

**NORFOLK ISLAND
THIRTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 3 NOVEMBER 2010**

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THERTIINTH LEJESLIETEW 'SEMBLE
WEDNESDI 3 NOEWEMBA 2010**

1 The Legislative Assembly met at 10.02 am, the Speaker, Hon Robin Adams JP, took the Chair and read Prayers

2 **CONDOLENCES**

Mr Sheridan recorded the passing of –

Ruby Selwyn Mathews

As a mark of respect to the memory of the deceased all Members stood in silence

3 **MATTER OF PUBLIC IMPORTANCE**

4 **QUESTIONS WITHOUT NOTICE**

1. **Paper Tabled:** Mr Sheridan, Minister for Community Services – **a) Letter to Jodie Brown from Planning Officer re Request for directions in relation to a proposed air curtain burner at the Waste Management Centre; and (b) Schedule 2 Matters to be included in Environmental Statement**
2. Mr Nobbs, Minister for Tourism, Industry & Development – **Memo from CEO to Minister re Joint task force on Revenue – Initial Australian taxation revenue estimate on merchandised exports to Norfolk island and Service imports by NI residents**

5 **ANSWERS QUESTIONS ON NOTICE**

Responses were provided to:

Question No 61 from Mrs Griffiths to the Minister for Tourism, Industry & Development – At the June 2010 meeting of the House the Minister identified a budget allocation of \$20,000 in his portfolio for commerce and industry initiatives targeting diversification of revenue. Can the Minister advise how much of this allocation has been spent and with what outcomes?

Question No 62 from Mrs Griffiths to the Minister for Tourism, Industry & Development – At the last meeting of the House the Minister said that he had had a prospectus prepared by the gaming director and also had “some commercial documentation” on communication facilities prepared for potential gaming operators. Will the Minister now table this documentation?

Question No 63 from Mrs Griffiths to the Minister for Community Services – Is it a fact that persons whose pensions have been reduced on review have not been provided with full reasons for such reductions and have not been advised of their rights of appeal?

Paper Tabled: Sheridan Standard letter from Public Service re Social Services Benefit

Question No 64 from Mrs Griffiths to the Minister for Tourism, Industry & Development – Will the Minister –

1. table or distribute to Members the briefing document and operational guidelines for his Economic Development committee, advise the House of the Membership and advise the House on the expected costs for secretarial and other support;
2. inform the House just whose initiatives he was referring to when he previously said that the committee’s purpose is to “enable analysis and community awareness of some of the initiatives that are on the table” and to which table does the Minister refer; and

3. advise what authority he has to divulge these initiatives, to his committee, if they are initiatives of the private sector, and to have the committee analyse them; and
4. if they are initiatives of the Government, then will the Minister explain them to the House before he lays them before an ad hoc committee?

Paper Tabled:

Nobbs Statement of Intention to establish a Cabinet Subcommittee focussing on Economic Development

Question No 65 from Mrs Griffiths to the Minister for Tourism, Industry & Development –
At the last meeting of the House, I asked if the Minister would table the past two CASA audit report (*for the Norfolk Island Airport fire Service*). Is the Minister now in a position to do so?

Paper Tabled: nobbs Audit Report from CASA on the Aviation Rescue Fire Fighting Service, NI

Question No 66 from Mrs Griffiths to the Minister for Tourism, Industry & Development –
Last July 2nd a Gazettal notice sought expressions of interest for Fuel Handling, delivery and management on Norfolk Island. With these expressions closing on 16 July, could the Minister please –

1. Advise the House whether the matter is finalised by public notice;
2. How many applicants lodged expressions of interest documents;
3. Who were the successful applicants;
4. What are the financial arrangements for the parties;
5. What are the security and insurance details of the agreement?

Paper Tabled:

Question No 67 from Mr King to the Minister for Tourism, Industry & Development –
The government's directional plan revealed that additional telecommunications revenue was expected to be achieved from the lease of a pacific number range (presumably telephone number range). Can the Minister advise what levels of revenue are likely to be generated and will the additional revenue be sufficient to return the telecom to profitability?

Question No 68 from Mr King to the Minister for Tourism, Industry & Development –
In July 2010 the Minister told the House that he was taking a particular interest in the Tourist Bureau budget for the year and on questioning he expressed the hope that the amount of unpaid creditors at year's end, of which he was unaware at that time, would not exceed \$100,000. My question is how much were the unpaid creditors for the Tourist Bureau which were carried forward to be paid this current financial year and what is expected to be the impact on the Bureau's planned activities?

Question No 69 from Mr King to the Minister for Tourism, Industry & Development –
What level of funds were allocated in the Tourist Bureau's budget for extensions of the main office building, how much has been expended to date and can the Minister produce the original cost-estimates to demonstrate that proper efficient planning took place ?

Question No 70 from Mr King to the Minister for Tourism, Industry & Development –
At the last meeting of the House the Minister expressed no knowledge of a defaulted debt to New Zealand Telecom in the order of some \$1m; stating only that no invoice had been received. Can I ask the Minister, whether an invoice has now been received, how much is owing, by how much Norfolk Island is in default of its contractual obligations, whether an instalment plan for repayment has been agreed and whether Norfolk Island is in a position to service the debt satisfactorily?

Question No 71 from Mr King to the Minister for Community Services –
At the last meeting of the House the Minister advised that he was actively looking at caring arrangements for Norfolk's war veterans and added that he will revert to the House on the question of adopting whatever means are necessary to accommodate carer support and on the question of the timing for dealing with the issue. Will the Minister now so advise?

Question No 72 from Mr King to the Minister for Tourism, Industry & Development –
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 ?

Question No 73 from Mr King to the Minister for Tourism, Industry & Development –

At the last meeting the Minister when answering a question in relation to the government airline, referred to a balance sheet for the airline operation. Given that a balance sheet for the airline has never formed part of official finance documentation and has never seen the light of day can the Minister now produce to Members a copy of the new-born balance sheet as at say the end of September or is he prevented from doing so by LSU advice or a non-disclosure agreement with Mr Murdoch? An unaudited version will suffice.

Question No 74 from Mr King to the Minister for Community Services –

At the last meeting of the House the Minister undertook to seek advice on the conduct of a review of published material reflecting the range of social services assistance available in Norfolk Island. Can the Minister advise what progress has been made in this matter?

Question No 75 from Mr King to the Minister for Community Services –

At the last meeting of the House the Minister undertook to ascertain what measures were in place to monitor and test the ground water supplies of those who sell water to the community. Has the Minister determined if any measures exist and if no measures exist does the government intend in the interests of public health to introduce a testing regime?

Question No 76 from Mr King to the Minister for Community Services –

Can the Minister advise the House, whether in relation to the operation of the Hospital enterprise;

1. the agreed operating budget is being observed with all estimates being achieved, and
2. whether the subsidy appropriated from the Revenue Fund for 2010/2011 (ie.\$1.4m) has been paid to the Hospital in full, or
3. if the subsidy is paid in installments whether regular expected payments are being received from the Administration.

Question No 77 from Mrs Ward to the Minister for Community Services –

A recent Federal press release confirmed Norfolk Island's eligibility to apply for health infrastructure funding as part of round 3 of the \$1.8 billion National Health and Hospitals Fund. Would the Minister advise:

1. if Norfolk island had previously been eligible under rounds 1 and 2;
2. if applications had been made; and
3. if unsuccessful; whether those limitations can be overcome in preparing applications under round 3?

Question No 78 from Mrs Ward to the Minister for Tourism, Industry & Development –

Is a fact that a pilot study for a high energy efficiency generator is to commence on Norfolk Island, would the Minister advise:

1. is the generator an over unity or perpetual motion generator;
2. will *Standards Association of Australia* certification be obtained prior to installation ;
3. will an energy efficiency target be announced before on island testing;
4. will a stand alone test be conducted prior to connection to the main power grid; and
5. will testing be transparent and open to the public?

Question No 79 from Mrs Ward to the Minister for Tourism, Industry & Development –

Over the life of this Assembly several questions have been asked about the previous and existing Government's assessment of the prospects of success of Norfolk Island's participation in the cruise ship industry. Is it a fact that a professional risk assessment and analysis was not carried out and that by failing to do so the Government was uninformed of the extent of capital expenditure associated with its involvement in the industry?

**The Speaker suspended the sitting at 12.46 pm until 2 pm
The House resumed at 2.05 pm, the Speaker taking the Chair**

6 PRESENTATION OF PAPERS

The following papers were presented:

- 1) Ms Adam, Speaker – **Legislative Assembly (Register of Members' Interests) Act 2004 – Report to 30 June 2010**
- 2) Mr Buffett, Chief Minister – **Public Sector management Act 2000 –Draft Determination to amend the HR Policies and Procedures Manual**
- 3) Mr Nobbs, Minister for Tourism, Industry & Development – a) ***Electricity Supply (Amendment) Regulations 2010***; b) ***Photovoltaic Arrays*** and c) **Sydney Morning Herald article 'Solar rate cut to stop costs going through the roof'**

- 4) Mr Anderson, Minister for Finance and The Attorney-General – **Customs Act 1913 – Exemption from payment of customs duty**
- 5) Mr Anderson, Minister for Finance and The Attorney-General – **Public Moneys Act 1979 – Virements approved by executive member**
- 6) Mr Nobbs, Minister for Tourism, Industry & Development – **Inbound Passenger Statistics for September 2010**
- 7) Mr Anderson, Minister for Finance and The Attorney-General – **Legal Aid Act 1979 – Report by Executive Member for period 1 July 2009 to 30 June 2010**
- 8) Mr Anderson, Minister for Finance and The Attorney-General – **Revenue Fund – Financial Indicators for September 2010**
Mr King moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

7 STATEMENTS

The following statements were made –

- 1) Mr Nobbs, Minister for Tourism, Industry & Development – Norfolk Island Government Tourist Bureau (Amendment) bill and moved –

THAT the House take note of the statement and the statement be tabled ????

Debate ensued

Question put and agreed to on the voices

- 2) Mr Sheridan, Minister for Community Services – **Toon Trust**
Mr King moved –

THAT the House take note of the statement

Debate ensued

Question put and agreed to on the voices

- 3) Mr Nobbs, Minister for Tourism, Industry & Development – **Reported on the Telecommunications**
Mr King moved –

THAT the House take note of the statement

Debate ensued

Mr King moved –

THAT debate be adjourned and the resumption of debate made an order of the Day for a subsequent day of sitting

Debate ensued

Question put and agreed to on the voices

8 REPORT FROM IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Mr King gave an oral Report on the Employment (Amendment) Bill 2010 which was referred to the Impact of Bills and Subordinate Legislation Committee on 28 July 2010

9 LEGISLATIVE ASSEMBLY ACT 1979 – APPOINTMENT OF THE CLERK TO THE LEGISLATIVE ASSEMBLY

Chief Minister, Mr Buffett, pursuant to notice, moved –

THAT this House in accordance with section 48 of the Legislative Assembly Act 1979 recommends

THAT the Speaker appoint Rosemarie Gaye Evans as Clerk to the Legislative Assembly of Norfolk Island (the Clerk); and

THAT the Speaker determines the terms and conditions of appointment of the Clerk be specified in the Schedule to this recommendation tabled in the House at this sitting

Paper Tabled

Debate ensued

Question put and agreed to on the voices – Mr Anderson dissenting, Mr Sheridan abstaining

10 SOCIAL SERVICES ACT 1980 - RE-APPOINTMENT OF COMMUNITY MEMBER

Minister for Community Services, Mr Sheridan, moved -

THAT for the purposes of paragraph 4(3)(b) and sections 6 and 8 of the *Social Services Act 1980* this House resolves to recommend the re-appointment of —

Patricia Madge Anderson

as a community member of the Social Services Board for a period of 3 years commencing on the day on which the instrument of re-appointment is signed and recommends to His Honour the Administrator that he sign the instrument of re-appointment.

Debate ensued

Question put and agreed to on the voices

11 IMMIGRATION ACT 1980 - APPOINTMENT OF MEMBERS TO IMMIGRATION COMMITTEE

Minister for Finance and The Attorney-General, Mr Anderson to move –

THAT for the purposes of subsection 6(4) of the *Immigration Act 1980*, this House recommends the appointment of –

Timothy Patrick Rogers

as a member of the Immigration Committee for the period 4 November 2010 to 3 November 2012.

Debate ensued

Question put and agreed to on the voices

12 PROVIDENT ACCOUNT (AMENDMENT) BILL 2010

Mr Buffett, Chief Minister, pursuant to notice, presented a Bill for an Act to amend the *Provident Account Act 1958* and moved –

THAT the Bill be agreed to in principle

Paper: Mr Buffett tabled the Explanatory Memorandum

Debate ensued

Mr Buffett moved –

THAT debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

Question put and agreed to on the voices

15 FIXING OF NEXT SITTING DAY

Mr Snell, pursuant to notice, moved -

THAT this House at its rising adjourn until Wednesday 15 December 2010 at 10 am
Mrs Griffiths moved –

THAT “15 December 2010” be deleted and the date “1 December 2010” be inserted

Debate ensued

Mr King, moved –

THAT the question be put

Question – That the question be put - put and agreed to on the voices

Question – THAT the amendment be agreed to – put

The House voted –

Ayes 4

Mr Sheridan

Mrs Griffiths

Mr Buffett

Mr King

Noes 4

Ms Adams

Mr Nobbs

Mrs Ward

Mr Anderson

Motion negatived

Question – That the amendment be agreed to – put

Motion negatived on the voices – Mr King and Mrs Griffiths voting in favour

Question – that the motion be agreed to – put and agreed to on the voices

16 ADJOURNMENT

Mrs Ward moved –

THAT the House do now adjourn

Question put and agreed to on the voices

AND THEN the House at 4.02 pm adjourned until Wednesday 1 December 2010 at 10.00 am

Gaye Evans

Clerk to the Legislative Assembly (Acting)

MEMBERS PRESENT: All Members were present