

**NORFOLK ISLAND
THIRTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 14 APRIL 2010**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
THERTIINTH LEJESLIETEW 'SEMBLE
WEDNESDAY 14 IEPRIL 2010**

1 The Legislative Assembly met at 10.01 am, the Speaker, Hon Robin Adams MLA, took the Chair and read Prayers

2 **QUESTIONS WITHOUT NOTICE**

3 **ANSWERS QUESTIONS ON NOTICE**

Responses were provided to :

Question No 1 from Mr King to Mr Sheridan, Minister for Community Service asking –

- a) Is the Minister comfortable in all respects with the practice, purported to be authorised by section 28B of the Healthcare Act 1989, of deducting from any claim under the Act any monies said to be owing to any area of the Administration; and
- b) Will the Minister table any legal opinion in relation to this practice?

Question No 2 from Mr King to Mr Sheridan, Minister for Community Service asking –

- a) Will the Minister advise the House whether according to briefings by the Administration, the Administration's Tanalith Plant operates at acceptable standards of environmental protection and the protection of operating staff and nearby residents; and
- b) If operating standards are below acceptable levels will the Minister forthwith authorise the closure of the plant until acceptable levels are achieved?

Question No 3 from Mr King to Mr Sheridan, Minister for Community Service asking –

Will the Minister outline his plan for dealing with the biggest environmental threat facing the island, Argentine Ants, including the source and timing of funding?

4 **PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Mr Anderson, Minister for Finance and The Attorney-General – Customs Approved Exemptions
- 2) Ms Adams, Speaker – Provident Fund audited Financial Statements for the year ended 30 June 2009

5 **STATEMENTS**

The following statements were made –

- 1) Mr Buffett, Chief Minister, reported on the recent visit of the Joint Standing Committee on the Territories Law Reform Bill
 - 2) Mr Sheridan, Minister for Community Services, reported on water quality
- Mr King moved –

THAT the Statement be noted

Debate ensued

Question put and agreed to on the voices

6 IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBER OF THE LEGISLATIVE ASSEMBLY TO THE IMMIGRATION COMMITTEE

Mr Anderson, Minister for Finance and The Attorney-General, pursuant to notice, moved –

THAT for the purposes of subsections 6(2) and 6(4) of the *Immigration Act 1980*, this House recommends to the executive member that –

**Michael William King, and
Melissa Ward**

being members of the Legislative Assembly, be appointed as members of the Immigration Committee.

Debate ensued

Question put and agreed to on the voices

7 SOCIAL SERVICES ACT 1980 - APPOINTMENT OF MEMBER OF THE LEGISLATIVE ASSEMBLY TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD

Mr Sheridan, Minister for Community Services, by leave moved -

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

**Lisle Denis Snell, and
Melissa Ward**

being members of this House, to each be a member of the Norfolk Island Social Services Board and further, in accordance with subsection 4(5) of the Act, appoint –

Lisle Denis Snell

to be chairman of the Board

Debate ensued

Question put and agreed to on the voices

8 HEALTHCARE ACT 1989 – APPOINTMENT OF A MEMBER TO THE HEALTHCARE CLAIMS COMMITTEE

Mr Sheridan, Minister for Community Services, pursuant to notice, moved -

THAT for the purposes of section 22(2) of the *Healthcare Act 1989*, this House resolves to choose –

Lisle Denis Snell

to be a Member of the Claims Committee

Debate ensued

Question put and agreed to on the voices

9 SEA INSTALLATIONS ACT 1987 (CLWTH) – NOMINATION OF MEMBER TO BE REPRESENTATIVE

Mr Sheridan, Minister for Community Services, pursuant to notice, moved –

THAT for the purposes of paragraph (d) of the definition of “representative” in section 4(1), of the Sea Installations Act 1987 of the Commonwealth, this House nominates –

André Neville Nobbs

to represent Norfolk Island for the purposes of the Act

Debate ensued

Question put and agreed to on the voices

10 NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 – APPOINTMENT OF MEMBER OF THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU

Mr Nobbs, Minister for Tourism, Industry & Development, pursuant to notice, moved –

THAT this House in accordance with subsection 4(2) of the Norfolk Island Government Tourist Bureau Act 1980 recommends to the executive member that he appoint –

Lisle Denis Snell

as a member of the Norfolk Island Government Tourist Bureau

Debate ensued

Question put and agreed to on the voices

11 APPOINTMENT OF BUSINESS COMMITTEE

Mrs Ward, pursuant to notice, moved -

THAT this House pursuant to standing order 20 in addition to the Speaker appoints –

**Andre Neville Nobbs; and
David Ernest Buffett**

to be Members of the Business Committee

Debate ensued

Question put and agreed to on the voices

12 APPOINTMENT OF THE HOUSE COMMITTEE

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

THAT this House, pursuant to standing order 19, in addition to the Speaker, appoints –

**Rhonda Evelyn Griffiths; and
Craig Maurice Anderson;**

to be Members of the House Committee

Debate ensued

Question put and agreed to on the voices

13 APPOINTMENT OF STANDING ORDERS COMMITTEE

Mr Sheridan, Minister for Community Services, pursuant to notice, moved –

THAT this House, pursuant to standing order 17, in addition to the Speaker and Deputy Speaker, appoints –

**Andre Neville Nobbs;
Rhonda Evelyn Griffiths; and
Melissa Ward,**

to be Members of the Standing Orders Committee

Debate ensued
Question put and agreed to on the voices

14 APPOINTMENT OF THE IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Mrs Griffiths, pursuant to notice, moved –

THAT this House pursuant to standing order 20A appoints –

**Timothy John Sheridan;
Michael William King; and
Melissa Ward**

as Members of the Impact of Bills and Subordinate Legislation Committee and appoints –

Lisle Denis Snell

as the alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason

Debate ensued
Question put and agreed to on the voices

15 APPOINTMENT OF A COMMITTEE OF PRIVILEGES

Mrs Griffiths, pursuant to notice, moved:

THAT this House, pursuant to standing order 18, appoints –

**David Ernest Buffett;
Craig Maurice Anderson; and
Michael William King**

as permanent members of the Committee of Privileges; and –

Melissa Ward,

as the alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason

Debate ensued
Question put and agreed to on the voices

16 AMENDMENT OF STANDING ORDER 20B – PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Mr Anderson, Minister for Finance and The Attorney-General, pursuant to notice, moved -

THAT this House delete from paragraph 1 of standing order 20B the words “two other Members” and insert the words “three other Members”

Debate ensued
Question put and agreed to on the voices
Mr Sheridan dissenting

17 APPOINTMENT OF A PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Mr Anderson, Minister for Finance and The Attorney-General, pursuant to notice, moved -

THAT this House, pursuant to standing order 20B, in addition to the Speaker (ex officio) appoints –

**André Neville Nobbs;
Rhonda Evelyn Griffiths; and
Michael William King**

as Members of the Public Accounts and Estimates Committee

Debate ensued

Question put and agreed to on the voices

Mr Sheridan dissenting

18 PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Mr King, pursuant to notice, moved –

THAT in accordance with standing order 20B(3) the Assembly refers the following questions to the Public Accounts and Estimates Committee for enquiry and report to the Assembly:

- 1. Was the Norfolk Island Government, the Legislative Assembly and the community of Norfolk Island fully and adequately informed of the state of public finances during the past three years and if not, in what manner and to what extent was the information deficient?**
- 2. What was the nature of, the extent of, and the appropriateness of internal funds transfers within the Public Account during the past three financial years ending 30 June 2010?**
- 3. In respect of the following expenditure items:**
 - Runway End Safety Area (Airport runway extensions);**
 - Capital acquisitions of airport plant;**
 - Capital construction of airport fire station also known as the emergency Services building –**
 - a) Were the public procurement processes followed in terms of both the letter of the law and the spirit of the law, and agreed guidelines, and if not, in what way were proper processes able to be circumvented?**
 - b) Were the items properly costed, adequately managed and brought in on budget and if not, to what extent were proper processes not followed and budgeted expenditure exceeded?**
 - c) Were the respective projects fully and properly considered as to their individual necessity and if not, to what extent were they inadequately considered?**
 - d) Was the Legislative Assembly adequately informed about budget performance of each expenditure item on a progressive basis and if not, what was the extent of the inadequacy?**
- 4. What reforms should be made to ensure greater accountability and transparency of the public finances?**

5. That in respect of each discrete question the Committee report to the House progressively

Debate ensued

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

THAT all words after “THAT” first occurring be deleted and the following be substituted: “in accordance with standing order 20B(3) the Assembly requests the Public Accounts and Estimates Committee to enquire into and report to the Assembly on appropriate reforms that could be made to ensure that there is optimum accountability and transparency in the public finances”

Debate ensued

Mr Snell 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 and agreed to on the voices

Mr King dissenting

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

19 FIXING OF NEXT SITTING DAY

Mrs Ward moved –

THAT the House at its rising adjourn until Wednesday 19 May 2010 at 10 am

Question put and agreed to on the voices

20 ADJOURNMENT

Mr Buffett moved –

THAT the House do now adjourn

Debate ensued with Mr Buffett, Mr Snell and Mr Nobbs participating

Question put and agreed to on the voices

AND THEN the House at 1.55 pm adjourned until Wednesday 19 May 2010 at 10 am

Gaye Evans

Acting Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present