



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL
AND EXTERNAL TERRITORIES

**Reference: Review of annual reports 2001-02 of the Department of Transport and
Regional Services and the Department of the Environment and Heritage**

WEDNESDAY, 19 FEBRUARY 2003

NORFOLK ISLAND

BY AUTHORITY OF THE PARLIAMENT

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JOINT COMMITTEE ON THE NATIONAL CAPITAL AND EXTERNAL TERRITORIES

Wednesday, 19 February 2003

Members: Senator Lightfoot (*Chair*), Senators Crossin, Hogg, Lundy, Scullion and Stott Despoja, Mr Causley, Ms Ellis, Mr Johnson, Mr Neville, Mr Snowdon and Mr Cameron Thompson

Senators and members in attendance: Senators Hogg, Lightfoot, Scullion, Stott Despoja, Mr Neville, Mr Cameron Thompson
Terms of reference for the inquiry:

On 21 March 2002 the Committee resolved that, in respect of its review of the Annual Reports of the Department of Transport and Regional Services 2000-01 and the Department of Environment and Heritage 2000-01, which stand referred to the Joint Standing Committee on the National Capital and External Territories by the House of Representatives, it annually monitors the External Territories in order to review the development of services and the implementation of programs to a standard commensurate with equivalent mainland communities. In particular, the review should consider:

- Heritage protection and management of the Kingston and Arthur's Vale Historic Area (KAVHA) on Norfolk Island;
- Land management and planning for Norfolk Island;
- Land use and land transfer by the Commonwealth Government (resolution of the Committee, 26 June 2002); and
- Legal aid contribution to Norfolk Island.

WITNESSES

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Committee met at 10.12 a.m.

ANDERSON, Mr George Edwin, Private Capacity

CHRISTIAN, Ms Jan, Private Capacity

CHAIRMAN—Welcome. The committee has received a submission from both of you which has been accepted and authorised for publication. Are there any corrections or amendments you would like to make to your submissions?

Ms Christian—No.

CHAIRMAN—The committee prefers that evidence be taken in public. However, you have requested that your evidence be given in camera. Is it still your wish to give confidential evidence to the committee?

Ms Christian—Yes, it is.

Mr G. Anderson—It is. I requested to give evidence in camera because I have been involved in public hearings before the select committee where we were heckled by other spectators in the crowd.

CHAIRMAN—We are very happy to have it in camera, if that is your wish.

Ms Christian—That is the only reason.

Senator STOTT DESPOJA—You were wondering about heckling on the premises while giving evidence. There is no reason for that. There will not be heckling in this room. We are quite happy to make this an open forum.

Ms Christian—I am happy with that.

Senator SCULLION—What you say can be on the record then—

Senator HOGG—if you have got no objection to it being on the record.

Senator STOTT DESPOJA—None of us will heckle, we promise. We are being very well behaved.

CHAIRMAN—Are you happy with that?

Ms Christian—We are, yes.

Senator HOGG—We have all given an undertaking that we will not heckle.

Ms Christian—No rotten eggs or tomatoes or anything.

CHAIRMAN—I just want this to be clear. The committee will not hear your evidence in camera: what you say is going to be on the record and you will be unimpeded absolutely in what you wish to say.

Senator HOGG—Chair, I think you should also point out that, if at any stage they wish to say something in camera, they have that option available to them.

CHAIRMAN—You can always request that for any evidence you may wish to give that needs to be confidential or in camera, and the committee will consider that.

Mr G. Anderson—That will not be necessary.

CHAIRMAN—Before we ask you questions, do either of you wish to make an opening statement?

Mr G. Anderson—I think we both need to make a joint statement.

CHAIRMAN—Please proceed, Mr Anderson.

Mr G. Anderson—I would prefer Jan to go first.

Ms Christian—Thank you. This is really additional to our submission. I might read part of it, if you do not mind. While Puss Anderson and I both work for KAVHA, we would like to make it clear that we are speaking independently of KAVHA on the matter before this inquiry. Our submission covered relevant items that we both feel passionate about, in particular the historical significance of this area where we are today. As stated in our submission, KAVHA is managed and funded jointly by an arrangement between the Norfolk Island government and the Commonwealth—and managed very well, I might add. I suppose in the backs of our minds is always the thought of what would happen if the funding one day was not available. What would happen to these magnificent buildings that our visitors from all parts of the world come to admire?

While the whole of KAVHA is included on the Register of the National Estate, I feel there should be some world recognition. While we were not successful with the nomination for the 1998 World Heritage listing, I feel that this matter should again be considered. We have tried on successive occasions to gain funding from the CHPP grants for other National Estate areas.

CHAIRMAN—Could you just explain what CHPP is?

Ms Christian—It is the Cultural Heritage Projects Program. We were successful once—in 1998, for the Long Ridge out-station, when we were awarded \$20,000, which was only half the amount applied for. I feel also that these other National Estate areas should be recognised for their heritage significance and included in the responsibilities of the KAVHA Management Board.

Mr G. Anderson—Some of what I am going to say is only reiterating what Jan has said. Kingston and Arthur's Vale is jointly managed and funded between the Commonwealth and Norfolk Island governments. The Kingston and Arthur's Vale Management Board was

established by a memorandum of understanding agreed to by both governments in 1989. The MOU was revised in 1984. The MOU sets out the objectives, functions and management of the board. The MOU provides guidelines for the contribution levels that are expected from both governments by the use of an agreed funding formula. Guiding the work of the board is the KAVHA conservation management plan. The board has adopted this plan as a base for its work. The CMP is supported by additional management plans developed by the board, including a landscape management plan, a cemetery management plan, a water quality plan, the Quality Row and Government House gardens management plan and the KAVHA recreational plan.

Over time the board has developed a hard copy repository of historical documents. The repository contains professionally developed archaeological reports for nearly every building and structure in KAVHA. In March 2000, the board developed a business plan. This plan identifies a five-year forward work plan and expected contribution levels from both governments. The plan also identifies possible revenue earnings and opportunities. But the revenue earnings that are expected to be generated will fall far short of the maintenance costs of keeping KAVHA up and running.

The 1997 Commonwealth Grants Commission report made some recommendations about the future of KAVHA. Situated outside KAVHA are other national estate sites: Phillipburgh and Queensborough and, more importantly, the Long Ridge and Cascade agricultural out-station sites. These two sites still contain standing cookhouses, stables, barracks, police offices and cells. These structures are of great national and international world heritage value and are in need of urgent attention. Over the last three years, applications have been made to the national grants program, seeking funds for the stabilisation of these structures, but without success. To ensure that these structures and identified burial sites are conserved, I am strongly of the opinion that the authority or the work of the KAVHA Management Board should extend to them. There are provisions already contained within the current MOU for this to occur. The focus of the management board—and its predecessors—has been on KAVHA. I feel that it is time to expand.

A concern to me is the inconsistency of the Commonwealth's membership on the KAVHA Management Board. Over the last three years I think we can boast that we have had four or five different memberships on that board. It seems that just when they gain the background knowledge needed to carry out that role they are gone. I do not see why the simple act of changing from one department to another necessitates their forfeiting their role on the board. It makes it very difficult because they normally come over for a meeting on the island for three or four days and then we do not see them for another four or five months. I feel it is very important to have a more consistent membership.

Senator HOGG—So it needs the newer approach that you are referring to?

Mr G. Anderson—Yes.

Senator SCULLION—Thanks very much Puss, and thanks again for your comprehensive and professional tour of the KAVHA area the other day. I was very impressed.

Senator HOGG—It was fantastic.

Senator SCULLION—It is obviously your passion, and your tremendous knowledge of these things really adds to your capacity to maintain their heritage values. On the subject of the KAVHA board, when you talk about heritage values, is it reasonable to assume you are primarily talking about cultural values—not only within the area but beyond? Is that your goal, or are you also talking about biodiversity values? Where do you see your role in the protection of the heritage of these areas?

Mr G. Anderson—It is just the structures—the national heritage. A lot of people said that with the enactment of the Norfolk Island Heritage Act funds would be generated and the Norfolk Island government would be able to spend funds on these national buildings. However, I think that that they are your heritage structures, not ours. We come from a different world. I am very passionate about Australia's history—and convict transportation routes, of course—but I see them as national heritage issues.

Senator SCULLION—I think what you are saying is that first of all they are Australian Commonwealth heritage issues, but the principal issues you deal with are those of cultural heritage, such as buildings and site restoration. Could you give me a list, on notice, of the other heritage areas not contained within the KAVHA area on Norfolk Island currently? Would you be able to identify them?

Mr G. Anderson—I have nearly identified them all.

Senator SCULLION—So they are already there? There are no others?

Mr G. Anderson—There are other national estate areas, but they are not associated with convict transportation.

Senator SCULLION—So we already have a comprehensive list of those areas that you consider should be part of the KAVHA area?

Mr G. Anderson—There are other areas, such as Orange Vale, which was the commandant's garden area, but there are no features left standing there.

Senator SCULLION—Let us say that the Commonwealth decided that this was an important thing and took what you are saying on board, Mr Anderson. What would happen if we suddenly said, 'Okay, the KAVHA Management Board is now going to look after these areas.' That would be a decision of the Commonwealth, and the Commonwealth have made decisions on this island that have not been particularly popular—and often not popular with the Norfolk Island Legislative Assembly, perhaps. They provide a substantial percentage of the funding: do you have any concern that, if we took your recommendations and said, 'Okay, let's go and do these things?' that would have an impact on the Norfolk Island side of the funding? Do you think they would still be very keen to support KAVHA in circumstances where we were expanding its jurisdiction and perhaps treading on toes locally?

Mr G. Anderson—I do not think so, because it is a joint effort. In the context of the board spreading generally, it does have an equal membership and, of course, an agreed funding formula. I have already done some minor negotiations with the Norfolk Island government KAVHA board members about spending money outside of KAVHA on other National Estate areas. They seem quite keen on the idea, but it is only a pilot—a talking point at the moment.

Senator SCULLION—You do not expect any resistance from that area?

Mr G. Anderson—I do not expect any opposition whatsoever.

Senator SCULLION—I spoke to you about funding briefly the other day. Do you think that the funding program and formula at the moment are sufficient to keep up the excellent work that you are doing?

Mr G. Anderson—Yes. The funding formula is excellent at the moment, but it must be pointed out that there is no provision in the funding formula for inflationary costs such as salary increases.

Senator STOTT DESPOJA—First of all, Ms Christian, you were talking about the Commonwealth advocating a World Heritage listing. Do you think that is a process that we should start again? Your comments on record were—

Ms Christian—I do. I was not on the island when it happened in 1998; I was away for a few years. I have been back now for about three years. I think more and more people are realising the value of what we have here—the world wants to know about it, and it needs to be protected. Listing might also assist us. In 1998, a lot of people were scared that if they were part of the World Heritage listing a lot of their rights might be taken away, but I do not think that has happened. Being part of the Register of the National Estate has shown that there have been no adverse effects. I do not really feel that it would make a great deal of change, and I think people would support it.

Senator STOTT DESPOJA—It might be something we could look into as a committee. I understand from the gist of your submission that you are both talking about an extension of the KAVHA board's responsibilities to include other sites. I understand where you are coming from on that. I know you were present at a public meeting that took place in July where people approached the board to talk about planning applications, for example. I am just wondering how you perceive the views of the community towards the KAVHA board—what they can and cannot do on their land. Is there a healthy tension there or do you think people may not necessarily understand how important it is to protect heritage sites? I guess this leads on a bit from what Senator Scullion was saying—that is, would there be a backlash? I am not talking in monetary terms or from the legislature side of things, but do you think people would feel worried or threatened by an extension of the reach of KAVHA's responsibilities, particularly when it comes to planning applications or work on their land?

Ms Christian—What we would like to see in the areas that are outside of KAVHA is not an extension of KAVHA but some responsibility from the board—the board being made up of Norfolk Island government members and the Commonwealth—for these buildings. If we do not do anything with them they will not be here. I think that is what it is. If the public can see an effort being made to preserve these buildings, which are on private land, they will be encouraged by it.

Mr G. Anderson—I am of the same opinion. Of course, they are already National Estate areas.

Senator STOTT DESPOJA—Mr Anderson, in your evidence you have said that the MOU pretty much exists already for the extended role. What do you think is holding it up? Why haven't we seen more action on this, either from the Commonwealth or from the Norfolk Island government?

Mr G. Anderson—I think that previously the focus was on KAVHA, and I do not think it was realised that their role extended to these other areas. Prior to 1988 the focus was on rebuilding KAVHA for the bicentennial year, and from then on it has been on archaeological stabilisation and maintenance. But we are coming to a phase where we can divest a bit of work and time into other areas. We are involved in not only the restoration, stabilisation and maintenance of the structures but also the reforestation and rehabilitation of the hillsides. But over a period of time that will come to completion, and we will then be able to afford to step out into other areas.

Senator STOTT DESPOJA—Thank you for that. We will take that on board.

Mr CAMERON THOMPSON—I wanted to look at the budget and the allocations to KAVHA, both by the Commonwealth and the Norfolk Island government. The five-year financial plan that we have been given a copy of—I do not think by you, but we have been given it in our material here—goes through to 2004-05. Are you confident that that will be updated by the relevant authorities in a timely manner to enable work to proceed? One of the concerns that we keep hearing is that bureaucratic processes get behind. Are forward planning and projections for the important work that goes on here keeping up with your needs?

Mr G. Anderson—Yes. Whilst this only addresses up to 2004-05, all the documentation is there, ready to be put into that. So when the time comes it is just a matter of putting all that information into this. All the maintenance schedules have been prepared by professional heritage architects—and that duplicates forever, if you want to put it so.

Mr CAMERON THOMPSON—I am aware that there is tension about the direction that the restoration or preservation might go in. In your perception, is that direction—whether you put a roof on a building or leave it as a ruin, for example—being updated regularly enough? Are you being given enough opportunity to give leadership in relation to that?

Mr G. Anderson—Yes. We have all the leadership we want through what we call a professional services coordinator, who is a professional heritage architect. We are working on that all the time, reviewing and analysing and making judgments.

Mr CAMERON THOMPSON—So, in terms of administrative and bureaucratic support for the KAVHA area, you would be giving the thumbs up and saying that you have got basically an effective process, with sufficient support to have that operate?

Mr G. Anderson—We have sufficient support, but not necessarily sufficient financial backing. Whilst we may have a business plan and we can say, 'Oh, beaut, we've got a business plan; we're set for the next five years', there are no documents and no commitment tying either government to contribute to the work.

Mr CAMERON THOMPSON—I get that, but the five-year financial plan as it is put there shows growth to 2004-05 with a total expenditure of \$738,000—with the Norfolk Island government on \$95,000 and, I presume, the rest from the Commonwealth. When it comes to

reviewing that, are you confident that the projections in there that show a gradual increase over time are going to continue that way, or do you feel any kind of lack of support or hesitancy, either from the Commonwealth or the Norfolk Island government?

Ms Christian—I think there is always hesitancy when it is budget time. That is one of the comments I made. We always have the feeling that they might say, ‘This year’—because of whatever—‘we can’t meet our commitments fully.’ That is probably where our concern would be.

Mr CAMERON THOMPSON—Is that feeling directed more towards the Commonwealth or the Norfolk Island government?

Ms Christian—It could be directed to either.

Mr CAMERON THOMPSON—To both of them equally?

Ms Christian—It could be. We do not know until the bids are put in each year.

Mr G. Anderson—Over my many years of dealing, I think that the focus would be on the Commonwealth contributions.

Mr CAMERON THOMPSON—That is the main level of concern?

Mr G. Anderson—Yes.

Mr CAMERON THOMPSON—We have heard canvassed the possibility of people being charged money to come down to KAVHA, just as they are charged to go up to the Snowy or Kakadu. What is the local feeling or your feeling about that?

Mr G. Anderson—We have very strong feelings about that. While this place does have very strong national heritage value to my generation and to the Pitcairners, this place is also our heritage. This is where we came ashore; this is where we lived. It is sacred to us. If you try to start charging us to come down here, you might have another uprising on your hands.

Mr CAMERON THOMPSON—I understand that, but it need not necessarily apply to people who live on the island; I was thinking about visitors.

Mr G. Anderson—I understand that, but there is already a charge imposed on them for visiting KAVHA: that is through their departure tax.

Mr CAMERON THOMPSON—If there is a charge there for KAVHA, does that then come back to you in full?

Mr G. Anderson—No, but I think it can be reflected in the Norfolk Island government’s contribution levy. That is why I said that the main focus of concern with regard to funding is the Commonwealth—not necessarily the Norfolk Island government—

Mr CAMERON THOMPSON—Are you confident that the total amount of money that comes out of those tourists' pockets for their departure taxes does find its way to your operation?

Mr G. Anderson—Yes. I can give an example of that. As you are well aware, the Norfolk Island government has some pretty far-reaching financial concerns about the current financial year.

Mr CAMERON THOMPSON—This is why I am asking these questions. Is the full \$25 going to you alone?

Mr G. Anderson—I said a percentage of that, or part of that departure tax—

Mr CAMERON THOMPSON—Do you know what the percentage is?

Mr G. Anderson—No, I do not.

Mr CAMERON THOMPSON—Should you?

Mr G. Anderson—No, I don't think I should. Maybe you should, but not me.

Mr CAMERON THOMPSON—Is the percentage that is finding its way to you made public?

Mr G. Anderson—I think it is public knowledge; I could be wrong. But this year the government is facing some pretty hard financial problems, and yet they never interfered with their KAVHA contribution levels. That was pointed out by the Chief Minister in one of the recent KAVHA board meetings.

Mr CAMERON THOMPSON—Was he saying that it will be interfered with?

Mr G. Anderson—No. He said that it had not been.

Ms Christian—It hadn't.

Mr G. Anderson—It had not affected their contribution levels.

Mr CAMERON THOMPSON—Has there been a survey of all the potential historical sites and buildings and things that exist in the various little nooks and crannies all over the island and, if so, do you have documented where they are and what they are?

Mr G. Anderson—Yes.

Mr NEVILLE—Instead of having this loose sort of arrangement you mention for some of these out-stations, would it not be better to pick out the best four or six or whatever it might be and have them as defined outreaches of KAVHA where you could have some real authority? I think that a loose arrangement diverts government attention from their responsibility. A lot of the focus would get lost in the generality of it. Would it not be better to say that the

Commonwealth and Norfolk Island governments agree that these six sites within these clearly defined regions be considered outreaches of KAVHA and be under the control of the KAVHA board.

Mr G. Anderson—I think that would be fantastic.

Mr NEVILLE—Taking up Mr Thomson's point, are you confident that you can handle that within that budget or would you need a small increase?

Mr G. Anderson—We can handle that within the current budget.

Mr NEVILLE—You can handle that quite clearly?

Mr G. Anderson—Yes.

Mr NEVILLE—Taking up another comment of Mr Thomson's, let us say that people who did come down here went through a turnstile and put in a gold coin. If they put in \$1 or \$2, that would probably give you another \$60,000 or \$80,000 a year. Surely that would be helpful?

Mr G. Anderson—We have an open house policy at No. 9 Quality Row at the moment, on a temporary basis. We do not get many, but we do get people who do not come in there and pay their \$4. That is an example.

Mr NEVILLE—Turning to World Heritage listing, there is already a fair amount of tension between the Commonwealth and some elements on Norfolk Island, between some Norfolk Islanders and other Norfolk Islanders, and between Pitcairners and more recent residents. There are already a number of tensions—some of them perceived, some of them real. I just wonder what would happen if you overlaid World Heritage listing on the top of that. I have some experience of this, because I live near Fraser Island. Norfolk Island is very different from a largely uninhabited sand island like Fraser Island; here you have all sorts of commercial, residential and rural development. I wonder if you are not just going to overlay another level of bureaucracy on the Commonwealth and on the Norfolk Island government.

I do not know if what I am about to say is popularly known here—and I will ask for your reaction to it. Did you know that, if at some time you want to de-list part of that World Heritage listing, it has to go back to the same committee of the United Nations and receive a two-thirds majority? It might be Bulgaria, Romania, Norway, Libya—who knows which country—that decides whether you can do that or not. While I am not against World Heritage listing, I really think that, as one of the leading groups here in the community, you should think twice before you rush blindly towards it. I fear that you may just get another overlay of heritage and environmental controls that may not be conducive to your long-term objectives. What is your reaction to that?

Mr G. Anderson—First let me state that I am proud to be an Australian. Second, I think you are right, but we are not talking about World Heritage listing for Norfolk Island; we are talking about a World Heritage listing for KAVHA.

Mr NEVILLE—Just KAVHA itself?

Mr G. Anderson—Yes, just KAVHA itself.

Mr NEVILLE—That is a bit different. I am sorry, I hadn't understood that.

Mr G. Anderson—But you have a good point about bureaucracy, because I maintain that the vote against World Heritage listing is not so much against World Heritage listing as against the Commonwealth intervention.

Senator HOGG—I have two quick questions. In respect of the preservation of the territory covered by the KAVHA, how does the management of the rest of the island impact upon your responsibilities here? Just as an example, yesterday we were shown a recent article in the local newspaper about the Formosan lily—I think that is its correct title—which, if not eradicated or brought under control, will do irreparable damage to the island in the longer term. I would imagine that you are not going to say, 'Here are KAVHA's boundaries, and we're not going to go across those.' How does the management of other areas, therefore, impact on you, and what steps need to be taken to ensure that those areas are managed properly?

Mr G. Anderson—At the moment it does not impact on us at all because our work does not extend outside of the KAVHA. I work as a project manager to the KAVHA board through the Administrator.

Senator HOGG—But, if the area outside is not managed properly, will that impact on your area?

Mr G. Anderson—It is impacting now, because I am passionate about heritage areas. The whole idea of extending the role of the KAVHA board into those areas was that we could then get in there and manage them properly. At the moment, there is no control and no management whatsoever going on, even though they are National Estate sites.

Senator HOGG—There is only one other question I want to briefly touch on. You spoke about heckling at previous inquiries. I presume that it was inquiries of this committee—or was it other committees?

Mr G. Anderson—It was a joint standing committee on transportation.

Senator HOGG—Is that typical of those who oppose the work that the KAVHA Management Board does?

Mr G. Anderson—I think it was individuals not wanting certain things changed in transportation routes. At that time, I was representing cargo handling and, of course, there were some who favoured containerisation. You probably read about the stern landing ramp which was to be constructed. We were against that, and we were heckled and booed by certain other interested parties who wanted that system of unloading. It had nothing at all to do with the KAVHA.

CHAIRMAN—On behalf of the committee, I would like to thank you for your attendance here today and the evidence you have given.

Proceedings suspended from 10.47 a.m. to 10.58 a.m

[10.58 a.m.]

BROWN, Mr John Terence, Member of the Legislative Assembly of Norfolk Island; Director and Shareholder, Island Industries Pty Ltd and Resort Investments Pty Ltd

CHAIRMAN—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Brown—In relation to one aspect of the hearing, I appear as a member of the Legislative Assembly and, in relation to another, as a director and shareholder in a local company, Island Industries Pty Ltd.

CHAIR—Is that the only company?

Mr Brown—I am also a director and shareholder of Resort Investments Pty Ltd, to which I will refer in what I say about the Legislative Assembly.

CHAIRMAN—Do you have a written submission?

Mr Brown—Unfortunately, I do not yet have a written submission.

CHAIRMAN—Would you care to make a short opening statement?

Mr Brown—Yes, if I may.

CHAIRMAN—We have 10 minutes.

Mr Brown—That significantly shortens it. I am a lawyer. I came to Norfolk Island in 1975, having worked for a period in Sydney after graduating from the University of Sydney at the end of 1970. I have a number of interests in Norfolk Island, including a quarrying and earth moving business called Island Industries Pty Ltd and a hotel and restaurant business called Resort Investments Pty Ltd. Since January 1982, I have been a member of the Norfolk Island Legislative Assembly, apart from a period of three years between 1994 and 1997. My pecuniary interests are well known within the community. Nevertheless, I make a point of declaring them whenever that is relevant. I was, in fact, instrumental in introducing a pecuniary interest register into the Norfolk Island Legislative Assembly some years ago, and I completed my page of that register. That was a voluntary process.

CHAIRMAN—Could you make sure that the committee gets a copy of that page of your pecuniary interests. I will not interrupt you again.

Mr Brown—As long as the book still exists, I will certainly do that. The book was held by the Chief Minister but, to the best of my knowledge, it was never used as a public document. I do not know whether the document has been continued. If the Norfolk Island Legislative Assembly considers a matter directly affecting my interests, it has been my practice to leave the room, whether it be a formal meeting of the assembly which is broadcast and subsequently

reported in *Hansard* or an informal meeting, which we hold each Monday, somewhat similar to a Committee of the Whole. If the assembly considers a matter which generally affects the industries in which I am involved but does not specifically affect my businesses, I declare my interest and make a decision at that stage as to whether to participate in accordance with the standing orders or to take some other action, such as perhaps listening but not participating in the debate or participating in the debate but abstaining from voting or participating in the whole process.

Island Industries Pty Ltd was mentioned to the committee yesterday by one witness. I would like to say that Island Industries Pty Ltd has received no favours from the Norfolk Island government during the time that I have been involved in the company—from May 1985 to date. On the contrary, recent experience has included the Norfolk Island government's failure to honour the terms of a joint decision made by the Norfolk Island government and former minister Ian Macdonald to extend by a period of five years Island Industries Pty Ltd's lease of portion 48C in Stockyard Road, Norfolk Island, notwithstanding that, in accordance with that agreement, Island Industries Pty Ltd had already spent over \$60,000 on consultants and building materials in order to ensure compliance with the agreed noise and dust requirements. Later, the Norfolk Island government advised the Commonwealth to decline to renew Island Industries Pty Ltd's lease of portion 48C, which was the old crusher site, and refused to support Island Industries Pty Ltd's request to continue to use the site until its application to move to its freehold land, portion 49B2, had been approved. That decision was made without Island Industries Pty Ltd being given any opportunity to be heard.

Yesterday, Mr Cottle told your committee that he has sought approval to crush in three places. The first he described as 'the old quarry'. That is in fact freehold land owned by the Christian family. Richard went on to clarify that by saying that he wished to crush on a roadway at the front of quarry. That roadway is known as Youngs Road. It has not been formed as a road for many years—certainly not in the 28 years I have lived on Norfolk Island—and it is no wider than a normal road. A crushing operation simply could not fit on it. Richard does not own that road; he has no right to use the road. It is too small for his proposal, the neighbours do not support him and he does not have planning approval.

The second site to which he referred was the Cascade Reserve, opposite a spot we know as Aunt Lil's. Richard has asked the Conservator of Public Reserves, Mr Davidson, who appeared before the committee yesterday, to approve him doing something on the reserve—that is, operating a rock crushing business—which is inconsistent with the whole concept of reserves on Norfolk Island. Again, Richard does not own it and has no right to use it. The neighbours do not support him, and he would still need to obtain planning approval.

The third site is at the airport. Contrary to Richard's evidence, no part of the airport is zoned for rock crushing at present, and the new plan, which is awaiting implementation, does not zone any part of the airport for rock crushing purposes either. The zoning of the airport, in fact, is related back to the airport land management plan, which I moved to have prepared several years ago but which has not yet been completed. Again, even if the government decided to provide land at the airport without first completing its land use plan, there would need to be consultation with the airlines, the meteorological bureau and the various neighbours, and there would again need to be planning approval.

After it became clear that Island Industries Pty Ltd was not going to be able to continue operating on portion 48C, the company made a planning application to relocate its rock crushing plant to the adjoining freehold lands it owned—portion 49B2. That planning application was lodged on 16 June 1999, and it will soon be four years since it was lodged. The application was first approved on 8 October 1999, after a public meeting and very lengthy consideration by our planning board. A number of neighbours appealed to the Administrative Review Tribunal, which dealt with the matter in mid-December and handed down its decision on 21 January 2000. That decision comprised some 167 pages. In summary, the tribunal quashed the approval and remitted the application to the executive member, with recommendations that additional scientific evidence be obtained and that steps be taken to ensure that appropriate equipment and expert personnel be available for the monitoring process, in terms of noise and dust. It was recommended that the executive member refer the matter back to the planning board so that they could consider it again in light of the new information.

On 5 May 2000, the application was again approved. Again a number of neighbours appealed to the Administrative Review Tribunal. On 10 December 2001, the Administrative Review Tribunal varied the approval by amending the noise conditions slightly and requiring that a more specific environmental management plan be lodged and that the monitoring process be amended to precisely reflect the division of responsibility between the administration of Norfolk Island, on the one hand, and Island Industries Pty Ltd on the other.

On 4 September 2002, the application was again approved. Again some of the neighbours made application to the Administrative Review Tribunal for review. On this occasion, the tribunal did not issue a stay order on the construction process, but it did issue a stay order on rock crushing itself, pending finalisation of the review. The hearing took place on 4 December 2002 and has been adjourned part heard. The tribunal has made it clear that its only significant concerns are the lodgment of a further landscape plan, the provision of further detail regarding monitoring and, finally, the consideration of what the tribunal referred to as the building code and the Commonwealth's legislation about environmental biodiversity.

Portion 49B2 is freehold land in Stockyard Road, Norfolk Island, which has been owned by Island Industries since 1986. It adjoins portion 48C, the old crusher site, and part of it was used as part of the overall crushing operation. Regarding the construction of the new plant, at this stage the generator slab has been poured and the steelwork is in place for that shed. That steelwork is about to be painted and, as soon as it has been painted, new cladding will be fitted to it and the two generators will be installed.

The concrete slabs for the feed bin and for the primary, secondary and tertiary crushers have all been poured. The feed bin is now in place. The framework for the jaw crusher and the gyratory crusher—that is, the primary and secondary crushers—is in place. That framework is being prepared for painting at present and we expect that the primary and secondary crushers will be installed on the framework later this week. As I said, the two generators are ready to install in the shed, once the generator shed is ready.

However, the remainder of the work has been delayed. It has been delayed as a result of a local ready-mix concrete provider purchasing all the available cement on the island—a quantity we understand to be in the vicinity of 62 pallets, or about four months usage. I leave it to members of the committee to think about the motivation for that action, but it will delay the completion of our work by three to four weeks.

Once the screening towers—the equipment that goes on the slab that has not yet been poured—are in place, new conveyors will be fabricated and a substantial shed will be erected over the whole plant. That shed is to be erected in order to minimise noise and dust—each of the three approvals contain significant conditions about those two things. Island Industries Pty Ltd has all the necessary plant and equipment and all the necessary building materials on Norfolk Island, save for a quantity of thicker Colorbond cladding, which will be imported for part of the main shed in order to further reduce noise in the direction of the nearest residence.

It will be necessary to bring an environmental scientist to the island again, in order to carry out the initial noise and dust testing and to design any necessary modifications to the plant to ensure compliance with the approved conditions. We expect that there is sufficient rock in the administration stockpiles, apart from septic trench material, to cater for the community's requirements until we are able to resume crushing.

I should stress that, although Mr Cottle has been on the island for a number of years, he has never been involved in crushing rock on Norfolk Island. He was employed as a driller and shot firer by Island Industries Pty Ltd for a period. He was so employed because he had done that work in a quarry in New Zealand. He has said that he holds a quarry master's certificate—and he may well do so. Island Industries Pty Ltd ceased to use Richard for drilling and shot firing at a time when a decision was taken to use Australian qualified drillers and shot firers. Much of Island Industries Pty Ltd's plant is new. That which is not new has either been reconditioned in the last two years or will be reconditioned as part of the reconstruction process.

In his presentation to your committee yesterday, Richard stated that septic trench material is not available on the island. Island Industries Pty Ltd sells septic trench material at present. I checked the stockpile this morning, and there are about 20 tonnes there. A septic trench needs about five tonnes. The last sale was about 10 days ago—for a septic trench installed by Richard Cottle in Taylors Road, Norfolk Island. I cannot comment on the suggestion that tyres have been used. They may well have been used as a cost saving measure but, as Richard said, if an approved septic trench cannot be placed, the appropriate thing to do is treat the facility as a pump out facility—and every septic is capable of being pumped out. Island Industries Pty Ltd can produce 20 tonnes a week of that material, if the requirement arises. It is produced from our scalplings, so there is a substantial supply of that available.

Richard mentioned that builders mix cannot be obtained for driveways. That has not been Island Industries Pty Ltd's experience. The last driveway for which we provided ready-mix concrete was within the last three weeks—it certainly was after the administration restricted the supply of builders mix for important projects. I am conscious of the time, so I will leave what I want to say at that.

CHAIRMAN—Thank you, Mr Brown. On behalf of the committee, I would like to thank you for your impromptu attendance here today and for your submission.

[11.15 a.m.]

GRIMSHAW, Mrs Sheila Mary, Private Capacity

CHAIRMAN—I welcome Mrs Grimshaw to the hearing. Do you have any comments to make on the capacity in which you appear?

Mrs Grimshaw—I appear as a member of the community who has lived on Norfolk Island since 1969.

CHAIRMAN—I do not think the committee has received a submission from you.

Mrs Grimshaw—No, I have not provided a submission.

CHAIRMAN—Do you wish to make a submission?

Mrs Grimshaw—Yes. I have brought a written copy, and I would be quite happy to read it. It is very short.

CHAIRMAN—Is it the wish of the committee that Mrs Grimshaw's submission be tabled? There being no objection, it is so ordered. Did you expect this examination to be in private?

Mrs Grimshaw—I have no problems with it being public.

CHAIRMAN—We will make it an open inquiry then. Do you wish to make any corrections to your submission, or are you happy to read it out?

Mrs Grimshaw—I am happy to read it out.

CHAIRMAN—Please proceed.

Mrs Grimshaw—Over time, I have seen a number of inquiries take place. I attended yesterday's hearing, and there are two issues in these current deliberations that have prompted me to comment: land management and health. Regarding land management, the house that my husband and I built in 1967-68 is situated in Fletcher Christian Road and is on a two-acre crown lease. The land was bare of vegetation, and we have planted over 300 native trees, which have created their own mini-environment. I have previously indicated my opposition to the freeholding process but, if it goes through, we will take up the offer made. The main issue which needs to be considered in this regard is the fact that, when the large crown lease blocks are transferred, they will be able to be considerably reduced in size by subdivision. Mr Neville's question to Mr Ivens 'Toon' Buffet yesterday clearly illustrated the difficulties involved in enforcing care for environmentally sensitive areas, and the committee may care to look at putting covenants in place prior to transfer. If the Commonwealth government hands this windfall over to land-holders, there will be long-term consequences. Although Mr Buffet responded to a question yesterday by saying that in the view of eligible persons there was no difference in value between freehold and leasehold, at the moment crown lease can only be

purchased by residents of Norfolk Island and only one lease is supposed to be held by an individual or family. Once the land is designated as freehold, it can be sold to any person or corporation, including companies registered offshore for tax purposes—for example, freehold portion 57A4 can be sold to Bounty Heights Incorporated, which is not registered in Norfolk Island.

The second issue is health, and the background to that is as follows. Both my children and my two grandchildren were born in the Norfolk Island Hospital, and over the years we have received all the usual treatments, as well as a number of surgical procedures. My husband died from cancer in 1996, and a year later I was diagnosed with breast cancer. As a result, I have spent a lot of time receiving and observing treatment provided by major hospitals and specialists in both Brisbane and Melbourne. My interest was also triggered by contacts with Norfolk Island residents, who were at a considerable disadvantage when it came to obtaining and paying for advanced treatment, since Norfolk Island residents are not eligible for Medicare benefits.

With regard to health, the medivac situation is the main issue I have identified as being of concern. Yesterday, Mr McGowan gave figures for medivac costs, but during last year we had three medivacs in a six-week period. This put a considerable strain on the hospital board, of which I am a member. When medivacs involve tourists, the Norfolk Island government is placed in a particularly invidious position. If we refused to evacuate a patient and there was a death, the ramifications would be horrific. One solution would be for Medicare to be extended to the Australian residents who visit—who number approximately 30,000—so that their medical needs could be covered. The ideal situation would be to have all Australians, residents and tourists alike, covered. We had an episode in January when certain flights were delayed for over three days. This resulted in many visitors having to obtain additional medications. Their doctor's visits cost \$50-plus and their medications were priced at the rates that locals pay. In some cases, these were very expensive, and this would have done little to encourage return visits.

Another issue is the need for a new hospital. The committee's questions to Mr McGowan revealed their awareness of the need for a new hospital. If part of the brief is that all Australians should receive the same standard of health service no matter where they reside, the Commonwealth should give considerable thought to the funding of this project. Basically, that is my submission. There is a cover page, and I hope that gives you the scope to ask me any questions.

Mr NEVILLE—With respect to treatment, you heard my views the other day. I do not know who will do this—whether it will be the administration or the hospital board—but with regard to the \$500 fee that you will pay, I would be interested to know what proportion of the notional income of Norfolk Island residents that represents. I would think it would be a very good arguing point with the Commonwealth if it were somewhere in the vicinity of 1¼ or 1½ per cent.

Mrs Grimshaw—As I understand it, the problem with the islanders obtaining Medicare is that there are no reliable facts and figures to say what the individuals of Norfolk Island earn, because there is no taxation structure.

Mr NEVILLE—There is a census.

Mrs Grimshaw—Yes, that is right. Basically, people tend to keep their incomes totally private. The real thing would probably be for Australia to set a figure and say, ‘Okay, this is a per capita figure,’ and negotiate that way. You have people who work for the administration and earn \$500—they work on the buses and do all sorts of things—and until such time as the Norfolk Island government has a figure for wages, which it does not at this stage, there is really no basis on which to work a percentage.

Mr NEVILLE—I have another thought which I have not shared with my colleagues yet, and it is a compromise measure. I know we are all nervous about levies, because we have had a lot of them on the mainland in recent years, but approximately 40,000 visitors come here each year: if you had a standard charge—let us call it, for want of a better name, the Norfolk Island insurance charge—of, say, \$10 per head, that would create a pool of \$400,000, administered by the hospital board, the administration, the Australian government or whoever. Surely that would cover most circumstances. It could go into a sinking fund, if it was not all utilised in a particular year.

Mrs Grimshaw—That was brought up at a board meeting last year under the previous Minister for Health, Mr George Smith. He went back to the assembly with that suggestion, and the view that we as board members received back was that such a charge would be opposed by elements of the tourism industry, because they are trying to keep Norfolk Island as attractive as possible, basically. But I agree with you. My own view is that a levy per head would be a much safer idea.

Mr NEVILLE—As employees of the Commonwealth coming over here for this hearing, we had to check out for ourselves what our own cover was. As I understand it, the nervous Nellies, for want of a better phrase, who come here and are not sure of their status probably pay something like \$125 to get basic travel insurance. So I would have thought that \$10—

Mrs Grimshaw—It is \$100 to bring somebody over for two weeks—I know because a friend is coming back with me in two weeks time and I have paid her travel insurance. The problem is that people who sell travel—and I have no financial interest in the travel industry—want to sell a package. They really do not want to put up any barriers to the customer to whom they are selling.

Mr NEVILLE—I would have thought that it would remove barriers.

Mrs Grimshaw—It would, in my view and your view. But I have been told by a number of people in the tourist bureau that, for some reason, although the tourist people are supposed to automatically tell them that they need travel insurance, they cannot make it compulsory.

Mr NEVILLE—Is \$10 the amount you were looking at?

Mrs Grimshaw—It was. It was the amount that we talked about at board level.

Mr NEVILLE—I have one further question. As you have suffered from breast cancer, I wonder what your views are on either having a small mammography unit here or, alternatively, having a unit flown in every second year for a screening of all island women in the at-risk age group?

Mrs Grimshaw—I am friendly with Alice Buffet, who is founding the mammography unit, but I think it is a totally unrealistic proposition, for two reasons. The first reason relates to having the machine here: we already know the problems we have maintaining the X-ray equipment at the hospital. The other reason is that a mammography unit is only as good as the person who reads the mammograms. If you were going to bring a unit here every two years and do everybody over the age of 40, I would definitely support that, and I think a number of groups on Norfolk would help fund that. There has been a lot of liaison work with the Wesley done by one of my friends, and in the end it basically came down to the fact that the machines are too large to put on Norfolk Jet or something like that.

Mr NEVILLE—What if the RAAF flew one in every second year?

Mrs Grimshaw—That would be very acceptable. I think it would be a very good idea because, speaking from my own experience, you really need to keep track of it. In the last few years, I have asked every single woman I know who leaves Norfolk if they have had a mammogram. There is now a culture developing of women over 40 slotting this in as part of their travel plans. But bringing one in every two years would definitely be a good idea.

Senator HOGG—On that issue, if you have taken this proactive step, can you estimate the percentage of women who are not being screened?

Mrs Grimshaw—I would say that probably a third of women over 40 have never been screened. Some of my friends have had one as a result of my nagging them, but there are still women I know who are in their late fifties and early sixties and have never had a mammogram. That is a very reprehensible state of affairs.

Senator STOTT DESPOJA—Where do patients undergo chemotherapy treatment on the island?

Mrs Grimshaw—It can be delivered here. My husband and I had ours in Australia. A previous matron of the hospital indicated to me that she was really not happy about it being done here because, as you know, it is not just the administration of the treatment but the debris that is left—the bags et cetera—that is dangerous. The whole thing is extremely toxic. There have been people who have received their chemotherapy here. It has primarily been in cases where mothers have children and cannot go away and be separated for six months. The other issue that caught my attention was the number of people who simply cannot afford to go away. With the \$500 health scheme, you then have to spend \$2,500. If you are receiving chemotherapy, your travel costs are not included anywhere in that. We have no access whatsoever to what I think you call the PTA scheme—patient transfer assistance. That is a huge thing. If you go for chemo, you are going for perhaps one week every three weeks, and you are up for \$1,000 every time you set foot off Norfolk Island.

Senator STOTT DESPOJA—I understand there have been some recent changes to the hospital administration, if not the board. Was it a board decision to change the director of the hospital?

Mrs Grimshaw—I put a five-page submission to the independent review. I would be happy to give the committee a copy. It does not set out everything that happened in detail. Let us just say that there were two court cases, and at the end of those I was the last surviving member of

that board. The minister for health, David Buffet, appointed two MLAs to the board. Once the decision had been made to dispose of the director, he then appointed two community members to the board.

Senator STOTT DESPOJA—Who made the decision to dispose of the director? Is that normally a board decision or a decision by the minister?

CHAIRMAN—Mrs Grimshaw, if I may interrupt. The committee would be pleased to receive that five-page submission.

Mrs Grimshaw—Yes, I am quite happy to supply it.

Senator STOTT DESPOJA—It would be useful.

Mrs Grimshaw—All right. There was a public demonstration and a referendum and a huge political furore going on. Basically, David Buffet was bailed up by the public outside the hospital, and Norfolk Island had its first demonstration. It was really quite hilarious. As a political decision, I think he simply hoped that if he got rid of the main protagonists things would settle down. The main protagonist was the director, who had entered into two lawsuits on behalf of the hospital.

Senator STOTT DESPOJA—I understand two doctors left around the same time. Was that related to that activity?

Mrs Grimshaw—Dr Foong left last month, and Dr Kennedy finished up last Friday.

Senator STOTT DESPOJA—Thank you.

Mrs Grimshaw—I am happy to answer any of your questions, but it is such a complicated story.

Senator STOTT DESPOJA—Indeed, and I appreciate those comments on record. If you would be so kind as to provide the committee with a copy of those notes, that would be appreciated.

Mrs Grimshaw—It would also be good if the members of the committee would read the Norfolk Island independent report. I certainly do not agree with everything in it; however, it does give some sense of both sides.

Senator HOGG—Some balance.

Mrs Grimshaw—Yes, depending on which side you are coming from. You could say it is not balanced enough, but at least it does put some issues into perspective.

Mr CAMERON THOMPSON—This is a personal view and not that of the committee, but it seems to me that the Norfolk Island government is slowly sinking under the administrative burden of trying to do the various jobs it is required to do to fulfil all its functions at the state level.

Mrs Grimshaw—That is right.

Mr CAMERON THOMPSON—In that, it appears that the overall standard of service being provided on Norfolk Island in a whole range of areas is slowly slipping downwards. I get a sense that we are rapidly approaching a crisis point. What do you think about that? Are we getting to a serious position? We heard evidence about all the various bits of equipment in the hospital that are coming up to their use-by date with no forward planning. Are we approaching a crisis point, and is it time that we looked at some alternative?

Mrs Grimshaw—Yes. My personal view is that the island is actually bankrupt. If you were to pay out everybody's entitlements, I am sure it could not be done. From a legal perspective, I think the island is bankrupt. All the various areas of service are deteriorating—about the only one that is holding up is the education sector, because it is locked into a contract with New South Wales that it has to pay. A number of Pitcairn Islanders have said to me over the last couple of years that even people who were in favour of self-government are now thinking that perhaps we have to be reintegrated in the way that Christmas Island and the Cocos (Keeling) Islands have been. There would be huge arguments for and against that. There are some highly vested interests one way and the other, including people who have large amounts of money. I have to be honest, I live on my income—I am not out there slaving in the wages race—but I think the situation has reached the point where, if a proposition were put to the people that said: 'If you pay income tax, you get these services,' it is quite possible that it would carry the day. I am not saying it would, but I think the view at this point in 2003 is totally different to the view two years ago, and services are definitely diminishing.

CHAIRMAN—Mrs Grimshaw, on behalf of the committee, thank you for your attendance here today.

Committee adjourned at 12.00 p.m.