

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
OF THE
TENTH LEGISLATIVE ASSEMBLY
16 JANUARY 2002**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TENTH LEJESLIETEW 'SEMBLE
16 JANYUWERI 2002**

1 The Legislative Assembly met at 10.02 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 **LEAVE OF ABSENCE MR RON NOBBS MLA**

Leave of absence from the sitting was unanimously extended to Mr Nobbs

3 **GIVING OF NOTICES**

Mr Ivens Buffett (Minister for Land and the Environment) gave notice of his intention at the February sitting of the House to move motions dealing with the following matters:

- 1) **That all registered tourist accommodation houses that do not comply with current water storage requirements shall be fully compliant with those requirements by the last day of February 2003**
- 2) **That the Noxious Weeds Act be amended to provide a mechanism whereby adjoining property holders can resolve disputes between themselves in relation to encroachment of plants over their respective boundaries, whether those plants be noxious or otherwise**
- 3) **That the Administrative Review Tribunal Act be amended to provide for a charging regime in respect of applications to the Tribunal.**

4 **QUESTIONS WITHOUT NOTICE**

Deputy Speaker Ms Nicholas took the Chair at 10.07 am

The Speaker resumed the Chair at 10.22 am

5 **STATEMENTS OF AN OFFICIAL NATURE**

- 1) Mr Ivens Buffett (Minister for Lands and the Environment) –
 - a) gave an update on progress with the development of a Waste Management Strategy for Norfolk Island and advised of waste management initiatives already in place;
 - b) advised that the review of the Norfolk Island Plan was nearing completion with the revised draft Plan proposed for tabling at the February sitting of the House
- 2) Mr Smith (Minister for Community Services and Tourism) –
 - a) advised that the recent joint advertising campaign undertaken by the Bureau, wholesalers and Norfolk Jet had had a good result for the January 2002 tourist figures which almost looked like matching the January 2001 figures;

- b) reported on new appointments at the Norfolk Island Hospital, namely, Dr David Kennedy as the third doctor; and Mr David Connell as the Hospital Director

6 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported **Message No. 2** from the Administrator advising that on 20 December 2001 His Excellency the Governor-General declared his assent to the Planning (Tourist Accommodation) Amendment Act 2001

7 LICENSING OF REAL ESTATE AGENTS AND TRAVEL AGENTS

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to arrange, at the earliest convenient date, for the preparation and introduction of a Bill to provide for licensing of Real Estate Agents and Travel Agents in Norfolk Island

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

8 CONVEYANCING ACT – BENEFIT OF THE INSURANCE OF A VENDOR OF REAL ESTATE TO BE AVAILABLE TO THE PURCHASER

Mr Brown, pursuant to notice, moved –

THAT this House recommends to the responsible executive member that a Bill be drafted and introduced into the House at the earliest convenient date in order to amend the Conveyancing Act by making provision along the lines that the benefit of the insurance of a vendor of real estate be available to the purchaser during the time between the making of a contract of sale and settlement of that sale

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

9 SOCIAL SERVICES ACT 1980 – APPOINTMENT OF MEMBER TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD

Mr Smith (Minister for Community Services and Tourism), pursuant to notice, moved –

THAT, for the purposes of section 5(1) of the Social Services Act 1980, this House resolves to choose

Stephanie Victoria Anne Jack

, being a Member of this House, to be a member of the Norfolk Island Social Services Board

Debate ensued

Question put and agreed to on the voices

10 RESUMPTION OF PORTION 38B16 TAYLORS ROAD

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to take such action as may be required in order to resume for public purposes, subject to payment of reasonable compensation, portion 38b16 in Taylors Road, Norfolk Island

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

11 IMMIGRATION ACT 1980 – DISEASES TO BE PRESCRIBED UNDER SECTION 43(1)(c)

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to take action at any early date to prescribe the following diseases under section 43(1)(c) of the Immigration Act 1980 –

**Aids
HIV
Hepatitis B and C**

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

12 IMMIGRATION ACT 1980 – GUIDELINES FOR MEDICAL EXAMINATIONS

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to prepare and implement guidelines for medical examinations for Temporary Entry Permits and General Entry Permits under the Immigration Act 1980

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

13 OMBUDSMAN IN NORFOLK ISLAND

Mr Brown, pursuant to notice, moved -

THAT this House requests the responsible executive member to prepare and table, at the earliest possible date, a White Paper setting out the benefits, disadvantages and likely costs in the event that legislation is passed to provide for an Ombudsman in Norfolk Island

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

14 FREEDOM OF INFORMATION LEGISLATION FOR NORFOLK ISLAND

Mr Brown, pursuant to notice, moved –

THAT this House requests the executive member to introduce a Bill, as quickly as possible, to provide for a Freedom of Information Act with minimal exceptions

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

15 PLAN OF MANAGEMENT FOR NORFOLK ISLAND AIRPORT

Mr Brown, pursuant to notice, moved –

THAT the responsible executive member bring forward for the consideration of the Legislative Assembly at the earliest possible date a comprehensive plan of management for those parts of the Norfolk Island Airport as may be available for commercial and other purposes

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

16 PRIVATE ROADS ON NORFOLK ISLAND

Proposed motion withdrawn by leave

17 IMMIGRATION ACT 1980 – DETERMINATION OF GENERAL ENTRY PERMIT QUOTA FOR PERIOD 17 FEBRUARY 2002 TO 16 FEBRUARY 2003

Mr Brown, pursuant to notice, moved –

THAT for the purposes of subsection 21(1) of the Immigration Act 1980, this House resolves that it be determined by instrument in writing that 30 General Entry Permits be granted during the period 17 February 2002 to 16 February 2003

Debate ensued

Debate adjourned (Mr Brown) and the resumption of debate made an Order of the day for a subsequent day of sitting

18 REDUCTION OF FINANCIAL INSTITUTIONS LEVY

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to prepare and table, at the earliest possible date, a White Paper setting out benefits, disadvantages and likely costs in the event that legislation is passed to provide for the reduction of the Financial Institutions Levy from its present 1% to 0.25%, on the assumption that all exemptions are cancelled, save for exemptions in respect of religious organisations

Debate ensued

Question put and agreed to on the voices

19 HEALTHCARE LEVY ACT 1990 – PAYMENT OF HEALTHCARE LEVY BY INSTALMENTS

Debate resumed (Mr Smith, Minister for Community Services and Tourism) on the question – That the motion be agreed to

Mr Smith, by leave, moved the following amendment:

THAT all words after “THAT” (first occurring) be deleted and the following inserted:

“this House recommends that the responsible executive member examine, and report back to the House on, the feasibility of amending the Healthcare Levy Act 1990 to provide for–

- 1) the deduction of the healthcare levy by instalments from the wages of a liable person by agreement between the employer and the liable person; and**
- 2) payment of the healthcare levy by a liable person by monthly instalments”**

Debate ensued

Question – THAT the amendment be agreed to – put and agreed to on the voices

Question – That the motion as amended be agreed to – put and agreed to on the voices

20 FIXING OF NEXT SITTING DAY

Mr Smith (Minister for Community Services and Tourism) moved –

THAT the House at its rising adjourn until Wednesday 20 February 2002 at 10 am

Debate ensued

Question put and agreed to on the voices

21 ADJOURNMENT
Mrs Jack moved –

THAT the House do now adjourn

Debate ensued with Mr Gardner and Mr Smith participating
Question put and agreed to on the voices

AND THEN the House at 12.30 pm adjourned until Wednesday 20 February 2002 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present except Mr Nobbs, by leave