

**NORFOLK ISLAND
TENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 27 MARCH 2002**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TENTH LEJESLIETEW 'SEMBLE
WENSDI 27 MAACH 2002**

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

2 **CONDOLENCES**

Ms Nicholas recorded the passing of –

LESLIE STUART MASSEY

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

3 **QUESTIONS WITHOUT NOTICE**

4 **ANSWERS TO QUESTIONS ON NOTICE**

Answers were provided to the following questions on notice:

No. 26 (Mrs Jack to Minister for Community Services and Tourism) re. police investigations and charges resulting

No. 27 (Mrs Jack to Minister for Finance) re. licensing requirements for private residences used for commercial catering purposes

No. 28 (Mrs Jack to Minister for Finance) re. health, sanitation requirements for private residences used for commercial catering purposes

5 **PRESENTATION OF PAPERS**

The following papers were presented to the House –

- 1) Mr Smith (Minister for Community Services and Tourism) tabled the Inbound passenger statistics for February 2002 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 2) Mr Donaldson (Minister for Finance) tabled the Financial Indicators for the 8 months up to and including February 2002 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 3) Mr Ivens Buffett (Minister for Land and the Environment) tabled Draft Plans of Management dated 2002 for 12 of the Norfolk Island Public Reserves. The Plans are in two parts. Part A (titled "The Norfolk Island Public Reserve System",) applies to all Public Reserves. Part B is sectioned into 12 parts as follows:

- ◆ Anson Bay Reserve

- ◆ Ball Bay Reserve
- ◆ Bumbora Reserve
- ◆ Cascade Reserve
- ◆ Headstone Reserve
- ◆ Hundred Acres Reserve
- ◆ Middleridge Reserve
- ◆ Nepean Island
- ◆ Point Ross Reserve
- ◆ Selwyn Reserve
- ◆ Stock Reserve
- ◆ Two Chimneys Reserve

Mr Ivens Buffett moved –

THAT the House take note of the papers

Debate ensued

Question put and agreed to on the voices

6 STATEMENTS

- 1) Mr Gardner (Chief Minister) briefly reported on the recent visit to Sydney and Canberra undertaken by himself and the Minister for Land and the Environment and **tabled a copy of the Report** on their visit which was published in the Norfolk Islander of 23 March 2002. For the record some detail of their visit is recorded in these Minutes.

In Canberra, the Ministers held discussions with -

- ◆ the Secretary and officers of the Department of Regional Services, Territories and Local Government;
- ◆ staff of the Commonwealth Grants Commission
- ◆ Officers of the Department of Foreign Affairs
- ◆ “Networking the Nation” management
- ◆ Officers of Australian Quarantine Inspection Service (AQIS)
- ◆ Federal Minister for Finance, Hon. Nick Minchin and with officers of Finance and Treasury Department
- ◆ Representatives of Emergency Management (Australia)
- ◆ Federal Minister for the Environment Hon Dr. Kemp
- ◆ Federal Minister for Health and Aging, Hon Kay Patterson
- ◆ Federal Minister for Veterans Affairs, Hon Dana Vale

In Sydney, the Ministers met with –

- ◆ Justices Beaumont and Wilcox, the Island’s senior members of the Judiciary,
- ◆ Justice Morling, Presiding Member of the Public Sector Remuneration Tribunal
- ◆ Justice John Clark, Chairman of the Norfolk Island Gaming Authority
- ◆ Mr Barry Newman of the Adelaide Mint.
- ◆ Mr Murray Carter, Manager of the Lord Howe Island Board.

The Chief Minister while in Sydney also attended the two day meeting of the Standing Committee of Attorneys –General

- 2) Mr Donaldson (Minister for Finance) made a brief statement on the introduction of mobile or cellular phones to Norfolk Island;
- 3) Mr Ivens Buffett (Minister for Land and the Environment) advised the House of progress with the Commonwealth proposal to convert Crown lease land to freehold on Norfolk Island. The proposed transfer arrangements are recorded in hansard. Mr Ivens Buffett moved –

THAT the House take note of the Statement

Debate ensued

Question put and agreed to on the voices

- 4) Mr Smith (Minister for Community Services and Tourism) –
 - ◆ Gave detail of the proposed upgrade of the Radio Station
 - ◆ Provided background information to the recent termination of the Tourist Reported on the hospital debt situation
 - ◆ Bureau Manager's contract

Paper

Mr Smith tabled a letter dated 26 March 2002 to him on this matter from the Chairman of the Norfolk Island Government Tourist Bureau ("the Bureau")
Mrs Jack moved –

THAT the House take note of the Statement relating to the Tourist Bureau Manager's employment

Debate ensued

Mr Brown moved –

That in accordance with Standing Order 72A broadcasting be suspended and strangers excluded

Question put and agreed to on the voices

Broadcasting was suspended and strangers were excluded

Mr Brown withdrew from the Chamber during the discussion

Papers

Mr Smith tabled –

- ◆ Minutes of the extra ordinary meeting of the Norfolk Island Government Tourist Bureau of 25 February 2002
- ◆ Letter of 4 March to Mr Smith from the Bureau Chairman
- ◆ Minutes of the extra ordinary meeting of the Norfolk Island Government Tourist Bureau of 6 March 2002
- ◆ Minutes of the extra ordinary meeting of the Norfolk Island Government Tourist Bureau of 8 March 2002
- ◆ Letter of 9 March 2002 to Bureau Chairman from Mr Greg Howe titled "Deed of Release and Confidentiality"
- ◆ Letter of 13 March 2002 to Bureau Chairman from McIntyres, the legal firm acting for Mr Howe
- ◆ Letter of 13 March 2002 to Mr Greg Howe from Bureau Chairman

- ◆ Letter with attachment of 14 March 2002 to McIntyres from Bureau Chairman
- ◆ Letter of 15 March 2002 to Bureau Chairman from McIntyres
- ◆ Letter of 18 March 2002 to McIntyres from Bureau Chairman

Under the provision of standing order 197, the Speaker confirmed that these papers will only be available for inspection by Members of the Legislative Assembly at the office of the Clerk

Question – That the motion be agreed to – put and agreed to on the voices, Mr Brown being absent from the Chamber

Broadcasting resumed and strangers were readmitted at 12.55 pm

**The Speaker suspended the sitting of the House at 12.56 pm until 2.15 pm
The House resumed sitting at 2.16 pm, the Speaker taking the Chair**

7 MOTION BY LEAVE - *EMPLOYMENT ACT 1988* – APPOINTMENT OF PERSON TO EMPLOYMENT CONCILIATION BOARD

Mr Donaldson (Minister for Finance), by leave, moved -

THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolves to appoint –

Michael William King

being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 28 March 2002 to 27 March 2005

Debate ensued

Question put and agreed to on the voices

8 MOTION BY LEAVE - *NORFOLK ISLAND ACT 1979* - APPOINTMENT OF NORFOLK ISLAND GOVERNMENT AUDITOR

Mr Donaldson, by leave, moved -

THAT this House, in accordance with section 51 of the *Norfolk Island Act 1979*, recommends to His Honour the Administrator that he –

- (a) appoint Curran Sole & Tuck, a firm in which at least one of its members is a registered auditor within the meaning of section 51A of the *Norfolk Island Act 1979*, to be the Norfolk Island Government Auditor for the period from 27 March 2002 to 31 December 2002; and
- (b) determine that the terms and conditions of appointment of the Norfolk Island Government Auditor shall be -
 - (i) a fee of \$26,800; and
 - (ii) the reimbursement, at their actual cost, of out-of-pocket expenses incurred by the Auditor in relation to the appointment, up to a maximum of \$8,000 for the period of appointment

Debate ensued

Question put and agreed to on the voices, Mr Brown dissenting

9 RESPONSIBILITY OF INNKEEPERS IN NORFOLK ISLAND

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Question put and agreed to on the voices

10 CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

Debate resumed (Mr Donaldson) on the question – That the motion be agreed to

Debate ensued

Question put

The House voted –

AYES, 0

NOES, 9

Mr David Buffett

Mr Gardner

Mr Donaldson

Mrs Jack

Mr Ivens Buffett

Mr Nobbs

Ms Nicholas

Mr Smith

Mr Brown

Motion negatived

11 ENHANCEMENT OF EXISTING, AND ESTABLISHMENT OF ADDITIONAL, SISTER CITY RELATIONSHIPS

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Question put and agreed to on the voices

12 ADMINISTRATIVE REVIEW TRIBUNAL ACT 1996 – FEE REGIME

Debate resumed (Mr Ivens Buffett) on the question – That the amendment be agreed to
Mr Ivens Buffett, by leave, moved the following amendment to the amendment:

Delete the words “at its March sittings” and insert the words “at the earliest convenient date”

Debate ensued

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

Question – That the amendment as amended 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

13 LICENSING OF REAL ESTATE AGENTS AND TRAVEL AGENTS

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Question put and agreed to on the voices

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

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Words “in order to amend the Conveyancing Act by making provision” deleted by leave

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

15 RESUMPTION OF PORTION 38b16 TAYLORS ROAD

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Question put

The House voted –

AYES, 6

Mr David Buffett

Mr Gardner

Mr Donaldson

Mrs Jack

Ms Nicholas

Mr Brown

NOES, 3

Mr Ivens Buffett

Mr Nobbs

Mr Smith

Motion agreed to

16 OMBUDSMAN IN NORFOLK ISLAND

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Word “possible” changed to “convenient”, by leave

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

17 FREEDOM OF INFORMATION LEGISLATION FOR NORFOLK ISLAND

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Mr Brown, by leave, moved the following amendment:

Delete the words “as quickly as possible”, insert “having appropriate regard to the Government’s existing legislative programme”

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

18 PLAN OF MANAGEMENT FOR NORFOLK ISLAND AIRPORT

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Word “possible” changed to “convenient”, by leave

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

19 FIXING OF THE NEXT SITTING DAY

Ms Nicholas moved –

THAT the House at its rising adjourn until Wednesday 24 April 2002 at 10 am

Question put and agreed to on the voices

20 ADJOURNMENT

Mrs Jack moved –

THAT the House do now adjourn

Debate ensued with Ms Nicholas and Mr Ivens Buffett participating

Question put and agreed to on the voices

AND THEN the House at 3.48 pm adjourned until Wednesday 24 April 2002 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present

