

**NORFOLK ISLAND  
TENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 16 OCTOBER 2002**

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

**1** The Legislative Assembly met at 10.05 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

**2 CONDOLENCES**

Ms Nicholas recorded the passing of –

**Lillian May Ruth Barrett**

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

**2A WELCOME TO PUBLIC GALLERY**

The Speaker welcomed to the Public Gallery Mr Kilgariff, a former Speaker of the Northern Territory Parliament, and a former Australian Senator

**3 QUESTIONS WITHOUT NOTICE**

**Deputy Speaker Nicholas took the Chair at 10.36 am**

Time for questions without notice have expired Mr Nobbs moved –

**THAT time for questions without notice be extended by 15 minutes**

Question put and agreed to on the voices, Mr Brown being absent from the Chamber

**4 ANSWERS TO QUESTIONS ON NOTICE**

Answers were provided to the following questions on notice:

No. 35 (Mr Brown to Minister for Finance) re. Administration policy in relation to damage to Administration vehicles when privately used

No. 36 (Mr Brown to Chief Minister) re. Temporary Entry permits issued to Administration staff

No. 37 (Mr Brown to Minister for Finance) re. Purchase of multi tyred road roller by the Administration

**5 PRESENTATION OF PAPERS**

The following Papers were presented to the House:

- (1) Mr D. Buffett (Minister for Community Services and Tourism) – Tourist Accommodation Amendment (Safety Compliance) Regulations 2002

(2) Mr Donaldson (Minister for Finance) –

- a) tabled detail of directions given by executive member for virement of funds during period 20 September 2002 and 9 October 2002;

Mrs Jack moved –

**THAT the House take note of the Paper**

Debate ensued

Question put and agreed to on the voices

- b) Public Sector Remuneration Tribunal Act 1992 – Determination by the Tribunal in respect of Application No. 1 of 2002 by the Norfolk Island Hospital Staff Association  
Mr Brown moved –

**THAT the House take note of the Paper**

Debate ensued

Question put and agreed to on the voices, Mr Smith being absent from the Chamber

**6 STATEMENTS**

- (1) Mr Gardner (Chief Minister) condemned the recent terrorist attack in Bali and extended the House's condolences to the families of the victims killed in the attack;
- (2) Mr Donaldson (Minister for Finance) advised that an invitation had been received to attend the centenary of the Pacific Cable Station at the Southport School, Queensland, on Thursday October 31 2002

**7 CONSTITUTION FOR NORFOLK ISLAND**

Mr Nobbs, pursuant to notice, moved –

**THAT this House resolves that internal self-government, in association with Australia, remains the appropriate form of government for Norfolk Island and that in the progression of self-government a Select committee of three Members prepare, following extensive consultation, a draft Constitution for Norfolk Island and the draft be brought forward to this House for consideration by 1 August 2003**

Debate ensued

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

**The Deputy Speaker suspended the House at 12.30 pm until 2.00 pm  
The House resumed at 2.03 pm, the Deputy Speaker taking the Chair**

**8 NORFOLK ISLAND PLAN**

Debate resumed (Mr I Buffett, Minister for Land and the Environment) from 19 June 2002 on the question – That the amendment proposed by Mr Nobbs be agreed to  
Question – That the amendment be agreed to – put

The House voted –

**AYES, 5**

**Mr D. Buffett  
Mr Donaldson  
Mr Nobbs  
Ms Nicholas  
Mr Brown**

**NOES, 4**

**Mr Gardner  
Mrs Jack  
Mr Ivens Buffett  
Mr Smith**

Amendment agreed to

By leave of the House the following clerical changes were made to the motion as amended:

- 1) **the word “following” be inserted after the words “it with the”;**
- 2) **“; (a) alterations” was inserted after the word “alterations”**
- 3) **“;(b)” was inserted before the word “deletion”**

Mr D. Buffett (Minister for Community Services and Tourism) moved –

**THAT a new clause be added at the end of the motion as amended:**

**“; and**

- c) transfer of the appropriate objectives and protective provisions, proposed for the area of the coastal and cliff environment, to each of the zones which contain portions of coastal land, and consequent withdrawal of the Coastal and Cliff area from the planning map”**

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

Mr D. Buffett (Minister for Community Services and Tourism) moved –

**THAT the following new clause be added at the end of the motion as amended:**

- “ (d) and by retention of the existing 2ha and 8090 square metres subdivision minimum, in the existing Rural A and Rural B zones respectively of the 1996 Plan, to the extent this may be transposed to the proposed Plan”**

**This shall not apply to areas which are –**

- i) proposed to be in the zones of a more compact and specialised nature eg. Residential zone, mixed zone; and**
- ii) presently Crown leasehold land, which prospectively may be converted to freehold. Such portions should create a third Rural zone, to be known as Rural C which has a minimum subdivision area of 4 hectares’ ”**

Question – That the amendment be agreed to – put

The House voted –

**AYES, 1**

**Mr D. Buffett**

**NOES, 7**

**Mr Gardner**

**Mr Donaldson**

**Mrs Jack**

**Mr I. Buffett**

**Mr Nobbs**

**Ms Nicholas**

**Mr Smith**

**ABSTENTIONS, 1**

**Mr Brown**

Amendment negatived

Question – That the motion as amended be agreed to – put and agreed to, Mr D. Buffett dissenting and Mr Brown abstaining

**9 ORDERS OF THE DAY 3 TO 10 INCLUSIVE**

On the motion of Mr I. Buffett (Minister for Land and the Environment), debate on Orders of the Day 3 to 10 inclusive – the Land Package Bills – was adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

**10 UPGRADING OF ROADS OTHER THAN PUBLIC ROADS**

Debate resumed (Mr Brown) from 28 August 2002 on the question – That the motion be agreed to

Mr Brown, by leave, moved the following amendments:

**THAT –**

1. **the word “introduce” be deleted and the words “prepare a white paper in relation to introducing a Bill” inserted;**
2. **the words “pro rata according to the frontage of each such portion to the particular road” be deleted and the words “on a basis to be determined” inserted**

Question – That the amendments 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

**11 MOBILE PHONE PROPOSAL**

Debate resumed (Mr Donaldson, Minister for Finance) on the question – That the amendment proposed by Mr I Buffett be agreed to

Mr Brown moved –

**THAT the amendment be amended by the insertion of the words “if first approved at referendum” after the word “introduction”**

Mr D. Buffett, by leave, moved the following:

**THAT all words after Norfolk Island (second occurring) be deleted**

Mr Brown withdrew his amendment to the amendment by leave

Mr I Buffett withdrew his amendment by leave

Question – That the amendment proposed by Mr D. Buffett be agreed to – put and agreed to on the voices, Mr Donaldson dissenting

**12 FIXING OF THE NEXT SITTING DAY**

Mr Nobbs moved –

**THAT the House at its rising adjourn to a date to be determined**

Question put and agreed to on the voices

**13 ADJOURNMENT**

Mrs Jack moved –

**THAT the House do now adjourn**

Debate ensued with Mr Gardner recording a vote of thanks to Mrs Gaye Evans for her many years of service, in varying capacities, to the Legislative Assembly of Norfolk Island. Mrs Evans who has resigned from the Norfolk Island Public Service as Secretary to the Legislative Assembly, will continue as Deputy Clerk

Question put and agreed to on the voices

**AND THEN the House at 4.15 pm adjourned until a date to be determined**

Robin-Eleanor Adams  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present