BUFFETT Madam Speaker this is not a question I can answer just now just off the cuff and indeed it will require a great deal of liaison with the appropriate Minister that has responsibility in the financial area. I am certainly happy to have those

discussions to see what can be brought forward but in the meantime might I say that there are periodic reports that are brought forward in terms of the overall financial situation and that will continue

SPEAKER We are in Questions without notice. Are there any further Questions without notice?

QUESTIONS ON NOTICE

Let us now move now to Questions on Notice Honourable Members. The first question we have on notice is question No 40 from Mrs Ward to Mr Sheridan, Minister for Community Services (responsible for the Environment)

MR SHERIDAN Thank you Madam Speaker I'll say the question and then say the answer Madam Speaker. Question. Can the Minister outline the objectives of the Clean Seas legislation as it applies to Norfolk Island? (a) How will the requirements be addressed? (b) How will the effectiveness of government be measured in order to meet 2015 benchmarks? Madam Speaker, in researching this question it's brought to the surface some very interesting information. Upon investigation it appears that the Act that applies to Norfolk Island in regard to sea dumping is the "1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972" commonly referred to as the "London Protocol". This protocol is adopted by Australia in the *Environmental Protection (Sea Dumping) Act 1981*. This Act, the *Environment Protection (Sea Dumping) Act 1981* applies to every external Territory of Australia under section 6. Section 8(1) of this Act binds the Crown in right of Norfolk Island but does not render the Administration of Norfolk Island liable to be prosecuted for any offence. Section 8(2) does however render persons in charge of any vessel, aircraft or platform owned by the Administration of Norfolk Island liable to be prosecuted for any offence despite section 8(1). The Act appears to create offences for dumping controlled material from any Australian vessel, aircraft or platform (man-made, fixed or floating) but does not appear to expressly prohibit or deal with the concept of dumping from any island or land adjoining territorial seas. Advice was sought from the Commonwealth and the following advice was received from the A/g Assistant Director, Ports and Marine Section of the Department of the Environment, Water, Heritage and the Arts: "*I refer to your email below in relation to the Clean Seas Legislation and whether there was any other legislation/treaties relating to the release of waste from land into the sea at Norfolk Island. Unfortunately, I am not able to assist with your inquiry as it appears your questions relate more to Norfolk Island than the legislation the Department administers. For your information I am not aware of any 2015 timeframe under the London Protocol or Sea Dumping Act*". In fact research has determined that there is no such thing as a "Clean Seas Act" or similar relating to Norfolk Island and no 2015 timeframe for dumping at sea. The date of 2015 benchmark seems to have originated from a planning application for the construction of the waste management centre on Portion 183, off Douglas Drive under Planning Application No. 100/2002. The then Ministers decision to approve that application was the subject of an application to the Administrative Review Tribunal under the ART No. 06/2002. The ART subsequently made an Order to approve the planning application subject to variations to the conditions. Although certain conditions were determined by the ART, the year 2015 does not specifically get mentioned in the conditions, except in a draft conditions document attached to the decision with handwritten amendments signed off by the solicitor for the applicant and by Graham Rhead for the Administration, setting out the policy and aim of the Administration as instructed to him. This document states that "*it should be possible, through the attainment of full re-cycling of such effluent and solid waste and through staged development of an integrated waste management process, to remove any need for the outfall, tips and burning pits at Headstone by 2015*". Despite a thorough search of files, the Administration has not found any record of the instructions provided to Mr Rhead in 2002 as a basis for this statement. There is also no record of any response received from the solicitors acting for the applicant in regard to this statement. I also

sought an opinion whether or not the statement binds the Administration in any way, with the advice being that the letter merely suggests the possibility that very much subject to the achievement of certain goals in Norfolk Island in regard to waste management by that time, the need for dumping at headstone might be able to cease by 2015. So therefore it is a matter for the Government as to whether to question the adoption or review of any policy regarding dumping at sea from headstone.

MRS WARD Thank you Madam Speaker and I thank the Minister for a very detailed response. I hope that, that will provide clarity back to the community and I would ask that the Minister table that advise if he is able to do so

MR SHERIDAN What advise was that? This response? Well it's in Hansard. My response is in Hansard so it's available to the community

MRS WARD Fair point thank you

MR KING A supplementary question Madam Speaker. A very interesting answer and one which throws some light on the facility for the embellishment in the community of certain things that might otherwise be rumours. It doesn't provide clarity in respect of the Government's position except to say that right now we are (?) in understanding that we can throw rubbish off Headstone for as long as we wish. That of course screams out for the Government to adopt a policy in relation to that and I ask the Minister whether he would give us now some time line as to the adoption of a suitable policy in relation to those matters

SPEAKER Minister were you looking to respond

MR SHERIDAN Thank you Madam Speaker I might as well. I was just waiting for your nod.

SPEAKER Please proceed

MR SHERIDAN Thank you Madam Speaker yes, I understand Mr King's question and I am concerned as well as he is with regards to the practice of burning out at Headstone and wanting it to cease as soon as possible, and in that respect at this point in time an Environmental Impact Study is currently being compiled and it is hoped to be completed by the 8th October with the intention for it to be a draft EIS with the aim for it to be reviewed and the finalised completed document by 22nd October this year and this would go then together with a development application to the Administration by the end of November and hopefully a determination on the Development Application for a pit burner at the Waste Management Centre will be decided by the end December and Madam Speaker this will be, if we can achieve this, if we can achieve a high temperature pit incinerator at the Waste Management Centre it will go a long way towards the eradication or stopping of burning out at Headstone. As this is in my area, this is the road that I'm taking at this point in time. The Government as I'm aware has not set a deadline when they would want this in place, but myself, I would want it to be in place as soon as possible so it's just a matter of going through the processes and hopefully it will be achieved and then we can move forward and work on the next stage of either being reducing that pit incineration over to that high temp incineration

SPEAKER Question No 41 from Mrs Ward to Minister for Community Services (responsible for the Environment)

MR SHERIDAN Thank you Madam Speaker the question is, will this government establish a Norfolk Island Environmental Protection Authority (EPA), similar to other states and territories, in order to set standards and report on the effects of and on, human activity including air quality and emission standards? Just a bit of back ground

information. Currently there are no emissions standards that apply to Norfolk Island and any proposed developments that are likely to produce emissions are individually assessed and conditions may be imposed which require emissions to be controlled or monitored in some way prior to the approval of the Development Application. The Administration currently has dust and sound meters. The dust meter measures particulates per cubic meter but not total emissions. Dust deposition meters are currently installed around the crusher to monitor the amount of windblown dust emanating from the crusher. These types of meters do not measure gaseous emissions. Australian States and Territories are served by authorities that set standards and report on environmental impacts such as noise, air and water pollution. Some authorities are purely advisory, such as the Northern Territory's Environmental Protection Authority, and a separate Environment Protection Services branch monitors emissions and sets standards. The government bodies in each state, responsible for monitoring and reporting on emissions are backed by significant resources, expertise and budgets, and serve large populations. Individual local Government authorities serving smaller populations e.g. 100k residents, generally do not have the resources, expertise and budgets to monitor all the various types of emissions. The resources and budget necessary to set up and maintain an environmental protection authority that monitors and reports on all types of emissions would be enormous. Various devices would be needed to measure the various different types of pollutants. The number and range of industries on Norfolk Island that produce emissions is not enough to justify significant resources and budget to be spent to set up a fully functional NI EPA. Considering the information at hand it would be unlikely that the NI Government would consider establishing an EPA, but in saying this if a particular industry is producing emissions that are causing concern, the NSW EPA (or other EPA's) could be invited to come to NI to measure and report on the emissions. In other words outsource the work.

SPEAKER We move to Question No 42 from Mr King to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker and the question reads, given that the six year old policy that existing tourist accommodation houses should maintain minimum standards of rain water storage, as embodied in the Development Control Plan No 2 has not been able to be implemented, what steps will the Minister take to ensure that the policy objectives are met within the term of this Assembly? Madam Speaker this question came out of some discussions that Mr King and I had in the hallway recently where I pointed out that the intentions of the plan were quite clear but on the advice given to me at that point, the provisions that could enforce it seemed to only be in achieving planning approval and in achieving planning approval for some new additions to a pre existing accommodation operator, they had to ensure that they met the standards for water storage for a number of units or beds. Having said that, to legislative and ensure that all operators regardless of whether they were making progressive changes to their properties or not, were forced to meet these water storage standards, we would be required to draft up some new legislations and that would fit within the amendment to the Planning Act or to the Wells and Bores Act so they are things that I'm quite happy to discuss with Mr Sheridan as they fall within his area of responsibility

MR KING Just for the purposes of clarification Madam Speaker, is the Minister saying yes he has at least a policy desire to implement that policy within his term

MR NOBBS Certainly Madam Speaker

SPEAKER We are at Question No 43 from Mr King to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. Mr King has asked will the Chief Minister outline the government's policy for public sector recruitment including its

policy objectives a) as a major employer in the island; b) in relation to job security; and c) in respect of providing career paths for island people. Madam Speaker in response I mention this. Firstly the Government's policy for recruitment to the public sector in respect of being a major employer in the island is one of selection based on the merit principle. This is clearly outlined in section 5 of the Public Sector Management Act 2000. A competitive selection process must be undertaken in respect of each appointment and the extent to which each of the applicants has abilities, aptitude, skills, qualifications, knowledge, experience is assessed with the most eligible applicant being appointed to the position, and the objective of this policy being to ensure that the best applicants for a position are appointed to the Public Service and we also know that there is a Public Service Board available to consider appeals under that process. I also mention in responding to that part of the question, the Administration introduced a policy in 2008 where, apart for exceptional circumstances, all positions that become vacant are advertised and competitively recruited for, whether these are long term or for temporary relief staff. The objective of this is to provide employment opportunities across the entire island community. I do need to say that this has been a difficult area. Sometimes relief is required immediately and this is a fairly lengthy process in some instances so it has not been able to respond to the situation in all sorts of circumstances and there are some exceptional circumstances used that have caused comment also and that is part of the difficult mix there. The second part of the question relates to job security. The Government's policy in relation to job security is to provide as much security of employment as can be accommodated within both the difficult economic climate that the island is in and within the current process of review and restructuring of the Administration. This Government has continued a policy objective to try and maintain full employment and to date it hasn't shed staff within the public service even though the island has experienced and is experiencing quite difficult times. That obviously is said again and again as we sit around this table. It has continued with providing fixed term performance based contracts for increased job security to staff where they were previously casual or were previously on a temporary arrangement. Positions that had fallen vacant which after assessment require filling have also been adapted to fixed term performance based contracts during the period of restructuring of the Administration to give some flexibility in that restructuring process. The third part of the question asks all of this in respect of providing career paths for island people. And I just mention four points here. The Administration is reviewing and in most cases upgrading the skills required for the positions in the Administration and this is in recognition that in almost all levels of its operations the technical and academic skills required in the public service positions have increased over recent times. A period of years yes, but over recent times. The Administration needs highly skilled people to accommodate the diversity of the requirements of our Government and to provide a high standard of efficient and professional services in its delivery to the public. It's important to mention that the Administration is investing, through in service training in improving the skills required in the existing workforce and it has a centralised training fund within the HR section with a focus on improving both general skill sets for example in areas such as Information Technology and also through position specific training and qualifications such as training in the use of heavy equipment. And I might say that notwithstanding that we have a fairly restrictive maintenance budget in this particular year we have still provided money for training. \$143,000 and most times when people move into difficult times, they cut the training program. We've endeavoured not to do that so that we can still provide skills a) within the service but also beyond as well. It is anticipated that the review and upgrading of the qualification of positions within the Administration will improve career paths for island people who are currently away undertaking training. People such as our young people obtaining tertiary qualifications overseas. This process will recognise their training and qualifications and those training and qualifications will meet the criteria that we are about. It should have the benefit of attracting our young people back to the island by providing rewarding and challenging positions that utilises their training. The final point I make in this, I mention that I have four here, it's also anticipated that the investment in training of existing staff will improve their career paths within the Service but also by improving the career opportunities

outside the Administration if that's where they move subsequently in other vocational occupations whether it be on the island or overseas. Thank you Madam Speaker

MRS GRIFFITHS Thank you Madam Speaker I have a supplementary question in relation to that. Chief Minister you mentioned career paths and I wonder whether you recognise that there would be a need to look at the Human Resources Policy in relation to gender recognising that there are a number of earning and benefit disparities between male and females within the Public Service and that the career paths also have great disparities

MR BUFFETT Madam Speaker I'm happy to examine those if they are identified

SPEAKER We move now to Question No 44 from Mr King to ask the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker, the question, will the Minister advise a realistic and appropriate timetable for the audit of the Water Assurance Scheme pipeline and the identification of any risk of waterways or aquifer contamination? The answer Madam Speaker the financial year 2010/11 budget allocated \$25,000 for consultancy fees. This allocation is intended to be utilized to carry out an audit of the Water Assurance Scheme infrastructure to determine the structural integrity of the system and to identify any issues that may arise from the inspection. A call for tenders will be published either later this year or early in the new year, with the aim of the audit being done in Feb/Mar 2011. This deliberate timing should coincide with the generally drier time of the year, so as to allow for easier access to manholes.

MR KING A supplementary question Madam Speaker, could I ask whether the Government has implemented any compulsory measures to test the ground water supply of those who sell water to the community

MR SHERIDAN Thank you Madam Speaker, no, not that I'm aware of, not for the commercial supplies. I'm unaware of any water testing that has been carried out but I can take that on notice and I'll get back to Mr King to see whether or not one has been done. I haven't requested any. I don't know whether the service has

SPEAKER We move now to Question No 45 from Mr King to ask the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker, the question, can the Minister advise in relation to the administration of the Sale of Food Act 1950 a) How many random inspections of premises licensed for the manufacture, preparation or serving of food have been conducted in each of the periods of the last six months and in each of the last three years. Madam Speaker the answer to that portion of the question is during the past 6 month period, no actual random inspections have been carried out, however, during the annual renewal of licenses, staff resources permitting, it is attempted to inspect all premises conducting Sale of Food activities, these are not advised of in advance, so in effect could be called random. Inspections are also usually requested and carried out prior to the transfer of ownership of a food premises. Also, inspections are usually carried out during construction of new, or upgrades and conversion of existing premises to ensure compliance. b) How many prosecutions have taken place for offences against the Act. The answer is that there have been no prosecutions under the Act in the recent past. Question part c) Is a \$500 fine for maintaining unsanitary or rat and cockroach infested food premises the only penalty under the Act. The answer to that part of the question, along with the 5 unit penalty, I believe it's a \$500 penalty at this point in time, for failure to comply with any provision of the Act or Regulation, the holder of a license if convicted of an offence against any provision of this Act or the regulations, the Court may, in addition to any penalty

imposed, direct that the license held by that person be cancelled, so in other words, yes there is a fine and the possibility of a licence being cancelled and the last part of the question, does the facility exist for anonymous complaints of offences under the Act with the promise of appropriate follow-up action? The answer to that is Authorised Officers receive complaints from time to time. All complaints are treated seriously and investigated. The identity of the complainant is not divulged.

SPEAKER We move now to Question No 46 from Mr King to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker the question reads, can the Minister advise the extent of barter card dollar holdings within Norfolk Air and whether such holding is regarded and treated as a balance sheet item? I'm advised by the Norfolk Air CEO that the current balance of barter card trade dollars held in credit by Norfolk Air is \$122,104.24. The Finance Manager for the Administration informs me that the barter card dollar figure is reflected as an asset in the balance sheet of the airport entity and that the accounting of the barter card dollars balance in the balance sheet is on the advise of the external auditor

MR KING Madam Speaker a supplementary question if I may, I missed the last part of the answer

MR NOBBS Thank you Madam Speaker. The Finance Manager for the Administration informs me that the barter card dollar figure is reflected as an asset in the balance sheet of the airport entity and that the accounting of the barter card dollars balance in the balance sheet is on the advise of the external auditor

MR KING Could I ask then, what is the Minister's authority for expending or dealing unilaterally with Norfolk Air's barter card dollars

MR NOBBS Thank you Madam Speaker generally the arrangements for barter card dollars is established through the Airline Board and discussions in the Cabinet is that those dollars go towards promotion and mechanisms that can destination market and promote the airline in the industry

MR KING One more question. Given Madam Speaker that barter card dollars are treated as a balance sheet item for Norfolk Air the balance sheet I have to say has never seen the light of day. Setting that aside just for the moment, given that the minister has said that it is treated as a balance sheet item how can that balance sheet item be utilized or expended without any appropriation? And how does the Minister then justify his recent expenditure of \$20,000 of barter card dollars?

MR NOBBS Thank you Madam Speaker as stated earlier there is an audit process for the barter card dollars and as also stated there is an understanding that those dollars have a way of enhancing Norfolk's gateways though barter card promotion. Those dollars are used to promote Norfolk Island and that is the basis that they are valued and evaluated.

MR KING Just for the record Madam Speaker I didn't understand the answer but I know I can't ask any further supplementary's

SPEAKER We move to Question No 47 from Mr King to ask the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker. The question reads, at the last meeting of the Legislative Assembly the Minister advised the House categorically that the statutory income test for standard type pensions under the Social Services Act applies to a Special Benefit.

a) Is it not a fact that there is no requirement under the law to apply an income test to a Special Benefit and that the application of the same test that applies to Aged, Widowed Persons and Invalid Benefits is simply a matter of policy;

b) Is it not a fact that a rigid application of that policy to a Special Benefit would preclude the Minister from exercising his statutory discretion under section 26 of the Social Services Act to determine that hardship exists in a particular case irrespective of income; and

That if the income test was applied as a rule is it not a fact therefore that a person earning \$522 per week could not in any circumstances and regardless of his commitments, establish that he was in hardship for the purposes of obtaining a Special Benefit? Madam Speaker to answer the first part, at the last meeting as Mr. King has inferred, I stated that an income test would be applied to assess a Special Benefit, and Mr. King checked to see whether or not the statutory income test that applies to standard type pensions would apply to the special benefit, I indicated that it would. What Mr. King is attempting to achieve is an acknowledgment that under the Act, there is no statutory requirement for the income test that is applied to s16, 17, 20, 21, 22, 28, 38A to be applied to s26. I can acknowledge that he is correct in his interpretation of the Act and that the statutory requirement for the income test is not mandated under the Schedule, but as the Minister, when assessing a Special Benefit application under s26 of the Act, I must be satisfied that a person among other things, is "able to earn a sufficient livelihood" so therefore to enable me to be satisfied that income and potential income from reasonably available suitable employment is not achievable, I must review that persons income. To effect this review of income the same income assessment form that is utilized for other standard type pensions is used (and this is what I indicated at the last meeting) this is mandated by s26 (2) where it is mandated that the special benefit rate (which the actual rate is a the Ministers discretion) shall not exceed the rate of the scheduled invalid benefit rate and therefore the Special benefit rate is not a scheduled rate, but subject to conditions as the Minister determines. Prior to the Minister determining the rate for the Special Benefit, I must have all facts before me to enable me to make a judgmental decision, so therein lay the reason for an income test. To answer the second part of the question I do not believe that the rigid application of the policy of insisting on an income test precludes me from exercising my statutory discretion under s26 of the Act, in actual fact as indicated in response to the first part of the question, it enables me to make a fully informed decision, and I believe this is what the community would expect of a Minister. To make decisions with all available information presented. To answer the last part of the question, as part of the assessment by the Social Services Board all factors are taken into account when assessing an application for a Special Benefit, just not the income assessment. The persons commitments are taken into account, the reasons as to why they cannot earn an income (this may be for many reasons, physical disability, mental disability, domestic circumstances etc) these are all considered. So the answer to Mr. King's assertion that by earning \$522 per week would preclude a person from a special benefit is unfounded. But I will say that in normal circumstances a person earning \$522 a week with no extenuating circumstances would not be eligible for the special benefit.

MR KING A supplementary Madam Speaker, I therefore take the Ministers answers to be that to a) that yes it is a fact that there is no requirement under the law.

MR SHERIDAN Yes that is correct.

MR KING That b) that it is a fact that if he applied that rule rigidly that he would not have any discretion.

MR SHERIDAN If I applied that rigidly which I don't.

MR KING Yes, and c) that a person earning \$1000 a week may well be considered for a special benefit because his commitments and other

Legal Services Unit will be initiated at a further two years at the same New Zealand retainer rate of New Zealand three thousand five hundred dollars or Australian two thousand eight hundred and thirty dollars under the recent exchange rates as was initially set. Service provided under that retainer acts as New Zealand representative for the Norfolk Island Government Tourist Bureau working with the GM of NIGTB to implement strategic marketing plans, strengthen and develop key wholesaler and developer and retail chains, identify and develop new business opportunities for the group and special interest markets. Fundamental objective is to significantly increase both the profile and visitor numbers to Norfolk Island from New Zealand. Unique Tourism Collection a two year joint contract 50/50 between Norfolk Air and Norfolk Island Tourism, commenced 1 August 2010. The monthly retainer fee is five thousand dollars which is split before Norfolk Air and Norfolk Island Government Tourist Bureau. The Tourist Bureau's contribution is \$2,500 per month. Annually administration fee covering all operational expenses to deliver the contracted services of forty four thousand dollars is also shared 50/50 between Norfolk Air and the Bureau. Contribution is \$22,000 per annum which equates to one thousand, eight hundred and thirty three dollars, thirty three cents per month. Services provided under that retainer, increasing the awareness and image of Norfolk Island and Norfolk Air Brands and products in the Travel Trade in Australia. Representing Norfolk Air and Norfolk Island Tourism in the travel industry in Australia, contributing to the development and implementation of the marketing plans for the airline and the Island and having a knowledgeable and experienced representative timely market intelligence and to take advantage of market trends as they arise. Lastly Match Media, there are no contractual obligations, services provided are based on a fee for service when engaged to identify and obtain maximum return on media buy, including digital, electronic and print media opportunities, a service fee is incurred when such services are utilised by the Bureau. Perhaps it is worth me mentioning there that we have had here a range of services from Match Media where they haven't actually invoiced us as well. Thank you Madam Speaker.

SPEAKER Question No 49 from Mr King to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker the question reads, will the Minister provide a full report on the true cost of the cruise ship initiative to date, including all costs incurred by the Tourist Bureau, Lighterage and the Administration generally, including details of commitments which have been entered into for future years? Madam Speaker. Costs that are separated in the Accounts are Pontoon \$448,348.22; Lighterage \$13,386.62; (\$9,550 recovered from Carnival Cruises); NIGTB costs \$5,431.50. In addition there are Launch and Customs/Quarantine costs for each ship that are recovered in the normal operation of those departments. Overtime costs for the Liquor Bond and Philatelic Bureau for one hour for the first cruise ship were more than recovered through increased sales. A considerable amount of time has been spent both in and outside paid working hours, by a number of NIGTB and Administration staff as well.

SPEAKER We move to Question No 50 from Mr King to ask the Minister for Tourism, Industry & Development and the Minister for Community Services

MR NOBBS Thank you Madam Speaker the question reads, at the last meeting of the House both Ministers undertook to gather data and information to enable an explanation of apparent private sector occupation of airport land and the basis on which others in the community might be able to occupy airport land. Can the Ministers now provide that information? Madam Speaker in discussing this with the Minister of Community Services we thought it best that it just come from myself so that I could get an indication from the Airport Manager. In response to the question on notice. Information I have to hand is, to date there are a number of community Members who utilise available airport land. These uses include 1. The grazing of cattle in a fenced section of airport land off New Farm road. 2. Model aircraft usage in similar fenced off

areas. 3. A local rock crushing operation has an area used for the storage of crusher dust. 4. Another organisation is seeking to place a mobile crusher in close proximity to the crusher dust storage area in fenced areas at the Chapel side end of runway 11. 5. a private aircraft hanger is currently being built at the airport. The basis on which others in the community are able to utilise land at the airport is by application to the Airport Manager. The application and its core purpose will be assessed on a number of matters such as whether or not it requires planning approval, whether it provides a hazard to aircraft during their operation and whether or not it provides a hazardous impact to the airport and surrounds.

MR SHERIDAN Thank you Madam Speaker I just might add to that question. Also Burn Pine Travel operates a freight shed out of the airport zoned land as well.

MR KING Could I please asked either or both Ministers whether they are happy that commercial arrangements are in place with respect to the occupation of commercial terms to cover the arrangements of occupation of private persons on airport land.

MR NOBBS Thank you Madam Speaker as long as those commercial terms are carried out on a professional basis assessed through normal processes.

MR KING No, no, do we charge rent? Do we charge a commercial rent? That is what I'm asking.

MR NOBBS Yes, thank you Madam Speaker, yes.

SPEAKER The next question is Question No 51 from Mr King to ask the Minister for Finance and The Attorney-General

MR ANDERSON Madam Speaker the question is whilst understanding that official financial data is not expected to be supplied until the completion of the first quarter of the financial year, can the Minister nevertheless provide an assessment of the extent of any improvement or deterioration in public finances in the first two months of the year? Madam Speaker I intend to make a statement in respect to the state of the finances which will only go up to the first two months of the financial year so I will deal with the question then.

SPEAKER We move to Question No 52 from Mr King to ask the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker Mr King asks at the last meeting the Minister undertook to advise what studies have been done in relation to e-health opportunities and what obstacles if any had been identified? Can the Minister now advise? Madam Speaker as far as can be determined no specific studies have been undertaken in relation to e-health for Norfolk Island, this is not to say that this area has not been looked into. The main obstacle in providing full e-health capability is linked to the bandwidth available through telecom; this will be greatly enhanced hopefully by the end of October, whereas the bandwidth available will be doubled. This in itself will enable better connection and reception to Medical services and/or University networks. At the moment through the x-ray department, digital images can be sent off shore for review but the file sizes are restricted through the email system. I have had discussion with Telecom and the Hospital Director and have been advised of a facility whereas if the Hospital joined a document handling company, online, then the hospital would have the facility to send large size files to their secure server, who would in turn delivery the files to the nominated addressee, via email. The Hospital Director is currently investigating the ability to do exactly this. Also in this area the Hospital Director is

actively looking at the possibility of installing a videoconferencing system for the hospital, whether it be a dedicated system (such as the one down below in the courthouse) or something similar to Skype. Videoconferencing would assist greatly, particularly in the areas of Psychiatry or consultations with specialists on the mainland.

SPEAKER The next question Honourable Members is Question No 53 from Mr King to ask the Minister for Community Services, at the last meeting the Minister undertook to obtain advice on the adequacy of the visiting medical specialist program. Can the Minister now advise accordingly?

MR SHERIDAN Thank you Madam Speaker a) Discussions with the Hospital Director indicate that the current level of visiting specialists is adequate, with a couple of exceptions. Currently, visiting specialists that provide services to Norfolk Island are: Dr Sandy Grant – Urologist, Dr Chris Benness – Gynaecologist, Dr John Almeida – Gastroenterologist, Dr Pyria Almeida – Echocardiology, Professor Michael Hooper – Endocrinologist, Dr Ian McQuillan – Dermatologist, Dr Kevin Vanderleur – Ophthalmologist, Dr Colin Edward – Chiropractor, Dr Michael McDowell – Developmental Paediatrician, Dr Kevin Coorey – Rheumatologist, Dr Shane Fryer – Orthodontist, Ms Sascha Burgess – Speech Pathologist and Mr Terry Green – Podiatrist. Other areas that the Hospital Director is currently negotiating for visits are a Psychiatrist and an Orthopaedic Surgeon. The hospital did have a visiting Orthopaedic Surgeon but due to limited workload and the inability to do extensive orthopaedic surgery on Island, he no longer visits. Also there is need from time to time for a visiting Radiologist to read x-rays. Considering the current services available at the Hospital together with the visiting program, the Director is satisfied that the community's needs are well looked after.

Thank you Madam Speaker, the next question is No 54 again from Mr King to myself, which reads, at the last meeting the Minister undertook to advise what policies have been adopted to deal with the health demands of a rapidly aging population and to offer some advice on the existence if any, of studies undertaken to identify projected needs, particularly those of the infirm and those living alone. Can the Minister now advise the results of his enquiries? Madam Speaker. During the research for this answer I looked at the Census's from 1986 – 2006 and period of 20 years, during this period the increase in permanent population of the age group over 70yrs of age were some 35 persons, an approx. 18% increase in total numbers during this period or just .9% increase per year. On the other side of the scale as a percentage of total permanent population the increase is from 10.2% to 18.1% some 7.9% increase over the twenty year period. I would not deem this to be a rapidly aging population. Percentages and numbers can put out a slanted view when dealing with small numbers and this instance the % of population is nearly doubled but the increase in actual numbers is only some 18% (35 persons) of aged population, I do acknowledge that the percentage of elderly has increased over this time and that, yes it is an area that needs attention and is getting attention. Based on the 2006 census, and with discussions with the Aged Care Coordinator, District Nurse plus surveys undertaken in the past, it is recognized that our aged population do require assistance. Historically, family members cared for the elderly in their home until they required full time care at the Hospital. Over time this has changed for several reasons including family members work requirements increasing, plus a large number of people who have made Norfolk home do not have that extended family support on Island. As a result the Hospital Director along with the then Minister for Health, Geoff Gardner looked at the possibility and undertook costings of introducing Home Care Services with a view to supporting the elderly to remain in their homes for a longer period of time. The Hospital has also considered the next 10-20yrs in the planning of a new hospital. Currently the hospital has 24 beds, 12 of which are allocated to nursing home type patients. In the initial planning for a new hospital, 30 beds have been considered, an increase in 6 beds (50%) for Nursing Home type beds in recognition of the future aged care needs. Also, in the planning there has been incorporated into the plans, plans for Dementia Units which can be secured and will provide a safe area for those residents with dementia. An area that is lacking at the

moment under the current setup. There is also a private business attempting to get off the ground who would if successful, fill the void for Home Care Services and the Hospital Director and myself have had numerous meetings with this business to see how the Govt. can be of assistance and how this would fit into the Govt. plans for the provision of these services. Outsourcing this service may very well be the most efficient way of providing for the aged in the years to come.

MR KING A supplementary Madam Speaker, can the Minister confirm to me that he said that the population in his view was aging at a rate that neither caused him concern nor would he accept it was rapid.

MR SHERIDAN I did say that I would not deem this to be rapidly aging population, an increase of 35 people over the age of 70 years in a 20 year period.

SPEAKER We move to Question No 55 from Mr King to ask the Minister for Community Services, as a result of a question asked of the Minister at the last meeting of the House can the Minister now table the specifications and the costings for the proposed Hibiscus Drive roadworks?

MR SHERIDAN Thank you Madam Speaker. The proposed design for Hibiscus Drive is a five meter wide road, 490 meters in length, with a 3% fall into curb and channel. Water runoff will be guided by two storm water pits on each slope and the natural catchment at the base of the valley. A two coat seal of 14mm aggregate and 10mm aggregate is proposed, however if trials of a raked-in seal are as successful as anticipated this method may be utilized for the economic benefits that would be gained without compromising quality and life expectancy. The sealed surfacing will be applied to a compacted base of a minimum thickness of 100mm. Madam Speaker, a brief history of Hibiscus Drive indicates that the road was built some 20-25 years ago by private contractors. The road over this time has had little to no maintenance and is in a state of total disrepair. Some 2 years ago the road was designated a public road and since this time the Administration has attempted to carry out maintenance, however due to the state of the road, all attempts at repair have been lost in the next big rain fall. It is intended to extend the road width out to 5metres, which will entail the removal of one White Oak (which has been assessed by the Conservator) and approximately 250 cubic meters of hard fill. Currently there are no storm water pits or culverts, and it is intended to install curb and channel the full length of the inside edges of the road, also to assist with the removal of water 4 storm water pits with culvert piping is recommended. The estimated costs of the works to be carried out on Hibiscus Drive are \$220,793, however the Roads Dept has many of the required materials in stock, and the labour and internal plant are in house costs which leaves an estimated outlay of \$55,750 to complete the proposed works. The Roads Dept has been trialing a number of cost saving measures which they plan to utilize on Hibiscus Drive to lower this price even further. These cost saving measures are with the Curb and Channel, Emulsion and the use of Reno Mattresses. Detailed costing's are as follows Madam Speaker: Road base \$34,927.20; 14mm Chip \$7,423.50; 10mm Chip \$8,501.50; Bitumen \$11,211.20; Hard Fill; \$9,500.00; Labour \$49,500.00; External Plant \$6,000.00; Internal Plant \$33,939.00; Curbing 49,000.00; Culverts \$6,000.00; Storm water Pits \$4,800.00; which Madam Speaker totals \$220,793.40. External Costs are expected to be only for the following items, as I mentioned before, a lot of it is internal; Hard Fill \$9,500.00; External Plant \$6,000.00; Curbing \$31,850.00; Culverts \$6,000.00; Storm water Pits \$2,400.00; Total \$55,750.00. Madam Speaker.

SPEAKER Thank you Minister for Community Services and I would ask you in your capacity of Acting Deputy Speaker to please take the chair.

DEPUTY SPEAKER The next question is Question No 56 from Mr King to the Minister for Tourism, Industry & Development.

MR NOBBS Thank you Deputy Speaker. I'll read the question. At the last meeting of the House the Minister was called upon to table summarised findings on risk and business assessment for Norfolk Island's participation in the cruise ship industry. The Minister applied that there had been a large degree of work done on that analysis but never the less took the question on notice, will the Minister now table the assessments? Mr Deputy Speaker, I certainly table the overview of the risk analysis, and I will provide some detail on the reasoning for that shortly. In 2009 when the Norfolk Island Government Tourist Bureau began working towards the first cruise ship visit it was very aware that it wasn't to prepare for just one visit but was seeking to establish a cruise industry here on Norfolk Island, as the community is aware Norfolk Island Government Tourist Bureau began by creating a number of cruise ship working groups comprising all areas of the community. Step one for the Cruise Ship working Groups was looking as where this industry was to take us. Rather than read through all of this Deputy Speaker, I will just cover off some of the highlights so I don't take too long. Within this document it states that the cruise ships working groups also set about developing a further set of objectives which to guide their work. These objectives were; to maximise opportunities for revenue generation for the Island from the visit, minimise social disruption and/or environmental impact and ensure economic social

MR KING Point of order if I may on relevance Mr Deputy Speaker, the Minister was asked if he will table the assessments on the risk and business assessment in relation to the cruise ship industry. I have not asked for a discourse on reasons why on the policy behind it. Simply asked if he could now table the assessments, he need not say a work, he might spare us and just table the assessments.

DEPUTY SPEAKER Thank you Mr King I ask Mr Nobbs if he would just like to table the document or not?

MR NOBBS Certainly Mr Deputy Speaker, however I will say in tabling it, that with regard to the full risk assessment documentation, which is quite comprehensive I have commenced a review and finalisation of that substantial document so that we can put that on the table after it has now been out to the stakeholders and be updated with any other matters that come to hand rather than confuse the issue and have two separate documents.

MR KING [unclear on recording] That will never be done.

DEPUTY SPEAKER That is fine Mr Nobbs, you have tabled a summarised document as asked in the question?

MR NOBBS Yes, thank you Mr Deputy Speaker.

DEPUTY SPEAKER Madam Speaker would you like to take the chair.

MR KING A supplementary Madam Speaker. I have not seen any tabling of assessments in relation to the last question asked of the Minister. Will he be tabling now the business study, the cash flow forecast, a commercial digest even, in relation to Norfolk Island's participation in the cruise ship industry. Will he be tabling a risk assessment and an analysis that was done before the Government agreed to participate in the industry. Will he be tabling those documents? If he is not going to table them Madam Speaker all I would have him do is to say is no. If he wants to confess now that they were never ever done I'm happy to hear that confession as well. I won't absolve him, but I'll...

MR NOBBS Thank you Madam Speaker, the documents were certainly carried out by the Service Both the Minister for Community Services and

myself have looked through those documents, my aim is to get them updated prior to tabling them in this house.

SPEAKER Thank you Minister. We move now to Question No 57. Mrs Ward to ask the Chief Minister

MR BUFFETT Thank you Madam Speaker. The question here is, will the Minister advise the number of official trips taken off-island by members of this government in the past six months and provide a breakdown per Minister of costs to the public purse including air fares, allowances and miscellaneous costs? Will the Minister also advise what further trips are planned by his Ministry for this financial year matched against the budget allocation for 2010/2011? Madam Speaker there have been six official trips Madam Speaker by Ministers of this Government since taking office and as provided to me from the information that is available, I provide this detail.

The first was on the 25 April to 1 May 2010. Visit to Honiara, Western Samoa. Undertaken by the Minister for Tourism, Industry and Development accompanied by the Manager, Norfolk Telecom and the purpose of the visit was to attend the 14th Annual General Meeting and Conference of PITA. The costs, in terms of Travel Allowance \$3,960 and Airfare costs of \$3,142 and funding for this travel was met from the budget allocation for such attendance. The second relates to 6-7 May 2010, for SCAG, the Standing Committee of Attorney-Generals. The attendance was undertaken by the Minister for Finance and The Attorney-General plus the Acting Crown Counsel. Travel Allowance there \$1850.11 and Airfares \$2640 and those costs were from budget allocation for attendance for that purpose. The third relates to the 23 May to 30 May 2010 visit to Canberra, addressing the Territories Law Reform Bill 2010. Those attending there were the Chief Minister, Minister for Tourism, Industry and Development, Minister for Finance and The Attorney-General, accompanied by the Secretary to Government. The Travel Allowance total was \$9240, miscellaneous expenses \$129.77 and airfares a total of \$4,196.96. The fourth and final in that particular financial year but in the last total six months, was 2-5 June 2010 visit to Brisbane by the Minister for Tourism, Industry & Development with the CEO, Norfolk Air addressing Our Airline, Carnival Cruises and a range of industry activities of that nature. The total there was \$1,164.06. That is including the areas relating to the former financial year, but as I say, that is still in the six months that was requested by the question. The next therefore is 4 July to 10 July 2010. This was a visit to Sydney and New Zealand for meetings in relation to Telecommunications. The Minister for Tourism, Industry and Development and also the Manager for Norfolk Telecom. The travel Allowance cost there \$3,960 and the total airfares \$2502.60. The next and the final in this the sixth journey therefore, again this is the matter of the Standing Committee of Attorney-Generals. The Minister for Finance and The Attorney-General with the Acting Crown Counsel. That particular SCAG meeting was cancelled so the Minister and officer returned. The total cost there was travel allowance \$1419.15 and the total Airfares \$3408.92. I have a Schedule which I table Madam Speaker, which tabulates those which I have read through and I put that on the table of the House. The balance of the question Madam Speaker is what is proposed in times to come. There is an October visit planned by myself to address the KAVHA site arrangements. That is planned. There is proposed a visit to meet with the new Federal Minister and associated people there. The dates are not settled for that but we hope, soon. That's an overview Madam Speaker

MRS GRIFFITHS Thank you Madam Speaker. Could the Chief Minister please advise us whether before any of these meetings are undertaken whether clear objectives are set within the House with regards to these meetings and what is the process on the reporting of the success of these meetings please.

MR BUFFETT Yes, Madam Speaker, when I make a statement a bit later in this Assembly I will set out some options which will cover the range of things which are expected to be discussed there and of course there will be a reporting process when that is undertaken.

SPEAKER Thank you Chief Minister. Moving now to Question on Notice No 58. Mrs Ward to ask the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, the question reads, Will the Minister table all final reports and any current draft report by Worley Parsons in relation to the construction of a harbour on Norfolk Island? I am currently working through that process with the Chief Executive Officer Madam Speaker.

SPEAKER Thank you Minister. We move now to Question No 59, again from Mrs Ward asking the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker, the question reads, Is it a fact that the previous government signed a contract with, and is committed to, the South Pacific, should be Island Internet Network and if so, well the answer to the first part of that question is yes, however if so, a) Will the Minister table the contract and business plan relevant to the project. The legal advise that I've been provided at this point is that would actually cause a breach of the contract so I can do neither of those. In b) Explain why the contract is now called a draft proposal. Madam Speaker the contract is still a contract however, as I have brought to the attention of the Membership there has been a subsequent proposal that the South Pacific Island Network has proposed to Norfolk Island given that they are going through some difficulties with the inter island connectivity beyond Norfolk Island; and c) Explain why the Minister is actively pursuing alternate internet technology? Frankly Madam Speaker I would be seriously not acting in my role if I wasn't looking at alternatives for us should the South Pacific Island Network not come to fruition. Part of the PITA Conference was to assess all the options to ensure that Norfolk Island had the best communication opportunities moving forward.

MRS WARD Thank you Madam Speaker a supplementary question if I may, and I apologise it is Island Network not Internet, my error. I understand that in other jurisdictions when a Question is On Notice a Minister must disclose relevant information. Even if it is under a non disclosure agreement. Is that not relevant to Norfolk Island?

MR NOBBS Thank you Madam Speaker the very clear advise on that from our Legal Services Unit points out that in these contracts and very much the same with non disclosure agreements, that the information is in confidence, when it is tabled in the House it can be seen as breaching that confidence. In this instance the advise applies to both as the business plan is being worked on by both parties.

SPEAKER The final question we have before us today Honourable Members is Question No 60 from Mrs Ward to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker the question reads, The Minister publically referred to an initiative in renewable energy and identification of an high efficiency generator which will result in increased job opportunities, cost savings and environmental benefits. a) What is the established process for identifying and accepting renewable energy providers to use Norfolk Island as a pilot area. Basically we invited applications some time ago, going back to 2007. We had a number of inventors and developers arrive on the island, many of whom were well established. They discussed proposals, they met as an evaluation with myself, the then Minister for Commerce as well as the Manager of the Electricity Department on Norfolk Island and so it was assessed on three separate levels there. Additional to that, Norfolk Island has had engaged in contract a company by the name of IT Power Group who are also providing renewable energy assessment for us. Part b) What contractual arrangements are in place to ensure the protection of publically and privately owned infrastructure. The contractual arrangements are in their final phase now for the relocated position which is

to be in the Power Station and they obviously protect our infrastructure. They also protect the intellectual property of the designers and inventors. Part c) Will the Minister seek independent preliminary and ongoing advice on the proposal. Madam Speaker I have and I continually do both through our on island expertise as well as off island expertise through the IT Power Group. Part d) Is the Norfolk Island government committing to any present or future costs including transporting the generator to the Island and if so, is it in the budget? As discussed earlier, in the \$20,000 within my portfolio of Commerce and Development was discussed, there may be a need for us to participate in the cost of freighting the compressed air generation equipment to the island. That is a separate renewable energy system than the high efficiency generator, however it is budgeted for, thank you.

MRS WARD Thank you Madam Speaker just one supplementary please, this is the first I've heard of the IT Power Group who are providing offshore advise and expertise on this proposal and just for clarification, is it the previous Government and previous Minister for Commerce and the power generation house manager who are providing the on island expertise surrounding this proposal?

MR NOBBS Thank you Madam Speaker as I said earlier it was during the last Legislative Assembly that IT Power Group was engaged, and their specialty was renewable energy systems. A significant amount of time and effort went into evaluating what the best way forward for Norfolk Island was in that regard. In terms of on island assessment for integration of the systems, certainly the manager of Telecom and the CEO through the Service are instrumental in how we assess these things.

SPEAKER Thank you Minister. Honourable Members that concludes Questions on notice and if I could just for your information because it has been asked of me, why do I limit supplementary questions, in the understanding that this is one of the major roles of the Parliament that non executive members have the opportunity to raise questions of the Government, our Standing Orders allow me the discretion in respect of Questions Without Notice but not necessarily on Questions on Notice, but in understanding that the role is being sought and so when the Standing Orders committee comes together in the near future, that will be one of the things we will look at to broaden the rules in order to accommodate what we are actually doing with Standing Orders. I look to you for guidance, I am going to suggest to you, that perhaps we will deal with presentation of papers and then break for lunch. Agreed. We move along to presentation of papers, who would like to go first?

PRESENTATION OF PAPERS

MR ANDERSON Yes, thank you, I will take the first one. Thank you Madam Speaker Section 32B of the Public Monies Act makes provision for the Executive Member to direct in writing the transfer between divisions, sub divisions on items that maybe deficient or for which no provision has been made, the sum out of any saving arising in any other division, sub division or item. Subsection 32B1 provides that the Executive Member shall lay a direction and given under this provision before the Legislative Assembly within two sitting days of the making of the direction I so table those directions.

SPEAKER Those directions are so tabled. Further papers Honourable Members? Mr Nobbs.

MR NOBBS Thank you Madam Speaker, I table the Inbound Passenger Statistics up to August 2010.

SPEAKER That paper is so tabled. Any further presentation of papers? Minister for Community Services.

MR SHERIDAN Thank you Madam Speaker, Madam Speaker, in accordance with section 41 of the Interpretation Act 1979 I table the Employment (Amendment) Regulations 2010. If I may say a few words Madam Speaker to the members of the community. These are in relation to the Public Holidays for 2011 and aside from our normal public holidays if a day is to be taken instead of or in addition if it has to be undone in the regulations, this is for Monday the 3rd of January to be taken as a Public Holiday instead of Saturday 1 January. Monday the 7 March to be taken as a Public Holiday instead of Sunday 6 March and Tuesday 27 December to be taken as an additional Public Holiday.

SPEAKER Thank you Mr Sheridan. Mr Nobbs, I owe you an apology, I cut you off, were you planning to talk to those passenger statistics.

MR NOBBS Madam Speaker, I will just provide a brief overview that the GM of the Tourist Bureau has provided and that was with regard to the inbound passenger statistics specifically for the August period. The strongest markets of origin remain consistent, I won't list them off. The visitor numbers for August 2010, 1827 passengers, an increase of 18% on the July 2010 1538 passenger numbers. Visitor arrivals in July, were actually only 40 less than July in 2009. The visitor trends whilst August to October visitation historically increases from the June/July low periods it is noted that in looking at the last seven years of data that in 2006-07 that the Island saw a drop of 500 passengers and in 2009-10 August to October there was minimal growth at all in numbers between the months. In saying that Madam Speaker, I will be working with the Tourism GM and the CEO of the Airline to put out a detailed dot point list of exactly what we have put in place and what is becoming effective now to move forward for better tourism numbers.

SPEAKER Thank you Minister for Tourism. Any further papers for presentation? Mr Nobbs.

MR NOBBS Thank you Madam Speaker. Madam Speaker in accordance with section 41 of the Interpretation Act 1979 I table the Airport (Amendment) Regulations 2010. Madam Speaker, just to give some clarity for these regulations for the listening public, I will read from the explanatory memorandum first. Section 7 of the Norfolk Island Act 1979 provides that in relation to matters that in his opinion are specified in Schedule 2 and 3 to the Act, the Administrator shall exercise his power to perform this function in accordance with such advice if any is given to him by Exco. Regulations made under Section 3 of Airport Act 1991, must not be inconsistent with the Airport Local Ownership Transfer Deed or the Commonwealth Law enforcement on Norfolk Island. To cut to the chase Madam Speaker, there may be some that are concerned in seeing the Airport Regulations that have come through that they may affect the Passenger Movement Tax or anything like that. The background for these changes, is that in 2009 and just to make that clear, these charges don't incur an increase in the passenger movement charges. The background to this in 2009, the Airport Manager raised concerns regarding the adequacy of general aviation charges and fees for recovery of expenditure incurred by the Administration in respect of Customs, Quarantine attendances and provision of lighting and other facilities for aircraft using the airport. The regulations are not retrospective, just to be clear on that aspect. They deal with some clarification in terms of removing military aircraft from being chartered particularly in Australian Military Aircraft. They increase charge codes for air borne freighters, aircrafts such as helicopters and other aircraft and look towards, as stated in the earlier component, recouping the charges for lighting and those personnel that attend, particularly in after hours situations. Thank you Madam Speaker.

SUSPENSION OF SITTING UNTIL 2PM

SPEAKER Thank you Minister Nobbs, I believe that may conclude Papers for Presentation unless I have a motion to the contrary I am proposing

to suspend the Sitting now until 2pm. The House is suspended Honourable Members until 2pm.

RESUMPTION OF SITTING

MADAM SPEAKER Honourable Members we resume our Sitting for this afternoon and we are based in the proceedings of Statements of an Official Nature. I understand that Mr Nobbs you would like to table another paper, is that correct?

MR NOBBS Thank you Madam Speaker. I am particularly keen to table this paper. This is the Norfolk Island Government Tourist Bureau (Amendment) Bill. This is the body of work that has just been finalised through our Legal Services Unit that we have been working on, on a number of levels through the Cabinet, the Board, the Bureau GM and a number of other areas to ensure that we can....

MADAM SPEAKER Please Mr King

MR KING I take it that the Minister is tabling the Paper, should he not do that before he embarks on debate?

MADAM SPEAKER I understood that he did. If I missed that I apologise.

MR KING Is it possibly an exposure draft rather than a Bill?

MR NOBBS It is an exposure draft.

MADAM SPEAKER Exposure draft of the Bill, yes, I'll let it, I think you made that quite clear. Please proceed.

MR NOBBS Thank you Madam Speaker. With that said, that is probably enough said on it. What I would like to do is table it, and print it and make it available to the Community for comment and I would certainly invite comment from around this table from all areas of the community over the next 3-4 weeks in particular so we can do some finalising work on this, and then discuss it further in the next Sitting of the House.

MADAM SPEAKER Perhaps in that case Minister, you entertain moving a motion that the Paper be printed.

MR NOBBS Yes please Madam Speaker.

MADAM SPEAKER The question before the House is that the paper so tabled be printed. I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is so agreed.

STATEMENTS OF AN OFFICIAL NATURE

MADAM SPEAKER We move now to Statements of an Official Nature. Chief Minister.

CHIEF MINISTER Thank you Madam Speaker. Madam Speaker this afternoon, I present a report, entitled the **Norfolk Island Government Direction**. Madam Speaker in terms of introduction of this paper, I explain that we are now in the sixth month of the 13th Assembly and upon commencement of this Assembly in March

2010, it would have been ideal to set out the path that the Government would want to follow. Governments do that and indeed it was contemplated. However, put simply, it wasn't practical given our circumstances, financial and otherwise. At that stage to offer a realistic projection, we could have had rhetoric of course, but little substance at that stage. Why? The finances were not accurately known. We needed to immediately frame a new budget. We were moving to the lowest months of the year for visitor numbers. Any year, every year, has a trough in May, June and July and of course there can be no signal at that time of an immediate delivery during that trough period. I just want to table a graph if I may, which illustrates this in terms of the trough that we experience each year. It is Appendix 1 of this particular paper, and it illustrates that which I have just described. We also faced the challenges of the Commonwealth's Legislative and Constitutional changes. Yet none of course of the Commonwealth proposals proffered meant any assistance in our then and current financial need. Norfolk Island was therefore in a precarious position. So we commenced a process, commenced a process, to stabilise and then be in a better position to rebuild. Here we are at the six month mark and I make this report and I project our way ahead.

We commenced by erecting four platforms upon which we could concentrate our efforts. These are reflected in the Ministries.

- 1 Financial factors – Minister for Finance and The Attorney-General;
- 2 Principal Industry of Tourism, with other Industries and Development - Minister for Tourism, Industry & Development;
3. Delivery of community services - Minister for Community Services; and
4. Relationships with the Commonwealth of Australia - Chief Minister's area

These continue to be priority sectors and I have a summary of the progress and the projections for each.

I do next table the Administrative Arrangements Order which sets out and elaborates those four platforms this document is not new, but in the context of presenting this, it gives context for some of the things I have mentioned and I am about to mention. (Appendix 2).

The Government's responsibilities are of course wider and beyond those subjects that are going to be addressed here today. But no mention does not mean unimportant. These profile areas mentioned and to be mentioned are where major changes, major developments and deliveries, have, or are scheduled to, take place. So now may I just walk through Madam Speaker these four priority sectors.

The Four Priority Sectors

1. Financial Factors

Much rhetoric had been used to describe the Island's financial position prior to March 2010. A first decision of the incoming government was to grasp the financial situation, evaluate it, and accurately present it to the Assembly and community, that is, 'tell it as it is' by neither overvaluing nor devaluing. Whatever the situation may be.

We undertook immediate briefings, throughout the Service and Statutory bodies of the Island. This process in itself was not new Madam Speaker, but essential in the existing circumstances.

Following that early decisions were made to firstly

- (a) Bring the business undertakings into the same accounting process as the Revenue Fund. This resulted in all undertakings (with the exception of Healthcare, Workers Compensation and KAVHA) being exhibited in a single overall budget, with similar oversight and accountability. The budget figure moved from the average \$13/14/15 million for the Revenue Fund, to the joint \$57 million (including all the undertakings) in the budget presently on foot for 2010/2011. That is the figure I quote from it.

This action has been taken. It's done; and

- (b) Improve the periodic financial indicators which are presently on foot.

A budget process followed (newly designed with the business undertakings included) and a basic maintenance budget for 2010/2011 erected. This process facilitated a closer look at the operations of the Administration and the community's financial needs.

An important factor in the budget is, although restrictive in the main and a maintenance budget, this Assembly still provided a full \$1.6 million for tourist promotion, that is, it fully funded our principal industry.

This budget is now into its third month. Our financial position remains precarious and the Minister for Finance reports periodically to us about that, but we have identified our areas of vulnerability and these are closely monitored. The airline continues to incur major losses and is our major concern. More on the airline later in this report.

I would like to table to give context to the overall budgetary situation, a summary of the budget for 2010/2011 it is Appendix 3 to this paper.

Our financial situation remains a struggle Madam Speaker. The accounting measures I have just described don't of themselves, automatically improve our money in the Bank. Importantly, however, they provide us with improved tools to readily read our financial position, and thus to possess greater capacity to manage our financial position, immediately, over the next three years, and beyond.

The wider picture of the future financial stability for Norfolk Island, includes not only improving industry activity on our own account (covered elsewhere in this report), but equally upon significant discussion with the Government of the Commonwealth of Australia about options for economic infrastructure, and options for Norfolk Island contributions to Commonwealth activities and corresponding eligibility for funding, grants and technical assistance that may flow from that (also covered elsewhere in this report).

A review of immigration policies and guidelines is also erected in this portfolio to provide a clear and consistent approach to immigration. This is a further practical aim in the present three year cycle.

The Liquor Bond is presently being reviewed, in respect of opening hours and its prices to travellers.

The Finance Minister is also The Attorney-General. A significant consolidation and updating of major legislation, which covers all four platforms of this report, is being undertaken. This will be covered in a following section of this report also.

2. Tourism, Industry and Development

Tourism is our principal industry. It has been so for more than half a century. It has changed its complexion and stride, as time has gone on, but it has been consistent in being the principal industry to import dollars to circulate in the Norfolk Island community. Our best year was the financial year ending in 2001, with 40,000 visitors.

Our visitor numbers since 2001 (this is in a financial year context) oscillated (lower than 40,000) over the years which followed. 2002/03 - 37,671; 2003/04 - 38,317; 2004/05 - 33,742; 2005/06 - 28,219; 2006/07 - 34,318; 2007/08 - 35,399; 2008/09 - 29,450; 2009/10 - 26,339.

It can be clearly seen from that array of figures, our year with the least visitors for the year, has just concluded, 30 June 2010. With just 26,339 people.

Our experience is that 40,000 visitors imported sufficient dollars to provide a decent living for most within the community. 26,339 is proving totally inadequate for economic well being in the Island. Having said that Madam Speaker is our most accessible method to achieve a more robust financial turnover is to lift the return in our established industry of tourism.

I have already mentioned we allocated a full \$1.6 million to tourism promotion in our otherwise restricted budget. I will elaborate on how those funds are being deployed in a moment.

Firstly I set out a number of associated factors.

We have a Tourist Bureau and we run an Airline. In the usual run of events, each would have different proprietors and that was the case with us until 2005. In that year, the Norfolk Island Government became responsible for not only the Tourist Bureau but also needed to erect its own airline. Not that the government wanted to do, but no-one else could or would. Notwithstanding the Government's controlling interests in both the Bureau and the Airline, these two essential components in capturing and transporting people to this place, until recently, stood poles apart. They did not maximise co-operation and co-ordination in their two spheres, so that we achieved maximum effort in bringing people here.

We set out to remedy this, and have now done so.

The Board of the Airline (The Board of the Airline Madam Speaker is the four Executive Members. The Chief Executive Officer of the Airline operates the airline) has, in a policy sense, instructed the CEO, to work co-operatively with the Bureau to facilitate travel to this Island.

The Tourist Bureau markets the product.

The Airline carries the people to the destination, and return.

Two additional airline factors have been addressed.

The booking system with the Airline was inadequate. We needed to have an improved model. This has been achieved, I emphasise that, this has been achieved. It became fully operational in a stand alone capacity on 6th September 2010. It is not without its opening glitches but now operational.

A more sophisticated booking system was a pre-requisite to the next airline need – to continue and to extend the code share with Qantas. Qantas has a wide network, with significant promotional opportunities. We needed to gain their code share on the Melbourne route. They code shared on all the others, but not Melbourne. This Melbourne extension was agreed with Qantas early in July but the lead time for implementation was longer. It became operational on the Melbourne route on 16 July 2010.

There is a wider code share issue with Qantas that also needed to be sorted. The original code share was and at this very moment still is, restricted. A certain number of seats were allocated to Qantas; when they were all sold, Qantas advised customers that the flight was full! It rarely was, as there were unsold Norfolk Air seats available. The answer to this difficulty is to provide a free sale code share agreement. This allows Qantas to sell all the seats if they have the customers for them. This too has been agreed and the targeted operational date is the end of October 2010.

We have now secured a system to sell to all who enquire, within both Norfolk Air and with Qantas.

Our contractual aircraft lease arrangements come at a significant cost. Over the odds costs in the present climate one might say. Notwithstanding this factor, this contract, signed in 2008 is a contract. It runs a minimum of four years (i.e. until 2012). I didn't sign it, but the Government is bound by its terms, there is no two ways about that. However, if mutual benefit can be found, then the contract can be varied by mutual agreement. We have negotiated with Our Airline to better the terms of the contract. Our benefit is less cost. The benefit for Our Airline is to consolidate our use of the aircraft into one part of the week, so they have better opportunity to do other contract work for the balance of the week. The grouping together of our days to use the aircraft – Thursday, Friday, Saturday, Sunday – does have its initial inconvenience if visitors have already booked, and adjustments to their bookings are needed. The driving force in all this, is to contain costs, yet still provide a service. A change in schedule is essential to the process of negotiating a better contract. It must be noted that the change in the schedule does not reduce the number of available seats it remains at 84,000 per annum. The airline in this financial year, commencing the 1st of July 2010, it sustained a total loss for July and August. The total figure for that is \$781,300.

A new Airline booking system, new code share and varied aircraft contractual arrangements, coupled with improved marketing and positive delivery of visitors, will reverse the airline experience of loss, (or make the loss a manageable figure), bring more visitors and of course all of that means a greater financial circulation of dollars within the community.

May I turn now to The Tourist Bureau;

Since March 2010

- we have set about adjusting by legislation, the structure of the Tourist Bureau itself
- a new General Manager was appointed in May on a delivery based contract;
- a marketing firm, handling Norfolk Air and The Bureau's trade marketing to the retail and wholesale sectors, in the Australian marketplace with a delivery based contract has been engaged;
- the New Zealand marketing arm has been pro-active and revitalised with a focus on delivery over a twelve month program promoting this destination in a similar manner as in Australia; and

- meetings with Air New Zealand executives have born positive results with attractive holiday packages from New Zealand to Norfolk Island already being offered.

With the Government allocated funds of \$1.6 million for 2010/2011, the General Manager has methodically erected promotional and marketing programs throughout Australia and New Zealand.

The Board's promotions are targeting people who have money to spend when they get here.

We have in the last fortnight hosted a "Weekend Australian Magazine" journalist. A "New Idea" feature writer has been hosted in a similar timeframe. Both of those magazines have an extensive national readership.

Beyond the print media, we have secured major television coverage. I example the "Today Tonight Show" – An audience of some 2 million. Prior to the TV crew's arrival, there were two couples (baby boomer era people) hosted here and subsequently interviewed by "Today Tonight" to be viewed on a 7 minute segment, which is one third of their show in a given evening. In addition to that particular television arrangement a "Getaway" television segment, filmed in early July is due to be screened tomorrow night right upon us now the 23rd of September 2010 – an audience of 3.2 million.

I use these examples to illustrate current quality promotions.

We have billboard promotions in Brisbane and in New Zealand. We have bus advertising on the North Sydney bus routes.

The factor of significance in all of this, is collaboration, collaboration between Bureau and Airline, and matching consumer and trade marketing initiatives, with schedules, over a planned 12 month period.

I have got to say this Madam Speaker, delivery of course does not rest alone with the individuals and organisations I have just mentioned.

Delivery is also essential, here at home at the destination where we are at: In retail; In accommodation; Tours; The range of businesses and activities with which visitors interact; We need a positive and confident attitude and demeanour at the destination, in welcoming and caring for visitors, it's essential; and Our destination needs to be alert, alive and vigorous. A place people want to be.

There is little purpose in spending 1.6 million dollars in promotion, to disappoint those who respond. We have got to do our bit on Island here. I emphasise that.

The visitor figures for July were 1,538 and for August 1,827. The Airline bookings for September and October are 64% and currently 54% respectively of the seat capacity.

Madam Speaker people are running all over the place as if there's some difficulty. Ok, do you want me to continue or not? Thank you. The test overall is to progressively lift these figures and retain them at favourable levels.

Just as another example of activity, our advertising agency in Australia is here this week to report on their work. Moving on from beyond the Tourist Bureau.

Airport facilities are within this portfolio and are planned to be extended, to provide commercial and retail opportunities within the airport, plus additional security measures.

We had some mention of that I think within the earlier part of this Session. But in addition to those that are related to the principle industry of Tourism, there are new and innovative industry prospects for us here in this place.

Power Generation:

Redemptech Limited – an organisation currently based in Australia, has developed revolutionary technology to generate electricity and other products, for example, cars. Their development has taken some years.

They now have a pilot plant will be installed in Norfolk Island by the end of this year – within the next three months. It's imminent.

The Norfolk Island community will not only benefit from local power generation in this proving period and beyond; but as the technology becomes available for sale, Norfolk Island will be involved and thereby benefit in the following marketing and sales to other places.

Compressed Air technology, pioneered by Lloyd Technologies, is another cutting edge invention due to be installed for proving here in this place.

As oil resources become more expensive, technology such as exhibited by these organisations is valuable. These two do exercise quite different technology. Both have committed to pilot their products here in our place in Norfolk Island.

In the Telecommunications arena SPIN has not yet demonstrated any progress that we are able to see. We are unable to say therefore at this stage whether or not it will proceed.

Also in telecommunications, the lease of our pacific number range has been initiated and expects to be finalised within months. An initial pilot programme of three months, for which we are to receive revenue, will be followed by a principal contracted period, proposed at this stage to be over a two year period. That is an overview of the second Platform, Platform 2 the Industry area. May I now move to the delivery of Community Services Madam Speaker.

3. Delivery of Community Services

This ministerial platform is to provide the range of services to ensure quality healthcare, recreation opportunities, emergency services, civil works and environmental and other community services. I have a list here of matters which are major achievable programs over the three years that we are to speak of.

Healthcare projects include an actuarial study covering both the Workers Compensation and Healthcare Funds. This study has commenced. This study commenced last week. An interim report has already been received. The Minister mentioned today, that when the final report is delivered it will be brought forward and tabled here.

Also in Healthcare a Child Welfare Development Working Group has been established to support a new appointment of Child Welfare Officer under the *Child Welfare Act 2009*

Under the heading of Public Health programs include;

- Development of plans and commencement of construction of a new hospital for Norfolk Island in partnership with the community and other not for profit organisations
- Continuation of the Guardasil vaccine program
- Identification of underground water contamination
- Introduction of a Special Needs Coordinator in partnership with the Norfolk Island Special Education Unit
- Employment of a Psychiatric Counsellor and;
- Identify requirements and needs of home care assistance for the aging.

I think in mentioning some of those things you will recognise some of the questions on notice and the answers that have been mentioned earlier in this Sitting. Responded to by the Minister for Community Services. Further in this heading, under Environmental services:

- Eradication of Argentine Ants
- Eradication of Bovine Viral Diarrhoea Virus
- Long term solution for waste management including recycling
- Long term solution to the disposal of arsenic waste and sludge from the Tanalith Plant
- Determine Norfolk Island's pest status to facilitate the examination of regulations to allow the importation of fruit
- A review of the implementation of Management Plans for all Reserves
- Installation of solar lights around nominated BBQ areas, especially in the Tourist Industry area of this Island and
- Toilets in all reserves

Emergency Services:

- Review the organisational structure and skill development of the Emergency Management Committee and Volunteer Rescue Squad

Under the heading of Civil Works, Roads and Road Traffic:

- A combined community and Government partnership projected to upgrade Rawson Hall.
- Complete roads program each financial year commencing 2010-2013 with, Hibiscus Drive (10/11), Youngs Road (10/11) Middlegate crossing (10/11) Bomboras Road (11/12), Prince Philip Drive (11/12).
 - Commence Driver Education Program for young people

That is an overview in respect of the 3rd Platform.

4. Relationship with the Commonwealth of Australia

A positive partnership with Australia is essential. This is particularly illustrated in the difficult economic times we currently face.

A sustainable, self-governing, Norfolk Island is important to both the Norfolk Island Government and to the Australian Government.

Upon the August general election in Australia, a newly shaped Federal Government has been formulated. The Norfolk Island Government has written to the Prime Minister of Australia and to various key Australian political persons, seeking to meet with them expeditiously, to both brief them about the spectrum of Norfolk Island's responsibilities and its operations, and its current critical financial circumstances.

These briefings will include present and projected performance of the principal industry of tourism. Much of which I have given you an overview of earlier in this report. They will include the prospect of further industry and innovative technological development. The principal components of this report serve as a guide to the subjects which may be relevant to these intergovernmental discussions.

Some more probably controversial issues of governance and financial sustainability, equally demand exploration. Examples here include:

- Reconsideration by the Commonwealth Government of prompt financial relief, whilst factors to secure long term sustainability are secured.
- Joint government evaluation of the longer term sustainability of Norfolk Island, its infrastructure, and its delivery of services.
- Whether the Norfolk Island Government may contribute to the Commonwealth and become eligible for a range of Commonwealth funding and grants.
- A cost sharing arrangement with the Commonwealth for Norfolk Island to administer Schedule 3 Commonwealth type responsibilities (such as Customs, Immigration and Quarantine), areas which are currently funded by the Norfolk Island Government.

Overall Madam Speaker, in the stakes of governance and financial sustainability, Norfolk Island must do, it must demonstrate and it must deliver that which it is able. If there is a shortfall, we need to negotiate a solution to that.

Further discussions in this broad area may include:

- This has been raised with us in a number of areas, options to host an Immigration Detention Centre.
- Norfolk Island's continued co-operation in erecting federal financial reporting, may gain Commonwealth funding for computer systems (in the upgrading programme) to support these financial systems.
- Longer term infrastructure management and development in the Island. And;
- We need to ensure and secure knowledge and understanding of any proposed Commonwealth legislation that is coming forward relating to this place. We need to ensure an understanding of the Island situation and environment, in Australia's consideration of any such proposals.

Continuing in this area, a fact book is in preparation to be provided to the incoming federal government, to provide factual and relevant information to assist Commonwealth decision taking, on Island matters.

This ministerial platform I'm describing now, includes Public Sector Management. A range of difficulties have been in place in the public sector. The Public Service Board, Chief Executive Officer and Public Service Association have all experienced conflict.

These operative areas are progressively being solved. The Public Service Board has had new members appointed and have re-established its role in hearing appeals. For example, they have addressed the major, I think, the number of appeals that have been outstanding, even in this last week. They are on about their task. Legislative amendments have commenced to address a range of difficulties. These amendments should be concluded well within the three year term of this Assembly.

Education advances include the need to review the Memorandum of Understanding between the Norfolk Island Government and the Department of Education and Training in New South Wales. This will be completed by June 2011.

The Kingston and Arthurs Vale Historic Area, is presently the subject of a governance review. The Norfolk Island Government is presently formulating its view on this report.

The KAVHA area has, in August it was inscribed on the World Heritage Register as one of eleven convict sites in Australia. That is a huge achievement, huge achievement Madam Speaker. This too has tourism appeal and we have incorporated this status in our promotion and marketing programs and others are to be developed to give that important area a profile. I now move onto a 5th area. I have now described in a broad sense the four Ministerial Platforms.

5. Additional to these Four Ministerial platforms, is a major programme, spread across all four portfolios, to upgrade major legislation in the Island. This list is wide. Some items have already been listed earlier in the portfolio platforms. Let me just walk through briefly this list:

Public Service-

- Two staged policy and legislative approach to modernising and providing clarity to the *Public Sector Management Act 2000* and the Human Resources Policies and Procedures Manual;
- Determination of the Organisational Structure for the Chief Executive's office, and a progressive review of the Public Service.

Immigration-

- Review and amendment of the *Immigration Act 1980*.

Police-

- Review and implement relevant Juvenile Justice programs on Norfolk Island
- Review and implement relevant alternative sentencing options on Norfolk Island

Social Welfare-

- Review Social Welfare Legislation particularly the definitions of exempt income and self funded retirees

Healthcare-

- Develop Regulations pursuant to the *Child Welfare Act 2009*
- Review of the *Child Welfare Act 2009*
- Review of *Healthcare Act 1989* particularly focussing on payout schedules
- Review *Healthcare Levy Act 1990*

Environment-

- Revise quarantine regulations with regard to the pest assessment to facilitate the importation of fruits etc.
- Review Development Control Plans for 1. New Subdivisions Roads , 2. Water Resources and 3. Multi Units

Emergency Services-

- Review *Disaster and Emergency Management Act 2001* and develop Regulations

Road Traffic-

- Review *Road Traffic Act 1982*

Transportation

Airline-

- Coordinate linkages between Norfolk Air and Norfolk Island Government Tourist Bureau to best utilise resources and marketing. I have addressed that also earlier in this report.
- Tight budget controls
- Maximise distribution
- Simplify fare structure
- Review Mission statements and forward planning

That particular area, as I have just said to you, Madam Speaker, ranges over the four portfolios, it is a major program in terms of legislative review. In conclusion of this part of the report Madam Speaker, I say this. The return of success is not remote. We are on the cusp of delivery of some exciting programs. They will bring a measure of success to this Island and its people.

We cannot go through life thinking that everything is rosy all the time. We have highlights, we have tough times. We experience tough times at present. We can and will come through. We need to recognise the positives that continue to run for us and not be daunted and cast down by the doomsayers.

Both our short and our long term future in this Island, is in company with Australia and this status, now that there is an Australian Government elected, requires urgent negotiation. Most places in this world need a major partner. Australia itself recognises this, and demonstrates it, e.g in its relationships with America. Norfolk Island's sphere is infinitely smaller, but nevertheless the principle remains, and never the less of course, although small we are, we are no less important and it's people are no less important. With our own efforts (which I endeavour to set out in this paper), and a strong partnership with Australia (with some of the options are equally set out in this paper), we can achieve a return to prosperous living. And I spread all of that out for you this afternoon Madam Speaker. I table this paper, and I table it with the four appendices that I described as far as walking through it. But it's not the end product in the Governments directions. To follow this paper, is a strategy document, elaborating the information that I endeavour to set out here this afternoon. That paper is expected for our next Sitting although that may depend upon when we Sit, but that is the plan. I present that to the house this afternoon Madam Speaker.

SPEAKER Thank you Chief Minister, is there any further statements Honourable Members? Mrs Ward.

MRS WARD Madam Speaker I was wanting to move that the paper be noted, that the Statement, I'm sorry, be noted.

SPEAKER The question before us is that the Chief Ministers statement be noted. I invite debate Mrs Ward.

MRS WARD Thank you Madam Speaker I just need to ask one question of the Chief Minister's about his Norfolk Island Government direction. Whether that was a draft, or that was a final report, and I missed the last point Chief Minister whether the document to follow was going to be a strategic direction. My question really Chief Minister is whether the rest of the Assembly will be provided with opportunity to have input into the next stage as you did point out that it is a Norfolk Island Government direction.

CHIEF MINISTER Yes, the presentation of this, Madam Speaker, thank you. The presentation of this paper, endeavours to do two things, it endeavours to give direction from the Norfolk Island Government as to how the Norfolk Island Government sees the path to follow. And it needs to do that as a Government. But equally it needs to understand that there is community participation and we need to leave room for that to happen. So there is every opportunity for people to make comment in respect to the Governments directions. If they are hugely contrary for example and of real importance and there needs to be some adjustment there is no reason why that can't be discussed. But the Government needs to offer some initiative in the way that this is expressed. The next paper that I refer to is really providing more detail and statistics and the like that will give further substance to the expressions that I have given today. So that will be the second part. If that is useful to you.

MRS WARD Thank you Madam Speaker and I will make a few comments then at this stage, understanding that and thank you for the clarification Chief Minister. I've just jotted a few points that have stood out to me and the first one is a move towards partnership with Australia and I welcome that direction from the Government and highlighting the point about the community's financial need and that there are needs and I thank the Government for that honest point. We are at a six month mark and I believe the community has been waiting very patiently for this directional document so I thank the Government again. I thank them for highlighting that there will need to be Commonwealth options. I note that there was an option to be looked at which was to entail contribution or possible contribution equaling eligibility for funding and I welcome that. That may lead to taxation options and a review of taxation and I welcome that and a review of the Immigration policy is very important. So that was the first point

under finance. Under tourism I think the key word is collaboration and the Chief Minister emphasised delivery at home and for us as a community to provide a welcoming service because as the Chief Minister pointed out if we don't do that then we are just throwing money at the wall. If we let the promotions and the marketing people work hard for us, and then we don't provide expectation for our visitors it's just been a waste of time. To be honest there is one point that I won't get excited about until I see the IT power group papers and that's to do with Minister Nobbs' alternate energy proposals and inventions. I would love to be as excited as many other people are, particularly the Minister himself and other Members around this table but I will be a little more hesitant in that area. Which is representative of the people of the community who are apprehensive about that proposal. The third one is Community Services and I applaud the direction that Minister Sheridan is going in, in the environmental area and that it's not one of the key points on the front page is disappointing to me, but the Chief Minister did clarify that it doesn't mean that it's unimportant it's just that we have to be realistic in this financial year about what we can deliver. That doesn't mean that the delivery and protection and enhancement of our natural environment as a whole is paramount. It is. And I do understand that it's frustrating, particularly for the Minister for Community Services that he cannot do more. That he cannot click his fingers and we have a new hospital or click his fingers and the Argentine Ant is gone. They are projects which will take some years. The final point the Chief Minister made was the Commonwealth and highlighting again dialogue and discussion, and talking about our responsibilities and the cost of funding those responsibilities and being very honest about our current financial situation and creating joint long term arrangements and one of the final points the Chief Minister on behalf of the Government was seriously addressing the Public Service and its issues so I just wanted to make the point at this time that I support the Norfolk Island Government Direction as it stands in this statement today. Thank you Madam Speaker

MRS GRIFFITHS Thank you Madam Speaker I acknowledge the effort involved in producing this paper and thank you to the Chief Minister. I also acknowledge that there's been a lengthy input from, as Mrs Ward has stated, from the Government. Had there been a greater involvement from the entire Government in this vision I would I have liked to have seen a number of thing inclusions and a little thinking outside the box. For example the Chief Minister refers to Immigration but he continues to refer to Immigration in isolation. Immigration can't be considered without considering our labour market and education at the same time. I consider this vision very much a continuation of the path we are on. A path which has already shown that it's taken us down the wrong path shall we say. I consider it very much an activity level and would rather have seen a much more goal oriented paper. In terms of our financial status I would rather have seen some statement on growing the economy or private sector support and we have more a vision and then the strategy that follows have some strategies and activities on how we actually address those issues so I consider this vision to be fairly lacking in the community's urgent needs. Thank you

MR NOBBS Thank you Madam Speaker some interesting points there from Mrs Griffiths and I would just give her some comfort in some of those requests. In the detail particularly within my area they do look at those economic assessments for many cases, alternative revenue streams into Norfolk Island as well as building the industry capacity in Norfolk Island and as we spoke about today the economic development committee is part of that structure so these are things that also included in the broader documentation that the Chief Minister alluded to

MRS GRIFFITHS Thank you Mr Nobbs. I acknowledge your reference to new initiatives but I would also like the vision statement to be very clear about what we are doing for the businesses that are already here that are struggling. How are we going to grow the economy? How are we going to grow the private sector?

MR KING Madam Speaker Thank you very much. Quite frankly I imagine that my contribution to this debate is going to be somewhat convoluted because

I can't really begin to describe properly my emotions in listening to the Chief Minister's statement. Of course there is a view and Mr Buffett knows well and is well aware of the fact that I have different views about where we might head. The words spoken by Mr Buffett are of course no new. We have experienced many, many and many vision statements or a Strategic Plan or words of that ilk over the thirty years of self Government. We could in fact paper the walls of this Chamber with the statements and plans and visions that we've had. Indeed in recent years. I can recall the Focus 2003 document by the Legislative Assembly of that day that spoke in terms of the same thing. Mr Nobbs' document I think was called New Direction for Norfolk Island. In 2006 there was a vision statement issued which had as its major objective I am sure to thwart the efforts of the then coalition Government to bring about changes to our governance arrangements and indeed it probably contributed to the success of that objective as well. Madam Speaker my view is that our situation can really only be addressed by strong and robust leadership of a kind that I have not seen in the past six months. It's the only thing in my view which will determine our future. Of course Mr Buffett spoke about many, many very, very real issues. Which of course have to be considered. Certainly in the course of Government and we have our core responsibilities and functions to attend to. A lot of those appear of course to be simply marking time and that's certainly been my observation over the past six months, that we've attended to things that we necessarily have to attend to like Argentine Ants. I had hoped for some direction to be well and truly established well before this time. We have what? Six months, one sixth, 16% through our term of office and we do not yet have a plan. Essential theme of any plan must lie in its acknowledgement of where we are and how we arrived at that situation. I heard snippets from Mr Buffett's narrative that he understands the situation that we are in. What I have not heard ~ I'm sorry I did hear to a certain extent ~ a desire on his part to take note of the opportunities that are available for us to achieve better outcomes. At this point in time like Mrs Griffiths, I expected more. I didn't hear a robust loud statement of acknowledgement of the dire circumstances that our community and our economy is in. I don't believe that the statement has gone far enough not only in failing to robustly, robustly acknowledge those difficulties but the urgency of our statement is not and has not been evident in the conduct of Government over the past six months. I have heard statements from Mr Anderson and I have applauded him for that for giving lie to some of the descriptions of our public account that were laid on the table in the past Legislative Assembly so that has emerged. I guess I am one of the persons to whom Mr Buffett was referring to when he spoke about the rhetoric from outside in respect of our finances and I accept that because I guess I played a very major part in leading the debate on the state of public finances over the past three years. I had hoped by now that some, least of all Mr Buffett might have seen that I simply wasn't presenting a whole heap of rhetoric during that time and that I was reasonably accurate in my assessment of where we were and where we were heading. We have reached a situation which is critical and I note Mr Buffett used that word to describe our financial situation towards the end. The earlier part of his presentation he used the word I think a struggle, which I thought was not sufficient to describe our financial situation. Critical is an appropriate word to describe our situation. Not only in public finances but the critical state of the economy. In other jurisdictions it is said that two quarterly negative periods of growth reflect an economic recession of course Norfolk Island has experienced despite the peaks and troughs that Mr Buffett referred to, we have experienced a continuing downturn for at least six years so we can say quite categorically that over five years or four years if you like, 16 to 24 quarterly periods of negative growth must lead to the conclusion that we are in a prolonged period of economic depression. Way beyond recession and that indeed is a critical situation. On the face of it, it was not enough to let me go home this evening with any comfort that we are any clearer as to where we are heading. I understand and acknowledge that there have been efforts by the Government, the Members of the Government to do things. I have not seen positive and meaningful outcomes. I have to rely on the past performance and the fact that the Government has very little resources to support it in its endeavours. At this point in time I cannot be confident of any meaningful outcomes in the near future which may change our situation. Our community, our economy needs strong leadership, strong and loud declarations and

collaboration so that we look after them and their experiences become memorable and they become repeat business. I think there are programmes in which people can see, including the business sector that they can be participants. The other point that I just wanted to make was that Mr King, maybe not on the full impact of this particular statement although I am interested in that he has said about this but Mr King is right, we don't always see eye to eye although I've got to say that hopefully we respect each other's views and Mr King is putting a different view upon how we might travel. I would have thought however that given the willingness on our part to particularly initiate discussions and particularly initiate discussions on areas that are well controversial on how we might respectively travel. There are options to discuss and to explore. I would have thought that a plus to be seen and there we are about that. The final point I just wanted to make an observation in picking up a couple of points that Mr King has made. He mentioned that he would not be a party to the motion. I don't want to pre-empt whatever that motion might be as we come to it. He thinks six weeks is a long time for us not to be here. May I encourage Mr King to be here on the other occasions when we are here. We are in this Chamber every week. All of the Members and Mr King is equally engaged and asked to be present. Now he chooses not to be. He chooses to wait for whenever the time frame of the formal sitting is. He is entitled to do that. I'm just offering encouragement that there are opportunities of when we do come together, not necessarily as public as this, but we are about the business of caring for the community and we would value his participation there.

SPEAKER Thank you Chief Minister on the question that the Statement of the Chief Minister be noted. There being no further debate, the question is that the statement be noted and I put that question

QUESTION PUT
AGREED

Thank you Honourable Members that statement is so noted. Are there any further Statements Honourable Members

MR ANDERSON Thank you Madam Speaker. A statement in relation to the **Financial Position of Norfolk Island** as far as this financial year goes. An Overview at the end of July/August 2010. While it is usual to report on a quarterly basis I thought I should provide the Assembly and the Community with an overview of the state to our finances after July and August. This is necessary particularly because the "Financial Indicators" for each of those months for which I would normally have expected to be tabling at this meeting, are not yet available in the form I have requested they be prepared. That format is intended to comply with Australian Accounting Standard number 1049 which is a Standard titled "Whole of Government and General Government Sector Financial Reporting". It contains model reports that are suitable for our purposes. I indicated at the last meeting that the format of the Financial Indicators was being changed to make them more user friendly and to ease Norfolk Island's reporting into the format that we hope to supply to the Commonwealth and which should satisfy the 'Commonwealth Finance Minister's Orders' if and when they are passed by the Federal Parliament. Even if the Finance Minister's Orders are never passed, and that will be up to the new Australian Government, the alignment of our reporting with that of the Commonwealth's will make our accounts able to be more readily understood by Commonwealth finance officers when they are considering or assisting in relation to our financial position and more importantly our funding requirements. The initial reports will involve estimates that I expect will improve over time as the Finance Manager becomes more accustomed to the AASB Standards and improved reporting regimes are introduced into the Finance Branch. Of particular relevance is the need to introduce seasonality into the figures which would more accurately reflect the pattern of income and expenditure that occurs throughout the year. For the time being indicators will continue to use the simplistic linear division of the budget - that is budget figures are simply divided by 12 and no consideration is given to high or low periods of income or

expenditure. They will therefore continue to be distorted to that extent for the immediate future. Having said that and taking into consideration that the figures I am about to provide are NOT seasonally adjusted, I would summarise our position as clearly having deteriorated. While it is possible for us to recover it will not be an easy task. In summary in respect of Income. Overall, income is approximately 20% below what was expected for the first two months of the year. The most significant difference (approximately 24%) falls in the sales of goods and services. The largest difference of course relates to our largest business where Norfolk Air is \$1.5 million behind budgeted sales. Lower sales figures were also experienced by Telecom, Lighterage, Philatelic and the Liquor Bond. Putting the reduction in sales and also the operating loss of Norfolk Air into perspective - these two months were slow months which the Board of Norfolk Air chose to stimulate in response to the community's continuing demand for "more bums on seats". The budget when prepared did not allow for a change in marketing strategy. The airline introduced the "two for one offers" that operated for July and August. This effectively halved the revenue per seat the airline would receive in the hope it would stimulate more visitors. This also addressed the Community's often expressed view that if fares are lowered visitors will flood in. In fact loads improved and revenue dropped because the numbers generated were not enough to overcome the high cost to the community, and make no mistake the community was funding this initiative, of lowering the fares. The "two for one offers" were extended to local outbound travel because of complaints that locals were left out. Because of the high demand by locals to fly outbound the airline's revenue was reduced and the locals went off island to spend their money. This was a catch 22 - refuse the locals access to the offer or subsidise the fares by accepting reduced revenue. The loss of approximately \$780K made by the airline in July and August reflects the drop in revenue and will put a serious strain on our cash reserves. GST receipts are approximately 6% below estimates in a non-seasonally adjusted sense. I mentioned at the last sitting that we were anticipating the drop to be reflected in the July and August figures for GST receipts. Other taxes are about 19% below estimates with Customs Duty and Gaming receipts representing much of this difference. Clearly less visitors translates to less revenue for the island, which flows through to lower sales at places like Telecom and the Liquor Bond. Gaming receipts are lower because of lower turnover by existing operators and one operator ceasing to trade, where revenue had been budgeted for. July and August represent two of the slowest economic months on the island and since the monthly budget figures have not been adjusted to represent historic trends associated with seasonality the differences are larger than seasonal comparisons would indicate. Expenditure. This continues to be tightly monitored through the Budget Review Committee process and service-wide restraint. Overall spending is approximately 15% below budgeted levels with the greatest differences in the use of Goods and Services and Grants (both 20% below budget). But this may just be delays in spending and not savings. Subsidies are greater than budgeted levels due to payments made to the Healthcare fund. The current cash at bank for the Healthcare fund, substantially an amount which was only transferred to the fund on 1 July, appears already to be insufficient to meet all claims currently lodged due to several very large claims in the period. The fund does not appear sustainable in its current form and the Minister for Community Services is addressing this. The Fund will continue to be a drain on cash reserves. Summary. From the financial information available as at the end of August the island's public finances have seen an overall deterioration in the first two months of the financial year. I am awaiting a statement of comprehensive cash flows from the Finance Manager but from the statement of comprehensive income it is estimated that the budget deficit is \$418,000 worse than expected in non-seasonally adjusted terms. That means we are sitting on a possible deficit already of \$930,000 but if and when there is any improvement this may be able to be reduced. That is the state of our finances at this point. Thank you.

MR SHERIDAN

Thank you Madam Speaker **Whale Bird Egg Collection Season** I would like to make comment on the Whale bird egg collection season which is upon us from last Monday 20th Sep until the 7th November this year. Since the gazettal of the notice in regard to this season and in particular the gazettal of a

"No egg collection zone" on the eastern end of Philip Island a lot of the community have made comment in regard to the restriction. Back in August the Director of the National Park here on Norfolk Island approached me with a proposal to undertake research and monitoring during the Whale Bird season to try to ascertain a number of things - population trends in whale bird numbers, the impact of taala birds on sea bird populations, particularly whale birds, the impact of egg collecting on whale bird numbers, any change in taala bird diet over time or through the reproductive cycle, movement of taala birds between Norfolk and Philip Island. To enable the research to be achieving proper and sustainable results it was requested that part of Philip Island be declared a no egg collection zone during the whale bird egg collection season. Upon looking at the file held by the Administration and noting the lack of information relevant to what the research program was attempting to achieve, I agreed to the request for the no egg collection the eastern end of Philip Island. I took various items into consideration when considering this request, but one of the main areas that I considered was the lack of information presented in the file. I was aware of various comments in regard to the destruction that the taala bird were having on the whale bird population, amongst others and considered that vital information could be obtained with this research by National Parks. I am aware that some 86 persons signed a petition calling for me to retract the reference to a no egg collection zone, and to recognize and give appropriate respect to our traditional practices, also offering to meet to develop an inclusive coordinated campaign to control the taala bird. Whilst I acknowledge the concerns of the petition, I am fully aware of Norfolk's traditional practices and I would not like to see these changed, and these will not be changed whilst I am the Environmental Minister. What I am concerned about is that back in 2005 consideration was then given by the Minister to issue a permit to allow the taala birds to be culled. On the file there is correspondence from a group called the Wildlife Advocate Inc. voicing concern for the proposed issue of a permit to cull the taala birds from Philip. There is no indication on the file as to whether such a permit was every granted. I am attempting to obtain sufficient information so that I can make an informed decision as to whether or not a permit should be issued in the future. Concerns have also been raised as to the length and time of the period for egg collection, and the assertion that the season is being cut short and being brought on earlier each year. Upon research I can assure you that the season length is not being reduced, as the maximum days in a season, going back to 1986 is 54 days (which was last year) and this years season is 49 days long. Over this period, some 25years only 5 years have been over 49 days, back in 2005 the season only lasted 28 days. As to the time period of the season, the season has always commenced in the main, during the last 10 days of September, with the latest start being in 2005 when it started on the 17Oct (but for only 28 days). Whilst I appreciate the time and effort of the persons who signed the petition, I have decided that the no egg collection zone will still be in force but I am only too willing to sit down and talk to stakeholders about how we can control the tarler bird. It must be noted that this no egg collection zone is just that a request on the community not to pick up eggs from the eastern end of Philip, in the areas that National Parks are monitoring. The area is not closed off from pedestrian traffic but care is requested in this area so as to no adversely alarm the birdlife population.

MR SHERIDAN

Thank you Madam Speaker I have another Statement to make on the **BVDV eradication programme** to commence on 12 August 2010 I would like to report on the progress of the BVDV eradication program that is being currently undertaken throughout NI, in an attempt to eradicate this disease. Up to this present day some 1228 cattle have been tested with approx 100 cattle left to muster and samples taken to be tested. Of these 1079 cattle's results have been received back on Island and surprisingly only one cow has been tested as a persistently carrier of the disease. This cow is being rounded up today and unfortunately will have to be destroyed. This leaves approx 250 results to be forwarded and it remains to be seen as to whether or not there are any other carriers of the disease amongst the remaining herd. Once all the tests have been received back on Island, and this is expected within the next couple of weeks, the entire herd will be mustered to receive a booster shot.

This is planned to commence with the bi-annual muster commencing on the 27th Sep. Although the number of cattle is less than previously thought, and the muster has taken a couple of weeks longer than thought, the overall budget allocated for this program is looking ok, labour costs have been higher than budgeted but it is expected that the 2nd muster for the second vaccination will be slightly less than anticipated, so therefore the cost of this program will be very close to the anticipated budget by the time the program is finalized. These final figures I will bring to the House at a later date Madam Speaker .

MR SHERIDAN Thank you Madam Speaker I'd just like to make a short Statement on the **Actuarial Study of Workers Compensation Scheme and Healthcare Scheme** that's being undertaken. Over the past couple of months Russell McGuire has been undertaking an actuarial study of the Workers Comp Scheme and also the HealthCare scheme. Last Friday he presented me with a draft report on his work and whilst not elaborating on the report, as the final report may very well be different to the draft, some interesting facts have arisen from his work. Russell's draft report addressed issues such as pricing, benefits, processes and information and his work has identified why the two schemes may not be operating as successfully as they could be. In short both schemes have not been keeping up with inflation and this is one of the main proposals to come out of the report. Also it is proposed that benefits should be comparable to those payable in Australia for this type of scheme, and if this was achieved the scheme may be able to reduce claims cost by 30-50%. It was also reported that our recording of the processing of claims could be enhanced by better utilization of the programs currently in place, and this area is already being attempted to be rectified by the Healthcare section seeking expressions of interest in the first instance for a person to carry out data entry work in an attempt to bring these records up to date. I hope to have the final report within the next two weeks, as some work still has to be done, as Russell has only been meeting with the Administration insurers this week in Sydney to obtain more information. When this report has been received then it will be up to this forum to decide as to how the two schemes will be altered or restructured to ensure that the community's needs are satisfied. Thank you

MR SHERIDAN Thank you Madam Speaker **Norfolk Island Hospital Enterprise – Counsellor Janine Perino**. The Norfolk Island Hospital has employed Ms Jennifer Perino as the second counsellor. For some time it has been recognised that the community is in need of a second counsellor to provide additional services. Ms Perino has extensive experience in Mental Health, loss and grief, domestic violence, health law, suicide prevention and trauma and critical incident response. Jennifer comes from Narromine in Western NSW and has been providing counselling services to communities throughout this region including Cobar, Nyngan, Bourke, Gilgandra etc. All of these communities are in stress and so her experience will be invaluable to the Norfolk Island community. We welcome Jennifer to the community. The Hospital has also leased a two bedroom cottage in Grassy Road for counselling services. This will provide those seeking counselling services an extended level of privacy and confidentiality. The counsellors can be contacted on the normal number of 23191. Thank you Madam Speaker

MR SHERIDAN Thank you Madam Speaker I've got a couple more. A Statement on new appointments to NINPAC, that is the **Norfolk Island National Park Advisory Committee**. I had the opportunity yesterday to have lunch with the NI National Park Advisory Committee, and this is a new era for Norfolk Island as it was the first meeting of a new committee. I would firstly like to thank the previous committee for all their dedication and work over the past 25 years. John Anderson is the only person from the previous committee, together with Jason Evans, Lou Tavener, Nicole Diatloff and Sorrell Wilby who make up the communities representation, along with the National Park Manager Coral Rowston. Peter Taylor (Parks Australia) was also in attendance at this meeting. I would also like to mention the good work that Sue Brian does, who takes the minutes and undertakes the Secretary's role in ensuring that everybody has what they need. I would like to say a couple of words in relation to the dedication and commitment

that is required when taking on the responsibilities of representing the community on such a committee. At times decisions will have to be made that not all members are happy with, but I am sure that the expertise and experience that this group brings, will be vital to looking after Norfolk's Fauna and Flora in the years ahead. I wish them well in their deliberations and look forward to discussing various items of interest with this group when the opportunity arises. Thank you Madam Speaker

MR SHERIDAN Thank you Madam Speaker **Commonwealth Games in New Delhi, India – October 2010** During the period 4-14 Oct the Commonwealth Games will be hosted by India in New Delhi and of course Norfolk Island will be represented at these games as we have been since 1986. Four sports will be represented by Norfolk's finely tuned athletes and these are in the areas of Squash, Pistol Shooting, Archery and Lawn Bowls. I will be travelling to the games during this period not only to represent Norfolk Island at the 5th Commonwealth Sports Ministers meeting but also to represent Norfolk at Lawn Bowls along with Barry Wilson and John Christian in the triples. A squad of some 30 persons will be travelling from Norfolk, made up of Athletes, Managers and Officials and I am sure that all these persons will be excellent ambassadors for Norfolk Island and will do Norfolk proud. The team will be departing this Saturday via NZ at approx 12 noon, and I encourage the community to come and farewell their team and to wish them all well. As an aside, there has been a lot of concern around the globe as to the security of athletes at these Games, but the NI Amateur and Commonwealth Games Association is in daily contact with Foreign Affairs in Canberra and also in contact with the Aust. Delhi High Commission in regard to security arrangements and the community can be assured that Norfolk Island will be piggy backing on Australia's security arrangements. All in all these games will truly be one to remember and I wish all participants well and good luck, as I am sure all of the Parliament does and wish them all a safe journey and a speedy return. Thank you Madam Speaker

SPEAKER Thank you Minister and I'm quite sure that all around this table shares that view

MR BUFFETT Madam Speaker the Minister has just made mention of the Games Representation. He has made mention of his own participation. I would like to also reinforce our best wishes and success to our team as they participate in these games and to be well looked after when they get there and a safe return as has been mentioned but I particularly want to mention that whilst there of course Mr Sheridan will also be the Minister who has the responsibility for sport and in that context to wish him well in undertaking that task there and equally that he might have success in some of the diplomatic roles that will need to be played and also to be well cared for and equally return well. Best wishes Minister

SPEAKER Honourable Members are there any further Statements of an official nature at this time. It is my understanding that there are no Messages from the Office of the Administrator today which moves us on to Reports from Standing committees and I believe Mr King, you have a report

PRESENTATION OF REPORTS FROM STANDING AND SELECT COMMITTEES

Interim Report on the referral of the Employment (Amendment) Bill 2010 to the Impact of Bills and Subordinate Legislation Committee

MR KING Yes Madam Speaker and thank you for that opportunity. I just wish to make an oral interim report on behalf of the Impact of Bills and Subordinate Legislation Committee. Madam Speaker the committee has one outstanding reference from the Legislative Assembly and that is the referral on the 28th July 2010 of the Employment (Amendment) Bill 2010 to the Impact of Bills and Subordinate Legislation Committee. It had earlier been assessed that the committee

might complete its review and report to the meeting of the House. That has not been able to be achieved. The Committee has met in committee on three occasions. It has conducted two open public hearings. Six witnesses including both official and private have made submissions to the committee and a large quantity of written material has been tabled in relation to the inquiry. It is intended to conduct one final public hearing on the 28th September when the committee can foreshadow the tabling of its report at the next business sitting of the House. Hopefully. Madam Speaker procedural issues including limited resources and the uncertain application and meaning of Standing Orders have impeded the committee's progress to a noticeable extent. Some of these issues remain unresolved at this point but should not impact further on the delivery of the final report. It is important that outstanding procedural questions and issues be resolved in the interests of the efficient and timely conduct of future enquiries. Thank you

SPEAKER Honourable Members that brings us to the part of our business today that is now on the program under Notices and Orders of the Day and just before we move on to Notice No 1 I just bring to your attention that the following notices have been withdrawn from the notice paper and are no longer in the possession of the house –

- 2) Norfolk Island Government Tourist Bureau Act 1980 - Appointment of Member to the Norfolk Island Government Tourist Bureau
- 7) Healthcare (Amendment) Bill 2010 - motion to rescind
- 8) Healthcare (Amendment) Bill 2010

We move now to Notice No 1

TOURIST ACCOMMODATION ACT 1984 – TRANSFER OF LICENCE FROM “CUMBERLAND RESORT AND SPA” TO “THE WHITE HOUSE”

MR NOBBS Thank you Madam Speaker. I move that for the purposes of section 15A of the *Tourist Accommodation Act 1984* this House resolves that the registration of one tourist accommodation unit from the tourist accommodation house known as “Cumberland Resort and Spa” may be transferred from the place described in its current instrument of registration to portion Lot 49 Mountbatten Park, being the tourist accommodation house to be known as “The White House”, subject to compliance with the following conditions:

1. Application for registration of a tourist accommodation house must be made in accordance with all applicable statutory requirements after the executive member's approval of the transfer under section 15A(2) in accordance with this resolution.
2. The premises to which registration is transferred must —
 - a. comply with statutory requirements for the ownership and operation of tourist accommodation;
 - b. comply with statutory planning and building requirements for the siting and construction of tourist accommodation;
 - c. be equivalent to a minimum 3 ½ Star standard under applicable Norfolk Island tourist accommodation grading standards; and
 - d. any relevant planning approval must be obtained within 12 months of the transfer approval

SPEAKER Thank you Minister. The question before us is that the House approve the motion. Mr Nobbs

MR NOBBS Thank you Madam Speaker this has obviously come to the House in other transfers. When you look at this you will notice that with regard to section 2(c) of this that we've already made the adjustment to make it the equivalent to a minimum 3 ½ star standard under applicable Norfolk Island tourist accommodation grading standards. It was a query in the discussions that we had, had at a Members meeting whereby the question was asked, if a unit was transferred out of an existing number of units, how was there a prevention capacity to stop that then vacant unit being reused perhaps on the side. The answer in this case, is that, that unit will actually be

combined. A combination of two units into one to make a much more spacious single unit so in that capacity there is surety that it's not leaving any doors open for misuse under the Act. Thank you

SPEAKER Minister could I have guidance from you as to whether or not you are proposing that we deal with this motion to its conclusion today.

MR NOBBS Thank you Madam Speaker I think in this instance I am more than happy to progress this one all the way through today, however, I would take any issues that anyone might have around the table into consideration

MR SHERIDAN Thank you Madam Speaker just a quick query. I understand when you say, when people move a unit from an existing unit what is the prevention from their not utilising that unit as a spare tourist accommodation place and in this instance it's planned to make one unit out of two to make a more spacious unit as you've just said. Under the unit licence is there also a limit on the number of beds that can be accommodated in that unit

MR NOBBS Yes and I think that's determined by the floor space. The square metre age

MR SHERIDAN It's just a thought as I just query whether or not the beds were restricted as well as the units and I'm not quite sure myself

MR KING Thank you Madam Speaker I think there's a number of queries that hop into my head about these arrangements or these motions. I'm not sure that I'm entirely happy with them although I accept that if it is the current policy that's clearly enshrined somewhere, either in law or some other published document that this is the way to proceed with these things then I guess that's the way it has to go. I'm not sure that I'm comfortable with carving off a unit here or a unit there and creating another tourist accommodation house. Is this up the road at Mountbatton Park. Is it going to be built before or after the roadworks. I can't envisage what tourist accommodation would mean at the end of that road

MR SHERIDAN It's actually at Buck's Point. It's the house below Joy Booboo's place so it's already an existing building

MR KING Oh yeah, I know the one. I mentioned I think on the last occasion that we examined one of these that I raised some uncertainties in my mind about the creation of a form of currency in unit licences and I re raise that concern here. I don't know whether there is the capacity to have a closer look on how these things work and what is endeavoured to be achieved and what the ultimate outcome might be somewhere down the track, but if there is room to review that somewhere in the near future then I would like to be a part of that. I'll vote for it if I'm told to vote for it. I don't really understand what it's all about. Perhaps someone could answer me one question as to whether, am I to understand this correctly, that there is a numerical moratorium on the number of beds and also I take it from this that there is no moratorium on the number of tourist accommodation houses

MR NOBBS Thank you Madam Speaker yes there is a moratorium on the number of units. Just to clarify a couple of points that Mr King also brought up the enabling policy and facility for this is within the Tourist Accommodation Act that enables the transfers. The purpose of enabling these transfers was to enable upgrade, to enable better utilisation of the units within an operators area; enable those operators who perhaps had more units than they could now maintain to the standard that they would like to, enable them to gain some value in transferring that and perhaps use that value to upgrade the remainder of the units. More than happy to discuss with the Tourism Officer and Mr King how this has actually had a positive effect in the industry and is certainly

being welcomed by Members of the ATA and from the recent visit of the grading assessors, the star rating grading assessors, they also pointed out that we've made some very positive steps to make some improvement and to their credit, members of the industry have made positive steps to improve their position in the grading and the like

MR KING Just a final contribution, the Minister didn't answer my question about whether there's an embargo on the number of tourist accommodation houses, presumably there is not given the context of this motion since as I understand it, this House to be known as The White House is not currently a tourist accommodation house. I'm looking for a nod of the head so I would have to conclude from that, there is no moratorium on the number of tourist accommodation houses

MR SHERIDAN Thank you Madam Speaker I believe and I'm sure the Tourism Minister will correct me if I'm wrong, under the Tourist Accommodation Act as the Minister states, there is a maximum limit of the number of units that are available for use on the island. There is the facility under the Act to limit the number of tourist accommodation houses. No limit has been set is that correct. So there's no limit of tourist accommodation houses but there is a limit for tourist accommodation units so back in the last Legislative Assembly when they altered the Tourist Accommodation Act to allow the transfers it was to enable you might say, before that it was a closed shop. Only people within the industry could really get into that industry. This facility allows someone outside the industry to buy a licence, buy two licences, buy ten licences if they can and to start up another tourist accommodation place if they get planning approval. I must stress that. Us approving this today is only the approval to transfer the unit licence. It does not give them Development Application approval for that place to be utilised as a tourist accommodation place immediately. They still have to go through that process

MR KING I'm sorry I was contributing there but I deferred to the Minister and I thank him for that explanation. I don't want to make a difficulty with it. I'm happy to but it just raises questions in my mind about whether we really want to see potentially a breaking up and a scattering of single unit tourist accommodation houses all around the island. I know planning approval comes into it. I agree with any objective which is set or designed to improve and upgrade the standards of tourist accommodation. That is good. I wonder why this motion has to come to the House and on what basis one might oppose it in any event. It seems to me that these things come to the House simply with the notion that they we give it a perfunctory tick of approval or if we want to oppose it we simply oppose it *Kos wi nor laik dem ala samthing daefi*. I don't understand those things but it won't keep me awake at night. Thank you

MR NOBBS Thank you Madam Speaker just to again provide a little bit of clarity there, in this instance the unit is being transferred to a separate property, still owned by the original property owner. The reason we are seeking this a little bit is that for families that want to come over on a holiday destination, they actually want some of the self contained house type holidays and as many of the operators are in a position to recognise that and put something in place, they are making their commercial decision on whether that's the best way forward but the rest of the decision as has obviously been pointed out around this table, is the result of planning approval and the likes.

SPEAKER Any further debate Honourable Members. There being no further debate and in the absence of a question to adjourn I put the question that the motion be agreed to

QUESTION PUT
AGREED

MS ADAMS ABSTAIN

MS ADAMS accommodation proprietor

I ask that my abstention be recorded purely as a tourist

That motion is so agreed.

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

This stands in the name of Mr Sheridan, the Minister for Community Services who put it on notice for the Minister for Finance and I look now to Mr Anderson to bring the motion to the House please

MR ANDERSON Thank you Madam Speaker I move that, under subsection 2B(4) of the Customs Act 1913, this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the person specified opposite, and on the conditions mentioned, in the second column of the Schedule be exempted from duty. The schedule in summary is Goods, Playground equipment with the amount of duty applicable \$334.96 imported by Banyan Park, Play Centre with nil Conditions. The second is Goods, Uniforms, for the Commonwealth Games Team with amount of duty applicable \$420 exactly by the importer, the Norfolk Island Amateur Sports and Commonwealth Games Association with nil Conditions. I have nothing further to add Madam Speaker, I commend the motion to the House

SPEAKER Any further debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is so agreed to. Madam Clerk, please record the absence from the Chamber of the Minister for Tourism

MUSEUM TRUST ACT 1987 - RE-APPOINTMENT OF MEMBER

MR BUFFETT Thank you Madam Speaker I move that this House resolves for the purposes of subsection 5(2) of the *Museums Trust Act 1987* that the executive member re-appoints Owen Edward John Walsh as a member of the Norfolk Island Museum Trust for the period 23 September 2010 to 22 September 2012. Thank you Madam Speaker this is a reappointment as you will see and may I acknowledge the work already done by Mr Walsh in company with other Trustees who continue on in their role as Trustees. Maybe I could just spread out those Trustees so that Members will see the bigger picture. The existing Trustees at this moment are Elizabeth McCoy, Jodie Williams, Ronald Nobbs, Arthur Bigg, Margaret Rosemary Jowett and Mr Walsh as is being promoted here in a re appointment sense. The others continue until the 20th April 2011 so they have a continuing task. Mr Walsh's appointment expired during the last few days and he is in the context of being reappointed. I pay tribute to the work done by all of the Trustees. Mr Walsh has led in the Chairmanship context the Museum Trustees and I value his work as I am sure that other Members will also do. This is a proposal for reappointment and I commend it

SPEAKER Any further debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is so agreed to

MOTION TO RESCIND ORDER OF THE HOUSE TO TABLE DOCUMENT

MR KING Madam Speaker I move that this House rescinds its order made on 28 July 2010 ordering the tabling of a document by myself M King MLA, such order as reflected as item 4 of the Minutes of Proceedings of the House dated 28 July 2010. Thank you Madam Speaker I understand and accept, having been cautioned wisely, that I am treading on thin ice and I do so with tender steps. I shall tiptoe across the ice Madam Speaker. I would not want this to be seen as simply argumentative. I would not want it to be seen to be an attack on the Chair. I would not necessarily want it to be seen as an attack on Mr Nobbs. It is certainly not that. I ask not for the Chair or the forbearance of the Chair or the House. I ask for the understanding of the Chair and the House that my position as a Member of a minority group who expects to be able to understand the basis on which he can conduct himself in this House and so these things are very important to me to understand. At the last sitting of this House I was ordered under threat of being held in contempt to table a particular document. A number of rulings were made from the Chair I the period leading to the order of the House. In the lead up to the motion which called upon me to table a document, an Executive Member, a Minister of this House, Mr Nobbs, sought to ask me a question against which I raised a point of order. I did say in my understanding of Standing Orders, Standing Order 103 generally shielded a non Executive Member or back bencher from being asked questions unless the question related to a Standing or Select committee report which had been tabled in the House and of which the non executive or back bencher was the Chair. My point of order was essentially refused on the basis that the Chair felt entitled to know the crux or essence of the question before deciding whether it was out of order. The Chair said and I quote, "I will just hear what the question is. I'm just waiting to see whether or not the question falls within Standing Orders" end of quote. Madam Speaker that ruling then allowed Mr Nobbs to state his question, make suggestions of fraudulent activity and generally score a political point as it were. I would suggest that any procedure of the House that allows scrutiny and examination of a non executive or back bencher in this way is offensive and somewhat repugnant to the basic function of a Westminster type parliament, that is, that the House being a forum which recognises the separateness of the legislature and the executive and which provide a forum for the scrutiny and challenge of executive Government by the back bench. A strong contention is that the matter should have been disposed of by a succinct ruling on point of order following an appropriate enquiry of the questioner as to whether the question related to any of the purposes set out in Standing Order 103. As a precedent the ruling seems now to have set the scene for Ministers to ask a question, any question, of whatever nature and substance of non executives to back benchers before the Chair will invoke Standing Order 103. Madam Speaker I contend that this cannot be what was intended and it seems to be highly offensive against established principles and convention. Having ultimately ruled against the questioner the Chair proceeded to give voluntary and spontaneous advise to the Minister about how he might achieve his political objective, referring Mr Nobbs to Standing Order 198 the Chair then allowed a motion ...

MR BUFFETT Madam Speaker I must call a point of order at this moment. I've been listening for some time and I'm a little unsure. I understand that Mr King is endeavouring to give clarity to the matter of the tabling or otherwise of the document but in listening to what he has been saying to date, I am wondering in fact whether it is coming down to a challenging of the action or the ruling of the Speaker. If that is the case, the position of the Speaker is not to be challenged in a debate sense like that, it needs to be the result of a particular motion if somebody wants to do that. Mr King is at liberty to do that if he wants to but it should not be in the guise of another method such as this moment. I'm not trying to say that he is endeavouring to do that but I am just trying to say that in listening to that, it gives rather the impression that it's moving in that direction and Mr King might clarify some of that

SPEAKER Yes and I look to Mr King if you would like to clarify that

MR KING Thank you I would like to comment on that. I am aware of Standing Order 59 which prevents me from reflecting on an order or motion of the

House. I'm also aware that there is an exception in Standing Order that reflection is allowed if the reflection is made in a formal motion to rescind so I can reflect on a formal motion of the House but the Standing Order is silent as to reflecting on the ruling of the Chair and I say this in respect that Madam Speaker that the course of action open for me to reflect in a substantive motion may well be to raise a motion of dissent on the ruling of the Chair. My decision has been not to take that course of action because that would be the most what can I say, confrontational course that one might take. I have taken the lesser course in this instance of choosing to seek a rescission of the motion and in doing so be allowed by Standing Orders to reflect on the motion of the House

SPEAKER Chief Minister I understand that you have raised a point of order. And I have allowed a response here and rather than rule on a point of order

MR BUFFETT That's fine Madam Speaker

SPEAKER You are quite correct and this might be helpful to Mr King. As you are aware Mr King if our Standing Orders are silent, we go to the House of Representatives and just for the record I'll just read out for you from the House of Representatives practice. The speaker's actions can only be criticised by a substantive motion and I think this is the point that the Chief Minister is endeavouring to make and this may be a motion of dissent on the Speaker's ruling where comment must be limited to the specifics of the ruling. Wider criticism is usually in the form of a censure or no confidence motion and so that is the broader parameter within which the Chief Minister's in context. However, and I don't want to enter into debate on this issue, it's a matter for the House to decide. The House by its resolution came to call an order to table a document and I'm going to leave it at that if you don't mind Chief Minister. Now Mr King can bear that in mind that it is inappropriate to reflect on the Speaker and actions taken by the Speaker other than by substantive motion and we don't have that in the House today

MR KING Well I shall certainly endeavour to refrain from doing that. It certainly wasn't my intention as I endeavoured to point out at the outset. It may be somewhat difficult given my prepared words to be able to avoid that but I will endeavour to do so without taking away too much of the context of what I'm arguing about. The Chair's ruling setting aside for a moment an argument that Standing Order might only be applied to an Executive Member, Standing Order 198 as happens elsewhere in the Westminster system and most decidedly it has happened in the House of Representatives on one occasion in their history a back bencher has been ordered by the House to table a document and that was because that back bencher had made a reference to a leaked Cabinet document. That matter was ultimately allowed to rest and I would suggest that in the application here of Standing Order 198 that a brief enquiry as to the nature of the document might well have defined that document prior to putting a motion to the House. The Chair enquired of the mover of the motion, can you be more specific as to the document, to which the mover replied "Mr King inferred that there was a document indicating that the Norfolk Air entity had been invoiced and I think the amount Mr King inferred was somewhere around \$600,000" close the quotes. I'm still quoting here, Mr Nobbs went on to say "at a point of his discussion he also indicated that he could pass on to me the invoice number. If Mr King, [If Mr King] therefore has access to this invoice number on this document then table it in the House" end of quote. Madam Speaker it was evident in those words to me some uncertainty about the nature, the clarity, the definition of the document but no opportunity was given for debate before the question was put before the House. No reference was made by me as to the existence of any document which referred to or might have referred to an amount of \$600,000, nor was any reference made by me as to any document being in my possession and I should mention that any inferences that may have been drawn by Mr Nobbs and he appears to have drawn at least two, should not have been relied upon to either identify a document or to prove its existence. There is a strong argument that a proper line of

enquiry and debate would have revealed that I had no document in my possession which of course was the case. There was nothing in my demeanor to suggest that I was quoting from any document. Returning to the strict application of the words of Standing Order 198 it now seems clear from the ruling of the Chair and as I am informed supported by Legal Advice from the local Legal Services Unit of all places, that this Standing Order can now be used by any Member executive or non executive, Minister or back bencher to force any other Member, Minister or not, to table any ill defined document at any time. I would even go so far as to say that the ruling appears now to be a precedent now for a non executive using the ruling to table a document in his or her own possession by simply moving a motion that the House order himself or herself to table a particular document. I of course if I invoke that, may not get the support that the House so readily provided to the last motion by Mr Nobbs but it nevertheless is probably worth a try and indeed it would in a lot of cases be a worthy endeavour if one was to ensure or seek to get a particular document on the record. Again, I wonder whether this can be what was expected of a Westminster type parliament in the conduct of its business because I understand that the House can do whatever it pleases, as it goes about its business subject to of course the guidance of the Standing Order but Members will generally agree I am sure that the procedures of the House must always embrace that underlying principal that the House is a House of scrutiny and challenge of the executive by the non executives and not the other way around. I point out for Members that the House of Reps in its history making single event, in its 110 year history involved where it had ordered on some occasion for a back bencher to table a document, was in reference to a leaked Cabinet document which of course is a far cry indeed from our situation here where the document was not only not properly identified or identifiable in fact it didn't even exist. So my final point and I thank you for your indulgence and the House, that if I am to suffer the indignity of Parliament's contempt for failing to produce a document that doesn't even exist then I would suggest that it is the credibility of the House which will suffer and not my own and to avoid that unhappy situation I commend the motion. Thank you

MR BUFFETT

Madam Speaker let me see if I've got this correct. I know that there is a great deal of maybe complex components added to all this, but does it come down to this at the end of the day. Is Mr King explaining to us that notwithstanding how the words were all accumulated at the time, there really isn't any document? Now if Mr King is saying that and he explains that to us, and therefore there is no document to produce, I'll support his motion. That's the end of the matter. I don't need to go on with all this other matter that's surrounding us and the complexity of the argument. I do say this however. That Mr King has made the matter of the House the accountability of Ministers and yes indeed they are, but Members are not unaccountable. Members are not unaccountable. All Members need to understand that. You just can't trot up anything. But Mr King is explaining that he wasn't necessarily trotting up anything. There was not a document. I have got to say that I read it a bit differently when the words were said but I'm happy to have Mr King's explanation that given all of that, really there isn't a document any more and there we are. I'm really not interested to go on and on about the matter

MR SHERIDAN

Thank you Madam Speaker and I hear what both speakers have said so far and I acknowledge that Mr King has said that there was no such document in his possession. Because I remember things differently from that meeting and I am positive it was the assertion of Mr King when he referred to that document he referred to a document that he had and when it came down to the receipt number it was actually Mr King who said I can quote you the receipt number if you want so I think there's a couple of versions here and I would love to hear the tape, I really would of the Hansard to see what was said by whom. However, as Mr King has admitted there was actually no such document and so to leave a motion on the House ordering Mr King to table a document that doesn't exist would prove meaningless but in saying that I do take on board under Standing Order 198 there is the ability for an Executive Member if a non Executive Member is referring to a document we have the ability to ask them to

table it, just as they ask us to table documents that they would like to see or that we refer to. Then it's up to them whether or not they want to abide by the Standing Order or the order of the House. The House may not deem it necessary. They might vote against it. As when they ask us to order something, and if it comes down to invoking Standing Order 198 it would come up to a vote of the House but I'm just glad that Mr King has admitted that there is no such document in existence because I knew there wasn't

MR NOBBS Thank you Madam Speaker and thank you Mr King for bringing this forward. For me the discussion on that document created some concern. And concern for how the community would interpret whether there was such a document. As such, I called for it. I think the Chief Minister has very eloquently covered the points in terms of how the House should operate. In my view the House's three roles would be accountability, integrity and productivity. With regard to accountability, I'm in agreement with Mr Sheridan that there should be a degree of accountability to ensure that just ridiculous allegations or ridiculous assumptions of claims of documentation or evidence or whatever can be made so there needs to be a check and balance there. Having said that I intend to support this motion because I don't think we need to waste any more time on it. I would also like to table a paper that I've received from the Chairman of Our Airline which clearly indicates that there was never any such document. Thank you

MRS WARD Thank you Madam Speaker I would like to spend a little more time because I've had time to fully digest Standing Orders 103 and 198 and I think for the next two and a half years I think it's important to clarify these points and I have studied the Hansard as it is relevant to this motion. Under Standing Order 103 I understand that questions may be put to non Executive Members when they relate to public affairs with which he is officially connected, is a Member of a Board and in relation to that, and as the Chair of a Select committee or an office holder. I also note in Hansard that Madam Speaker did not accept a question, did not accept a question from Minister Nobbs but he was guided towards moving a motion under Standing Order 198 so I trust that I can safely assume that the day has not come when Minister's are able to question and challenge the back benchers. In fact, when Mr Snell attempted to ask Mr King a question at our second meeting, the Chair disallowed the question. It relates to questions. Aside from that point I've studied Standing Order 198 and note that Minister Nobbs should have asked to move his motion much earlier than he did so that the House might have ordered that the said or inferred document might be laid upon the table and I quote "immediately upon the conclusion of a speech of the Member who was quoted there from" and I'm again referring to Hansard which shows that by the time Minister Nobbs moved his motion to Mr King to table the document that 1,374 words had been spoken, nine questions had been asked and irrelevant subject matter had been discussed including roads programmes, reduction of services, climate change, aging population, the marathon runner and economic structure and whilst I understand clearly it is not my role to question the Speaker and I'm not about to, I will plead inexperience in this case and I will apologise for not having called for debate at the time so that I might have asked for a definition of immediately. More importantly and I agree with the Chief Minister but I had to clarify that, that Mr King has in his opening recognised the caution. He's on thin ice and he's asked for understanding and to that I am prepared to support his motion today

MR BUFFETT Madam Speaker I understand very clearly that Mr King has said to us that there is no document. I move that the question be put

SPEAKER I realise that Chief Minister but if you wouldn't mind I had already offered to Mr King. Very shortly Mr King and then we will put the question

MR KING Thank you Madam Speaker let me close this. I am so sorry that Mr Nobbs considers my endeavour, my motion here to be a waste of time and

Mr Buffett referring to my debate as simply going on and on with unnecessary complexities

MR NOBBS Point of Order. I actually supported Mr King's motion

SPEAKER That was my understanding too Mr King. Minister Nobbs said he supports your motion

MR KING He also said it was a waste of time Madam Speaker

MR NOBBS No, no. I said we can no longer afford to waste time

MR KING Well

SPEAKER I'm not going to take that as a reference to your motion. It could be to the total debate within this House Mr King. Please proceed

MR KING I know that he offers me 100% support. I'm sure of that. It matters not to me whether he does and nor does it matter of course to me that Mr Buffett might regard me as going on and on. I had asked the House to understand the situation I find myself in and what I believe is to be a genuine realistic need to understand the environment on which I represent the people who voted for me. I need to understand how the Standing Orders are going to be applied. I need them to be applied in a uniform manner otherwise the House will hear from me. Whether or not I get the support of Mr Buffett or anyone else in this House is immaterial. I have taken the opportunity to express clearly what I wanted to express. I've set out to do that. I have achieved that. It is to put the question now and if I'm not supported then I'm equally happy with that

SPEAKER Thank you Mr King. There seems to be no further debate Honourable Members. I'm going to put the question, the question is that the motion of an order of the House to table a document be rescinded

QUESTION PUT

AGREED

MR SHERIDAN NO

Do you want the House called Mr Sheridan? No. That motion is so agreed to

PUBLIC SECTOR MANAGEMENT ACT 2000 - DETERMINATION OF ORGANISATIONAL STRUCTURE

MR BUFFETT Madam Speaker I move that this house, having considered the draft Determination in respect of the Organisational Structure tabled on 28 July 2010 and the written comments of the Public Service Board dated 27 July 2010 in accordance with and pursuant to sections 26 and 27 of the *Public Sector Management Act 2000*, hereby pursuant to paragraph 26(1)(d) –

- (a) revoke any previous determination of Organisational Structure of the Public Service; and
- (b) make the draft determination in respect of the Organisational Structure dated November 2009 produced by the Chief Executive Officer; and
- (c) declare that the gazette notification of the making of the determination, signed by the executive member and appearing in the Gazette, shall be the instrument in writing of the Legislative Assembly for the purposes of paragraph 26(1)(d) of the said Act.

Thank you Madam Speaker, this has been a matter tabled before at an earlier sitting I tabled a number of things. I tabled the Organisational Structure that has been referred to. A diagram. I tabled comments from the Chief Executive Officer, I tabled comments from the Public Service Board. I explained to Members that this has been provided to me pursuant to the legislation, the Public Sector Management Act and that this is the

process to bring us to a new organisational structure. I should explain again, that the organisational arrangements within the Public Service is going through a process and this is the early stage of an organisational review. It's the first stage. In other words the Chief Executive Officer's area plus an overview of the totality of the structure and then the Chief Executive Officer is going through in a progressive way to cover all of the sections in the Public Service over a period of time. If in fact when he goes through the process and finds that there needs to be adjustment to this original one, there is room to do that when he reaches that stage. But this is the first stage, it's an overview stage, and we've been through it before because I have explained it in the House and I'm reaching the stage now of giving it some formality and so therefore I commend this motion because it will provide that organisational structure

MRS GRIFFITHS Thank you Madam Speaker. I appreciate that this has been in front of the House before but this indeed has been the first opportunity that I have had to speak on it and I acknowledge that the overall management objective is to improve the efficiency and effectiveness of the Public Service and while I agree with the flattening of middle management I appreciate that the intention of creating an audit facility may improve the accountability and I appreciate the restructuring of the Public Service is a complex issue, however, I have to say that I see nothing in this proposal that reduces the disconnect between the Legislative Assembly and the Public Service. I see nothing that improves the policy or planning functions which are primary functions of the Public Service. Indeed I think this proposal offers to abolish the Policy and Projects Unit and to bring I think "short term ad hoc external consultancy service" which flies in the face of particularly the number of comments saying that we need to build a capacity within the Public Service. I see nothing that this proposal does to build the capacity within the Public Service. I see nothing that is going to lead to efficiency gains or promoting entrepreneurship and I see nothing that this restructuring will do that will provide a quick fix for which this island so badly needs. I cannot support this motion and with the greatest of respect Chief Minister this proposal in its current form smacks of the Twelfth Legislative Assembly's style and I have to say that I have greater expectations for this Thirteenth Legislative Assembly

MRS WARD Thank you Madam Speaker I would like to acknowledge the Chief Minister's circulation of this motion and his prior tabling of the formal documentation pursuant to provisions of the Public Sector Management Act 2000 and thank the CEO for his efforts in bringing this restructure to a place where it can be considered by this, the 13th Legislative Assembly. There is usually reason attached to a restructure and this is no different. The last restructure in the Service was in 2003 and there have been additions to the level of service required to be carried out since then, eg, we now have a GST office, and airline and Norfolk Energy and there is a clear move not to refill certain positions. There have been many restructures over 30 years and this one intends to implement a new platform for which the service is to work from and within. As I understand the objective will be to first restructure and simplify the office of the Chief Executive Officer and then move through into other areas. The community will be aware that a desktop review will commence to determine the most effective way to restructure the Customs, Immigration, and Health and quarantine area. A clear aim is to reduce and remove middle management and allow the Managers of specific areas to have greater control or ownership of their areas. Government must make sure that section heads and managers are provided with support to accomplish those aims. Not everyone is comfortable with change, over time officers will be asked to step up but I believe that most people understand that we must work harder in order to be the best we can but that does not arrive without hard work, performance based budgeting and some headaches along the way. For those who are worried about their jobs – don't be – one of the first things the CEO said to the 13th Assembly was "you can't sack anyone", that was interesting because we hadn't opened our mouths at that stage. Perhaps some of us came with reputations? It was certainly never my intention to support a sacking campaign, on the contrary, this is about creating a better support system for those who want to do well in the service and who want to serve their community well. The original

requirement for this restructure by the previous Assembly was to provide for a 2-5% efficiency dividend which suggests that the service would be “better off” in a monetary sense at the end of the day. The complex issues sounding that question and indeed the ability of the service to achieve that; is a debate for another day and one that must be had. Neither this Government nor the previous one had the funds to approach this restructure in a broad scale way, employing skilled consultants etc, and I won't make comment on whether or not that is a good thing – it is the reality of what we have to work with and we must, in the absence of adequate funds, make it work. This motion, if passed will result in a slower process but it is one that takes into account management goals that will hopefully, with co-operation all round, be a success and serve us for the next decade. With all that said and done, we must sooner rather than later recognize that while perhaps small savings can be made across the board by approving a restructure that will have an overall cost saving in the recurrent salary structure, the number of responsibilities that the service is asked to manage and fund is unsustainable and a simple restructure will not resolve the longer term financial concerns that I hold - but it is a necessary component of Administration today and therefore I will be supporting the Chief Ministers motion to allow the process to begin. At the same time, I do understand Mrs Griffith's concern, particularly about not having a Policy Officer because that is a position that was removed. I would like to see that we have more Policy Officer's for the Minister's and Legislative Assembly Members in general to be able to use and that, as the Chief Minister's suggests is something that may be able to be dealt with as time goes on. Thank you Madam Speaker

MR NOBBS Thank you Madam Speaker I see this as a positive step. I see it as providing some real linkages to Government direction that then flows through to corporate strategies within the Public Service that then flows on to the management areas for program budgeting and performance contracts. I see this as a linking of the areas so that we are all going in the right direction. The removal of the four former Executive Director positions I think is a plus. It enables as Mrs Ward pointed out earlier, the managers to take greater control and responsibility for their areas and also to have input into those performance programs and the performance contracts that enable their areas to complete those programs and performance budgets. With regard to the policy advise, we have had in the past policy advisers on the payroll. Normally they have a specialty area and Norfolk Island being as diverse as it is with the great variation of requests that we have with regard to policy, in many cases that hasn't worked to our best advantage. The intention as I understand this is that the permanent position has been taken out however, in removing the four Executive Director roles and the subsequent savings there it would give great access to specialist policy advise on those issues that require specialists in that area so at this stage I think that can work. It's obviously something we are going to have to monitor to make sure that we're getting the best out of that and in closing I would say that with regard to the additions or expansions of the audit capacity within the Public Service that again compliments exactly what I said before in terms of performance and program budgeting and programs that flow out of the Government through the Public Service to the community for delivery of services. Thank you

MRS GRIFFITHS Thank you Madam Speaker I appreciate that some Policy Advisers do have specialty areas but policy development is a generic and so I would like to see that policy development process still exist within the Public Service and then that position have the ability to call in that specialty advise. There is still the capacity for us to do it and I would like to ask Minister Nobbs how he sees that this particular structure improves the connection between the Legislative Assembly and the Public Service. How does that work

MR NOBBS Thank you Madam Speaker and hopefully I'm not stealing the Chief Minister's thunder in responding to this, but as I understand it through the discussions that we've had in the lead up to this, in exactly the way I said at the start where the Government sets the direction, the directions are then fed into the corporate

plan for the Public Service, and then flow out to the program and performance budgets to all the areas and the service deliveries and then that enables those managers to know exactly what they are delivering. That also is part of the sign off, of really the way the Government directions are formulated so there is a two way collaboration even in the planning stage to ensure that we are linked

MR KING Thank you Madam Speaker I think it's fair to say that there are probably as many organisational structures lining the walls up at the New Military Barracks as there are Strategic Plans lining the walls of the Old Military Barracks. Each Chief Executive Officer appears to have a different preference and different take on things. I had earlier offered my support to the Chief Minister in relation to this and I will be supporting the motion. I think however that it will take more than this and Mr Buffett has acknowledged that there's a long way to go in addressing the complex and somewhat profound difficulties that exist in the Public Service. This tidies up some of the more immediate problems. It certainly is not the be all and end all. Whether it's a positive step and a support system really remains to be seen. I don't have a clue. It suits the ceo and formalises the status quo, something that's been in place in a ad hoc manner for some months so I guess it's a move forward but I do stress that there's far more measures that need to be taken in respect of the Public Service than this. I will give my support on that basis. I reiterate that I don't see it as being the be all and end all of solutions to problems in any way and acknowledge the Chief Minister's efforts and his dilemma and the time that he has put in to examining the situation and the difficulties that exist in that area. I wish him well in finding additional solutions to support this measure

MR BUFFETT Madam Speaker if others have finished, I'll just wind up. Thank you for the contributions that have been made by Members. I'll just draw a couple of things if I may. It might be useful just to explain some of the arrangements. Mr King's right. There are as many organisational reviews as we have got fingers and toes, and many more. It's the story of our lives in many ways but many organisations, especially larger ones and extensive ones have very periodic reviews of such nature but I need to explain about this particular one. Part of the motion that we've got in front of us here, revokes previous determinations so I'm just going to tell you what that previous determination is so that you'll realise how inapplicable it is and that's why we've got to get to this particular stage. The one that is on the table now which is the existing formal arrangement still has five or six Executive Directors. Now we don't have those people. They've not been on the ground now for almost years and therefore the inapplicability of the organisational structure at this moment needs to be at least brought into line, recognising that alone, and that's what this does and it endeavours to put into place more the structure that is there. That is, there are two principals at the top, the Chief Executive Officer and in the proposal that's in front of us the Deputy Chief Executive Officer and they divide the Public Service not exactly in half but divisionally amongst themselves instead of across the board of five people. That's just one example to show just how out of date the existing arrangement is and this is an endeavour to give some structure to take account of that and project a way forward. The policy development arrangement is hopefully one that might be more concentrated within the respective areas but its recognised that not all will have the skills to be able to do that, that is required in terms of the policy development or in terms of all of the areas. And so therefore, and there may be more complex issues that are outside the expertise of those who run the particular areas. Let me just give you two examples that are running at this moment. We are talking about the replacement of the Burroughs's system and the updating of the IT arrangement. We have brought in somebody who has expertise in being able to work through such issues. That might be open to debate in some ways but that's an example where we've brought in outside arrangements to assist the development there. Another is the one that we've referred to today, a couple of times, the workers compensation and the healthcare area, an actuarial study. We don't have those skills within the Public Service so that we need to outsource that, and that will happen from time to time, those examples, in the broad range of functions that the

Administration needs to undertake. Having said all that I really need to point out that the word “quick fix” was used. It might be seen to be a quick fix. This is not a quick fix. This will take us a significant period of time and this is the first step. It’s the first step to give this overall structure so that the Chief Executive Officer may commence the process of then working through the Public Service to review the various areas. Now he’s given this one to us. He’s already moved onto the next which is the Customs and Immigration area and we’ve seen some comment about that, but that’s the next task and then he’ll move to another area and we’ll address these various components as we move along the track so I need to point out that this is really quite an extensive task and it might be useful if I just make those comments. Hopefully they are useful

SPEAKER Thank you Chief Minister. Am I correct that, that concludes debate Honourable Members. I put the question that the motion be agreed to

QUESTION PUT

AGREED

MRS GRIFFITHS NO

Did you want the House called Mrs Griffiths or are you comfortable that we record your dissent in Hansard. Thank you. That motion is so agreed to

MR ANDERSON, MINISTER FOR FINANCE AND THE ATTORNEY-GENERAL – LETTER DATED 15 JULY 2010 FROM MINISTER ANDERSON TO HON BRENDON O’CONNOR MP RE NORFOLK ISLAND GOVERNMENT BUDGET (2010-2011)

SPEAKER Honourable Members we resume debate and it stands in Mr King’s name and it refers to the letter dated 15 July 2010 from Minister Anderson to Hon Brendon O’Connor Mp re Norfolk Island Government Budget (2010-2011), the question being that the House take note of the paper and the paper be endorsed and Mr King you have the call to resume

MR KING Thank you Madam Speaker. Two months of course has passed since the letter was sent by Mr Anderson to the then Minister with responsibility for Norfolk Island matters, the Commonwealth Minister. Perhaps there is a need given that length of time to reflect briefly on what has happened since that time. At the time I feel that the letter was seen by most as a positive step towards finding a solution to some of our economic problems. I’m not sure that it’s particularly as relevant two months down the track. It stopped short of using words like we use now to describe our financial situation, like critical. We have experienced since that time a continuing deterioration in our own finances as Mr Anderson has described today. I have felt, and perhaps I’ve been a bit impatient, perhaps I’ve become somewhat cynical and annoyed with the passing of 62 years, that the time for talking as long passed because as we have continued to procrastinate and delude ourselves our situation has deteriorated unabatedly. It has not paused, it has not plateaued; it has not turned around and there is nothing on the horizon and nothing over the horizon that I can see, despite the number of things that Mr Buffett outlined today in his statement. Until today, the Government or the Chief Minister has been somewhat mute on the seriousness of our plight and I mentioned in my debate on an earlier motion that I don’t believe that, that had been allowed enough statement by the Chief Minister. Madam Speaker on the Federal political front we have seen an election result that Mr Buffet, the Chief Minister has alluded to which has changed the nature of the political process, the political scene in Australia and which will because of the ascendancy of the independents and the greens, result in the Norfolk Island situation being pushed further down the list of priorities. That worries me immensely. We have a new Federal Minister who remains to be briefed on Norfolk Island affairs and whose energies to a large extent will be directed towards satisfying the independents or regional mainland Australia development. It’s difficult for me to understand how anyone could in any event oppose the motion to support the 15th July letter. In fact given the changes in the landscape in the past two months I can’t see how any Member can deny our perilous

position and our urgent need for Federal assistance. Whether we like it or not we are Australians and the Federal Government does have an unbending underlying obligation to assist. Having said that I do understand your own misgivings wherein you took umbrage at what seemed to be a slight upon the deliberations of this House. During the budget debate Mr Anderson addressed those misgivings by stressing that the only portion of budget debate extracted and sent by him to the Federal Minister was his own contribution and that, was that contribution that he suggested the Federal Minister might find amusing. That's Mr Anderson's sense of humour as I've come to observe so your support of this motion in its entirety is essential. I had regarded the 15th July letter as a Norfolk Island Government letter for to regard it as being otherwise would have been to suggest that the Government was split on the issues contained in the letter. Personally I would have been happier to have seen the letter signed by the Chief Minister Mr Buffett and not by Mr Anderson who with respect for him and for the office he holds, is not the leader of the Norfolk Island Government. In March this year the House called on Mr Buffett to lead the Norfolk Island Government and by electing him as Chief Minister we entrusted him with the responsibility of dealing with inter governmental relations and with Strategic Planning and with the hope that he would lead us from the front. It is confusing to me that not only his Minister seems to have taken the lead from him in seeking solutions to our economic and financial ills, but until today he had little or not contribution to the debate on future direction on economic and financial stability. I look forward today to him easing my emerging disquiet and uncertainty and that of a great many in the community about his leadership. Thank you

MRS WARD

Thank you Madam Speaker. I think it is worth making comment on this letter even though yesterday at MLA's Minister Anderson indicated that he was redrafting the letter so the words may be slightly different, to the new Minister and so I'll just make comments that he may wish to take on board for the redrafting if that is indeed what Minister Anderson is doing. I think the first important point to make is that the Norfolk Island Government has today, the Chief Minister has today, tabled a directional report and that did mention right up at the top, Commonwealth options so while I'm satisfied that the Government including the Chief Minister has heard what has been going on in the last six months and is acting on that. That the Government are acting on that. Just coming back to the letter which is the motion. When Minister Anderson wrote the letter, the relevant Minister was Brendon O'Connor. We have now witnessed the federal election and I will take this opportunity to congratulate our new Federal Minister, Minister Crean and I trust that he will receive, as I just said a similar if not a carbon copy of the original letter for his consideration. Minister Crean is not new to politics and I doubt it will take him long to get his head around our unique situation. There are words contained within the letter that have offended, such as "entertainment. The reality is, we all have very different personalities and sense of humour and I do not believe that it was ever the Ministers intention to offend, it is his way and it would be very sad day indeed if one had to stop displaying their humour because it may offend. However I will leave that point for him to consider. The phrase, "the only non Norfolk Islander" upset some people. I had an elderly island lady remind me that only two people around the table were born here. Mr. Snell who is not here today and myself. But does that really matter. I don't think so. Does it mean that the wives of Minister Sheridan and Nobbs care any less about our island's future because they were not born here or are not deemed to be an Islander by somebody else? Minister Anderson, has been accepted by this community and his input is valued and welcomed whether he deems himself to be a Norfolk Islander or not. It is easy to be distracted by one word, or a flippant phrase but this House must focus on the real concern, that is, our financial sustainability and the security of our residents, whether they are of Pitcairn lineage or not. As Mr King points out, there are those who are frustrated by the thought of more discussion; that we have been having discussion for 30 years and now it is time for action. I hear those people and I think that Minister Anderson, and as the Chief Minister has indicated today, that this whole Government is a Government of action but first there had to be recognition of the situation and the recognition is in the content of this letter and should remain in the content of the redrafted letter. Some feel that the letter is dangerous and that it sets the tone for losing self

government. I am aware of that argument. I have heard it many times, but I believe that failure to recognise and address the situation we face today would place our credibility and self government at far greater risk. Minister Anderson says in the letter that we should not pre-empt anything, that this is merely an attempt to stimulate dialogue with Canberra. Many of us would agree with him, with open eyes and more importantly, an open mind. When it is time for action, I will certainly stand firmly with a Government that has displayed as the Chief Minister has today his direction, and I believe that Minister Sheridan has indicated his support in the previous meeting. Whether others will or not is up to them to inform the House. It should again be noted that since March, this government, Assembly and service has taken every opportunity to build a better relationship with the First Territories Division and its officers. A good foundation already exists with a working group already formed, and that is where the continuity lies. Let us build on and develop that relationship even further to benefit us all. And I believe that having a closer tie with the Regional Australia department will be the beginning of an improved partnership. We are being asked to endorse the content of Minister Anderson's letter. I'm not sure how that deals with your motion exactly Mr King. Maybe I will just stick to the content of this letter as it stands today because that is the motion. While the language and content may offend some it also delights others. It has delighted me Madam Speaker because it has served to stimulate discussion and I can only hope that similar discussion will take place in Canberra very soon. The content should not only stimulate but also result in solutions and options for this government and Minister Crean to present to the Norfolk Island community. I believe it is a positive move to support the motion and that is what I will do today. I am doing that in order to support a move towards sensible and constructive conversation with the Commonwealth government about our financial sustainability. A conversation that deals with the realities of today, as well as the next 10, 20, 30 years whilst always acknowledging the past and the struggle that has occurred to achieve what we have today. Thank you Madam Speaker

MR SHERIDAN Thank you Madam Speaker I'll just make a few quick words if I may. I know it's been two months since we discussed this letter and at that meeting I did support it and I think there is some very strong language in there with regards to our financial situation and its survival and if it doesn't sum up our finances well I don't know how much stronger you really want it. But in reality this is two months old now. I'm not really interested in what's in this letter any more. What I am interested in is what the reply will be

MR BUFFETT Madam Speaker I would hope that we don't have a huge difficulty in terms of dissent about this. This letter was prepared and it was despatched to the former Minister. That Minister is obviously former, and we need to revitalise our situation with the current situation, Mr Sheridan is right. This is now dated in that context. I would like to propose an amendment to this motion which might give it currency in the way we are moving forward. Something like this, if I could just talk to it before I actually propose it. "That the House take note of the paper" pause there, "and the paper be endorsed" be deleted and other words put in "That the house take note of the paper, and note its major content is incorporated in the current Norfolk Island Government's Directions". This really means that those important things that are mentioned in this letter are being picked up and they are channelled in the way that is described there, in other words, the discussions that are being talked about, are pretty well mirrored. They aren't exactly but they are being picked up and walked through and it indicates that they are amongst those things that do need to be walked through with the Commonwealth. There may be a greater opportunity for that to be seen as a way forward. I'm happy to hear views about that

SPEAKER Chief Minister do I understand that it's just a maybe at this time or do you propose the amendment

MR BUFFETT Madam Speaker I'm happy to test it. Alright then

SPEAKER I look to debate on the amendment Honourable Members. Perhaps you could read the amendment out again Chief Minister

MR BUFFETT Madam Speaker the motion would then read "That the house take note of the paper, and note its major content is incorporated in the current Norfolk Island Government's Direction Paper"

MR SHERIDAN Thank you Madam Speaker with that proposed amendment there, I'm quite happy with endorse. I endorsed it two months ago and I can't see any reason to change it

MR BUFFETT The point was that it had a dated aspect about it but I'm not... I'm just trying to find a way forward

MR KING Madam Speaker it does have a dated aspect to it and I acknowledged that in my resumption debate. I do however feel that to acknowledge that letter as the clearest expression I can find since the commencement of this House and Government of our present situation and our need to talk turkey with the Feds as it were and I believe very strongly that it needs to be endorsed by this House, in other words, that the Government who sent the letter is seen to be supported, hopefully unanimously by this House. I think it needs that expression and certainly the word endorsed. If that can be woven into some change there I'm quite happy but when Mr Buffett, the Chief Minister talks of taking note of a letter being consistent with our Government's agreed directions or words to that effect, you would also have to point out that whilst Mr Buffett has made a statement today and tabled that paper in the House it remains in the House and that question still has to be decided and debated further at the next business meeting of the House and all in all I would prefer to see the motion go forward to the Commonwealth sphere with the word endorse in it

MRS GRIFFITHS Thank you Madam Speaker I see no value in mentioning the Chief Minister's proposal. I think as Mr King says that it's important that we endorse the paper and that it be updated and go to the new Minister but I also pick up on the point that Mr King has said that something of this nature coming from the Chief Minister so I would like to see this paper be brought back to life with the same content. I don't think there's any need to reflect on the vision statement which I've very clearly said I don't think goes far enough and I don't think that would give us any value

MR ANDERSON In respect of the amendment I would prefer to see endorsed. I have no objection to the extra words then being added as its becoming now part of our moving forward, particularly given the two months delay. If I can at the same time address the other points that I have not yet been able to address, Mr King mentioned that the Hansard that was forwarded to Minister O'Connor was noted as being amusing and it was at no time said that it was amusing it was said that it was entertaining. It actually said, for your entertainment and it was meant tongue in cheek as I said before and anyone that works in the finance world that finds dealing with figures, numbers, budgets, entertaining. Enough said. They would understand that it is tongue in cheek and I believe that was the way that Minister O'Connor would have taken it. There was also mention of my redrafting the letter. In fact I said that I was now working on letter number two which would be a follow up and update but yes, a reinforcement of what had been said before but I will defer to any decision as to whom the letter eventually comes from as long as we stick to the original intention. In respect of the comment that I made in the letter that I was the only person elected who is not a Norfolk Islander, that was intended to express that I was the only outsider. I have no family here, I have no relations here, I just have the eleven years residence and the wish to remain here. On occasion there's even friends yes. But it was intended to communicate from Minister to Minister that I may have an objective view without the other connections and nothing more. In closing I would say that it's a matter of watch this space. I'm happy and I already have initiated the drafting of the second letter and the way that it mentions the

issues, I'm happy to defer to the way that everybody here believes it should proceed as long as we stick to the content

MRS WARD Thank you Madam Speaker I, like I think most Members, would prefer that it follow the original intent of Mr King's motion and note of the paper and the paper be endorsed and then perhaps attach the Chief Minister's words after that

SPEAKER The question before the House at the moment is the amendment proposed by the Chief Minister be agreed to and I read it to you for clarity, "That all words after "that" be deleted and the following substituted, the house take note of the paper, and note its major content is incorporated in the Norfolk Island Government's Direction Paper"

MR BUFFETT Madam Speaker I was really trying to find a way forward. Let me try again

SPEAKER Are you proposing an amendment to the amendment or would you like to withdraw that earlier one

MR BUFFETT Just bear with me for a minute if you may Madam Speaker. I'm happy to say something like "That the house take note of the paper, the paper be endorsed and the House note its major content is incorporated in the Norfolk Island Government's Direction Paper". That's not really taking away but it might be a way forward and give connectivity and currency which I think is an important factor so that it is talking through for a number of hours, well that's an exaggeration and Mr King wouldn't like that but it's a couple of months old now and I'm trying to just give it some currency

SPEAKER Are Members comfortable now with the adjusted wording of the amendment from the Chief Minister that all words after "that" be deleted and the following substituted "the house take note of the paper, the paper be endorsed and the House note its major content is incorporated in the Norfolk Island Government's Direction Paper". Is that correct Chief Minister

MR BUFFETT As close as I can get it anyhow Madam Speaker

SPEAKER Honourable Members I put the question that the amendment be agreed to

QUESTION PUT
AGREED

The amendment becomes the motion

Honourable Members I now put the question that the motion as amended be agreed to

QUESTION PUT
AGREED

That motion is agreed to on the voices

FIXING OF THE NEXT SITTING DATE

Thank you we move to the fixing of our next sitting day and Chief Minister this is in your hands please

MR BUFFETT Yes I have a motion Madam Speaker. We are determining the next sitting day and I move that this House resolves –

- 1) to next meet at 11.00 am on Wednesday 27 October 2010 at a Ceremonial Sitting to mark the 50th anniversary of the Supreme Court of Norfolk Island; and the proceedings of the day be as ordered by the Speaker to observe the dignity of the occasion; and
- 2) to sit on Wednesday 3 November 2010 at 10 am for the purpose of conducting its usual business

SPEAKER Thank you Chief Minister. Do you wish to speak to the motion

MR BUFFETT Madam Speaker only to obviously indicate that there is a ceremonial occasion that is projected. That is still to be finalised as I understand it, in its final situation but we won't be meeting and we need to make some indications now if we are to try and accommodate this matter which I am keen that we do. There are arrangements to endeavour to mark this anniversary with visits in terms of the Supreme Court principals to do a number of things including being accorded the dignity of a ceremonial sitting so that's the first part. The next part is our normal sitting day which is projected on a six week cycle as I understand it and this six week cycle has been indicated as one of a trial arrangement that is continuing. Yes we've had almost two months on this occasion. That is longer than has been earlier thought. But there have been other reasons behind that, not part necessarily of the totality of the trial for a longer period. That doesn't commit any of us to a longer period on an ongoing basis but it does commit us to test and see whether the community are comfortable or otherwise in more a six week arrangement. There are a number of people who have advanced ideas as to why that might be beneficial. I'm not too sure that I share all of them but nevertheless I'm not against a six week process to test the water

MR KING May I seek leave to move an amendment to the motion. Madam Speaker I would move that paragraph two be amended by the deletion of the date 3rd November 2010 and the substituted date 13th October 2010 be inserted if that makes sense

SPEAKER Mr King in proposing your amendment, could I ask that you also in clause one in that case, take out the word "next" after "to" and make it "to meet"

MR KING A consequential amendment

SPEAKER Yes, as part of your moving to 13 October that you remove the word "next"

MR KING I would so move Madam Speaker

SPEAKER We have an amendment before the House. Minister for Community Services

MR SHERIDAN Thank you Madam Speaker ...

MR KING I'm sorry but being the mover of the amendment Madam Speaker could I contribute to my motion to amend

SPEAKER My apologies Mr King. Please

MR KING Just briefly I had indicated earlier on that now is not the time for triumph here, now is a critical point in Norfolk Island's history. It will not serve the community interests well to have prolonged periods between meetings of the House. I

understand that the business of Government goes on to a fashion, after a fashion, in an informal sense. I understand the criticism directed at me about not attending MLA's meetings, but I'm very strongly of the opinion that at a critical point that we are at in our economic and financial situation, the community needs to see and hear leadership. Not understand that leadership is occurring behind closed doors and indeed... Madam Speaker I won't say those words thank you and I'll refrain from contributing any further at this point in time

MR BUFFETT Madam Speaker I really just should make a couple of mentions in terms of Mr King's contribution just then. He mentioned informal arrangements of Government; Government of a fashion. Really just because there is not a sitting of the House should not infer that, that is how Government conducts itself. Just because there is not a sitting of the House the Government doesn't conduct its business behind closed doors. I think that should be drawn to notice, that is not the case

MRS GRIFFITHS Thank you Madam Speaker I would like to support this amendment. When I had first seen the dates I hadn't made the correlation of time but I did have concerns about the period of time that we had, had between meetings for various reasons and extending the length of time I'm very well aware that these meetings of the House that we have are the only access that we have to the community. It's the only mechanism that the community has to listen to us debate issues and if we lengthen that period of time that removes us from the community a certain amount so I would like to support this amendment thank you

MR SHERIDAN Thank you Madam Speaker I see we've gone from a six weeks trial down to a three week recommendation. I might be a bit selfish here, but I won't be here for that date, I'll be away until the 16th October for the Commonwealth Games and that was one of the reasons why I supported the 3rd November because I would only have been back for two days before the sitting so therefore I won't support the amendment. I'd like to be here for the sitting Madam Speaker

MRS WARD Thank you Madam Speaker this proposal to lengthen the time between the meetings was first voiced in a closed session about three months ago and the original bid made by Minister Anderson was for eight weeks and then Minister Nobbs came in and suggested six weeks. There was to be a period over August when all but one Member were away so there was no debate when the House was adjourned for a two month period at the last sitting. It was an exceptional circumstance and I'm just giving a short history for the community here if I may Madam Speaker. Once a month the community traditionally has the opportunity to listen to what we've been up to down here, or more importantly what the elected Government has been up to. A regular meeting of four week interval provides a minimum level of accountability and opportunity to seek answers to questions. To lengthen the time frame from six to eight weeks may not be in anyone's interest and that's why the suggestion of six weeks for this interim period as a continuation of a trial period and I take on Minister Sheridan's point which is what I took on when I agreed to this new date, the Chief Minister's suggested date of the 3rd November because I was aware that Minister Sheridan would be off island. To come back to the point of the length between meetings, as a non executive independent community representative reducing the Government's public exposure will not make them more readily answerable to the community, nor maybe perceived that it demonstrates a willingness to be open to scrutiny. I'm not saying that is a fact I'm just saying that is a perception within the community that I understand. We were asked recently to support an urgent Bill and that Bill also contained retroactive provisions and if we were to meet less frequently as a legislative body there is a very real risk that pressures such as those will be put upon us more often and I wish to strongly resist that. How the community was likely to react to a lengthening of the time frame between meetings was discussed in a closed meeting and many of us received feedback when we went back out into the community and asked that very question and the reaction to the long period from my contact, was that people accepted it as an

exception but not as a rule. But today I will not support Mr King's amendment because I understand that this was a continuation of the trial period and that Minister Sheridan would be away and I'll leave it at that thank you Madam Speaker

MR KING Just a few words Madam Speaker. I suppose the key to that was that it was discussed in a closed meeting and that worries me a little bit. I suppose it reinforces what I believe that these things ought to be discussed in this House and I'm as guilty as everyone else because I failed to contribute to debate on the last occasion when we set the meeting to two months hence. By my silence I was complicit in supporting that and I had given an indication outside this House that I would support longer periods in the hope that, that would result in a greater deal of Government business coming before this House. There was a period of twelve days during that two month period when not one single thing appeared in my dispatch box. Not one thing in twelve days and I look on the Notice Paper today and I see little, little of Government initiative or substance on the Notice Paper after a period of two months. If that's what prolonged periods between meetings is going to produce for us, then there's no way in the world that I can support any of it. In fact I would support meeting again next week. Perhaps I should put a motion to that affect in. I believe in doing whatever is necessary to force the Government to bring more substantive business before this House

MR BUFFETT Madam Speaker I think I need to get clarity from Members, what they consider the periods we are talking about to be. I understood that we thought that we might trial a period and I'm very happy to undertake a trial and on the basis of a trial I am very happy for example, with the 3rd November. If in fact Members now want to abandon the idea of a trial and want to have a vote which sets the date on an ongoing basis well, they need to signal that. Because I need to know what's in your mind. Whether this is the final vote on how we will progress our frequency or whether we are continuing a trial for another one or two sittings. I just am now confused about what people might have in their minds about that

MR NOBBS Thank you Madam Speaker there has been some fair degree of discussion on this and just to give some background with regard to the six week time frame. In amongst the discussion and I actually seem to recall earlier on Mr King indicated that a two day sitting every two months was something that he would welcome and I could be wrong there but I seem to recall a conversation along those lines. Having said that...

MR KING I said I support it. I did support it

MR NOBBS Having said that, at the MLA's meeting, rather than the closed door meeting, the meeting of Members that enables all Members around the table to discuss these matters and workshop issues that are relevant to the Parliament or relevant to Norfolk Island which is hence the reason why the Chief Minister recommended that Mr King join us, in that process, I also presented a response from the Service as I had written to them to say what was their view for or against, if we were to extend to a six week period to get a more timely response to legislative drafting and the like out of their areas. The response that I received back from the Service supported the six week program. Particularly as the Chief Minister said in a trial basis. In amongst those things on the Notice Paper today is the tabling of the Government directions paper, the exposure draft of a Norfolk Island Government Tourist Bureau legislation amendment; there has been a comprehensive amount of work that we also have talked about on questions on notice and questions without notice. Additionally there have been areas where the Minister for Community Services has looked at in terms of his area on the Notice Paper so I wouldn't say that it has been necessarily an unproductive time frame at the moment. As stated earlier, very out of the ordinary and I think six weeks is the absolute maximum myself, however I intend to support the six week timeframe

because I have other matters that I intend to bring to the House that I am anticipating will be within the six week time frame

MRS WARD Thank you Madam Speaker I would just like to clarify my thinking for the Chief Minister and the other Members and that is that I supported and continue to support the trial basis of a six week period which means that we have a meeting on the 3rd November followed by one on the 15th December. I would then like the opportunity to reconsider whether I have seen improvement in Government performance because I do not want to stop something that would, could improve the performance of Government and the Public Service if that's to be beneficial. At the same time, I pointed out in previous debate my concerns but I would have to have proof after the 15th December date to have the freedom to reassess and re debate and contribute. Thank you

MRS GRIFFITHS Thank you Madam Speaker. For the Chief Minister to understand my point of view, my point of view is as it always has been, that four weeks is the minimum that we should actually be talking about, even increasing the number of meetings we have. This is our meeting that makes us accountable to the public and don't we ever forget that and I'm not sure on protocol here. I believe Minister King proposed a date of the 13th in amendment, the 13th October. Do I amend and amendment. I would like to propose the 20th October. Minister Sheridan will be here. That's our four week timeframe and at that time I don't think there's any need for a trial of six weeks of silence regardless of what the Public Service is doing

SPEAKER You would like to propose and amendment to the amendment and change 13 October to read 20 October

MRS GRIFFITHS Yes thank you Madam Speaker

SPEAKER Honourable Members debate. If there is no debate I put the question that the amendment to the amendment be agreed to and that would be that the word "next" in paragraph one be deleted and in paragraph two the date would read "13 October"

MR BUFFETT We are voting on the 20th October at this moment

SPEAKER Correct

MR SHERIDAN I think Mr King's got a proposal up. Don't we deal with that first

SPEAKER No, we have a motion, we have an amendment to the motion proposed by Mr King, I now have an amendment to the amendment and that must be disposed of first. My understanding Honourable Members was that, that was what I was doing and Mrs Griffiths is proposing that the 13th October become the 20th October. Is there any debate on the amendment to the amendment

MR BUFFETT I just want to say this. I have tried to get a view from Members as to whether they were considering we are still in the trial period or whether they want to decide this matter now and I've got some element of view. I understand that we are still considering a trial period. I am willing to give opportunity to a trial period. That certainly doesn't commit me to whatever that might be. We need to evaluate when we come to the end of that time and therefore the trial period is the 3rd November at this moment. The original proposal on the motion. I'm willing to stick with that but I need to make it clear that, that does not commit me to this longer period of sittings at this stage. There needs to be tests such as has been exemplified around the table to see whether it suits and fits and is something that we should adopt. Not make a decision on that and I'm happy to continue the trial and that gives us a six week timeframe at this moment

SPEAKER Thank you Chief Minister. Is there further debate on the amendment to the amendment

MR KING Thank you Madam Speaker I won't have any part of this continuing talk about a trial period. You wouldn't send a ship to sea for a sea trial with a hole in it. Our situation is critical. This ship is sinking. I'm not conducting any sort of a trial here to see how we might change things. The community needs leadership. It needs to be seen to be offered some confidence. Some future by the Government and that won't happen with prolonged periods but I would support the restoration of a monthly meeting. At this point in time I would support the amendment of the 20th October

MR SHERIDAN Thank you Madam Speaker could I just ask if I may can we get this over and done with because all we are doing is getting great amusement to the community who is listening that we can't even decide when we are going to meet next and this is the reason why we do meet informally weekly, so that these little housekeeping matters we can discuss. Now we've been here for ten minutes discussing our next meeting date. I don't really give a damn when it is. Whether I'm here or not. Can we make a decision. Put the question please

SPEAKER Are you proposing a motion to me that I put the question

MR SHERIDAN Yes I'm asking that the question now be put

SPEAKER Thank you the question before us is that the question be put. That is not that I'm putting the question. The question is that the question that the amendment to the amendment now be put

QUESTION PUT
AGREED

I now put the question that the amendment to the amendment be agreed to that being that the date for the formal sitting of the House be the 20th October

QUESTION PUT

Madam Clerk could you please call the House

MS ADAMS	NO
MR SHERIDAN	AYE
MRS GRIFFITHS	AYE
MR BUFFETT	AYE
MR NOBBS	NO
MRS WARD	NO
MR KING	AYE
MR ANDERSON	NO

SPEAKER The result of voting Honourable Members, the Ayes four, the noes four therefore the motion is negated. The amendment to the amendment is negated

We now move to the question that the amendment to the motion be agreed to and that is Mr King's amendment that the word "next" be deleted in paragraph one and that the date in paragraph two be 13 October

QUESTION PUT

Are we comfortable Mr King and Mrs Griffiths that your votes be recorded as dissenting?
I understood they were the only dissensions

MR KING I'm happy that the House not be called

SPEAKER The question now before the House is that the motion
be agreed to

QUESTION PUT
AGREED

The motion is so agreed. For clarity the motion is as it sits on the program in its entirety. There will be a Ceremonial Sitting on Wednesday 27 October 2010 at 11 am to celebrate the 50th anniversary of the Supreme Court of Norfolk Island followed by the formal business of the House on Wednesday 3 November 2010 at 10 am, bearing in mind Honourable Members that at any time three Members can come together and request the Administrator to convene a meeting at an earlier time if that is the wish of the House. Let us now move to adjournment. Mr King

ADJOURNMENT

MR KING Thank you Madam Speaker I move that the House do
now adjourn

SPEAKER Thank you Mr King. Is there any further participation in
adjournment debate Honourable Members. It appears there is no debate in adjournment
so I put the question that the House do now adjourn

QUESTION PUT
AGREED

The ayes have it. Therefore Honourable Members this House stands adjourned until
Wednesday 27 October 2010, at 11.00 am for a ceremonial sitting. Thank you
Honourable Members.

