

**NORFOLK ISLAND  
TENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 23 JUNE 2004**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
TENTH LEJESLIETEW 'SEMBLE  
WENSDI 23 JUUN 2004**

- 1 The Legislative Assembly met at 10.04 am. The Deputy Speaker (Ms Chloe Nicholas) took the Chair and read the Prayer

2 **QUESTIONS WITHOUT NOTICE**

3 **PRESENTATION OF PAPERS**

The following papers were tabled:

- (1) Mr G Donaldson, Minister for Finance – Financial Indicators up to 31 May 2004
- (2) Mr D Buffett, Minister for Community Services and Tourism –
  - a) Road Traffic (General) Amendment Regulations 2004;
  - b) Inbound passenger statistics for May 2004 and supporting dataMrs Jack moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 3) Mr Donaldson, Minister for Finance – Financial Institutions Levy (Amendment) Regulations 2004

4 **STATEMENTS**

Mr I Buffett provided a response to a question without notice asked at a previous sitting re the denuding of pine trees on the golf course

5 **MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR**

The Deputy Speaker reported Message No. 31 from the Office of the Administrator advising that on 1 June 2004 the Administrator declared his assent to the *Customs Amendment Act 2004*

6 **SELECT COMMITTEE INTO ELECTORAL AND GOVERNANCE ISSUES – RESUMPTION OF DISCUSSION ON REPORT**

Committee Chairman, Mr John Brown, advised that editorial change had been made to the Report tabled at the May sitting and tabled the Committee's adjusted Report bearing dated June 2004

Mr Brown moved –

**THAT the Report be adopted**

Debate ensued

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

**7 PLANNING ACT 2002 – VARIATION OF THE NORFOLK ISLAND PLAN**

I, Ivens Buffett, Minister for Land and the Environment, pursuant to notice, tabled a draft plan for a variation to the Norfolk Island Plan together with a statement giving the reasons why –

- i) the draft plan was not notified under section 11; and
- ii) the variation is appropriate,

and moved -

**THAT in accordance with subsection 12(4) of the *Planning Act 2002*, this House resolves that the draft plan laid before this House, being a proposed variation to the Norfolk Island Plan approved by the Legislative Assembly on 25 February 2004 and commenced on 27 February 2004, and deemed to be the Plan under section 8 of the *Planning Act 2002* be approved; and that for the purposes of subsection 13(1) of the *Planning Act 2002* that the date of commencement of the approved Plan be 25 June 2004**

Debate ensued

Mr D Buffett, Minister for Community Services and Tourism, moved –

**THAT the debate be adjourned**

Question put

The House voted –

**AYES, 4**

**Mr David Buffett**

**Mr Nobbs**

**Mr Robinson**

**Mr Brown**

**NOES, 5**

**Mr Gardner**

**Mr Donaldson**

**Mrs Jack**

**Mr Ivens Buffett**

**Ms Nicholas**

Motion negatived

Debate continued

Question put

The House voted –

**AYES, 6**

**Mr Buffett**

**Mr Gardner**

**Mr Donaldson**

**Mrs Jack**

**Mr Ivens Buffett**

**Ms Nicholas**

**NOES, 3**

**Mr Nobbs**

**Mr Robinson**

**Mr Brown**

Motion agreed to

**8 APPROPRIATION BILL 2004-2005**

Debate resumed (Mr Donaldson, Minister for Finance) on the question – That the Bill be agreed to in principle

**The Speaker took the Chair at 12.02 pm**

**The Deputy Speaker resumed the Chair at 12.10 pm**

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mr Donaldson moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**The Deputy Speaker suspended the sitting at 12.45 pm until 2.15 pm**

**The House resumed at 2.15 pm, the Deputy Speaker taking the Chair**

**9 EVIDENCE BILL 2004**

Debate resumed (Mr Gardner, Chief Minister) on the question – That the Bill be agreed to in principle

Debate ensued

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

**10 IMMIGRATION AMENDMENT BILL 2004**

Debate resumed (Mr G Gardner, Chief Minister) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr Gardner moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**11 ADMINISTRATIVE REVIEW TRIBUNAL AMENDMENT BILL 2004**

Debate resumed (Mr Gardner, Chief Minister) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

**Detail stage:**

Mr Gardner, by leave, moved –

**That clause 6 of the Bill be amended –**

- 1. by capitalizing the “m” in “Principal member” in the proposed sub-section 5(2); and**
- 2. by deleting from the proposed subsection 5(4) the words “”President of that tribunal” and replacing them with the words “Principal Member of the MRT”**

Debate ensued

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

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

Question – That the remainder of the Bill be agreed to – put and agreed to on the voices

Mr Gardner moved –

**THAT the Bill as amended be agreed to**

Question put

Bill (as amended) agreed to

**12 PLANNING (AMENDMENT) BILL 2004**

Debate resumed (Mr Ivens Buffett, Minister for Land and the Environment) on the question – That the Bill be agreed to in principle

Debate ensued

Mr Brown foreshadowed his intention to move the following amendment:

**That subsection 78(2) of the principal Act be repealed**

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

**13 BUILDING (AMENDMENT) BILL 2004**

Debate resumed (Mr Ivens Buffett, Minister for Land and the Environment) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr Ivens Buffett moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**14 LEGISLATIVE ASSEMBLY (REGISTER OF MEMBERS' INTERESTS) BILL 2004**

Debate resumed (Mr Gardner, Chief Minister) on the question – That the Bill be agreed to in principle

Debate ensued

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

**15 ENACTMENTS REPRINTING (AMENDMENT) BILL 2004**

Debate resumed (Mr G Gardner, Chief Minister) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr Gardner moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**16 ROAD TRAFFIC AMENDMENT BILL 2004**

Debate resumed (Mr David Buffett, Minister for Community Services and Tourism) on the question – That the Bill be agreed to in principle

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

**17 FIXING OF THE NEXT SITTING DAY**

Mr Brown moved –

**THAT the House at its rising adjourn until Wednesday 21 July 2004  
at 10.00 am**

Question put and agreed to on the voices

**18 ADJOURNMENT**

Mr Robinson moved –

**THAT the House do now adjourn**

Debate ensued with Mr David Buffet participating

Question put and agreed to on the voices

**AND THEN the House at 3.25 pm adjourned until Wednesday 21 July 2004 at 10 am**

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

**MEMBERS PRESENT:** All Members were present