

**NORFOLK ISLAND
TENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 25 SEPTEMBER 2002**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TENTH LEJESLIETEW 'SEMBLE
WENSDI 25 SEPTEMBER 2002**

1 The Legislative Assembly met at 10.03 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 **LEAVE OF ABSENCE HON GEOFF GARDNER MLA**
Leave from the sitting was unanimously extended to Mr Gardner

3 **QUESTIONS WITHOUT NOTICE**

Deputy Speaker Nicholas took the Chair at 11.04 am

Time for questions without notice having expired, Mr Nobbs moved –

THAT time for questions without notice be extended by 15 minutes

Question put and agreed to on the voices

4 **PRESENTATION OF PAPERS**

The following Papers were presented to the House:

(1) Mr Donaldson (Minister for Finance) tabled the Financial indicators for the two months ended 31 August 2002 and moved -

THAT the House take note of the Paper

Debate ensued

Question put and agreed to on the voices

(2) Mr I Buffett (Minister for Land and the Environment) tabled a memorandum titled "The Federal Government's Interest in and Obligations to Norfolk Island" from the Hon Wilson Tuckey and forwarded to the Chief Minister by the Administrator under cover of a letter dated 29 August 2002

(3) Mr Donaldson (Minister for Finance) tabled -

(a) the Customs (Cigarettes and Tobacco) Regulations 2002;

(b) advice to him from the Finance manager dated 20 September 2002 detailing funds transferred by way of virement in September 2002;

(4) Mr I Buffett (Minister for Lands and the Environment) tabled a document from the Policy and Projects Officer which provides a correct description of the boundaries of KAVHA and advised that he would be seeking leave to have the draft Norfolk Island Plan amended accordingly

5 STATEMENTS

- (1) Mr D Buffett (Minister for Community Services and Tourism) –
- a) Reported on the Norfolk Island Hospital Enterprise; the Hospital Board and the current Hospital Review process
Papers: Mr Buffett tabled the Norfolk Island Hospital Amendment Bill 2002
 - b) Advised of the proposed visit of the US Consul General in Sydney, Eileen A Malloy, from 28 September to 2 October 2002
Mr Nobbs moved –

THAT the House take note of the Statement

Debate ensued
Question put and agreed to on the voices

- c) Reported on his recent visit to Noumea to attend the First Meeting of Ministers for Culture in the Pacific Region and a meeting of the Council of Pacific Arts
- (2) Mr I Buffett (Minister for Lands and the Environment) made a statement on the Joint Standing Committee of the National Capital and External Territories Report on Norfolk Island electoral matters that was tabled in the Commonwealth Parliament on 26th August 2002
Mr Nobbs moved –

THAT the House take note of the Statement

Debate ensued
Question put and agreed to on the voices

6 SUBMISSION TO UNITED NATIONS

Mr Nobbs, pursuant to notice, moved –

THAT this House requests the responsible executive member to convey to members of the United Nations through the office of its Secretary General that they do all within their power to achieve a diplomatic solution to the current Iraq crisis

Debate ensued
Mr Brown, by leave, moved –

THAT the words “office of its Secretary General” be deleted and the words “Australian Government” be inserted and that the words “do all within their power to achieve “ be deleted and the word “encourage” be inserted

Debate ensued
Question – That the amendment be agreed to – put

The House voted –

AYES, 7

Mr Buffett

Mr Donaldson

Mrs Jack

Mr Ivens Buffett

Ms Nicholas

Mr Smith

Mr Brown

NOES, 1

Mr Nobbs

Amendment agreed to

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

The Deputy Speaker suspended the House at 12.40 pm

The House resumed at 2.15 pm, Speaker Buffett taking the Chair

7 CONTROL OF NORFOLK ISLAND AIRSPACE

Mr Nobbs, pursuant to notice, moved –

THAT this House requests the executive member to institute negotiations with the relevant authorities to provide that a ban be placed on aircraft below a height of 4,000 metres within the airspace immediately above the land mass of Norfolk Island other than aircraft which –

- a) are in the process of landing or have taken off from the Norfolk Island airport and are within the designated airspace for such a procedure; or**
- b) are directed by the Airport Manager under circumstances of an emergency or safety**

Debate ensued

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

8 MOTION BY LEAVE - MOBILE PHONE PROPOSAL

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

THAT in response to the wishes of the people of Norfolk Island as expressed in a referendum on 21 August 2002 this House resolves –

- (a) not to proceed with the current proposal to introduce cellular phones to Norfolk Island and,**
- (b) that no further upgrade be undertaken to extend the capacity of the existing Trunking Mobile Phone system and that no further subscribers be connected**

Debate ensued

Mr I Buffett (Minister for Land and the Environment), by leave, moved –

THAT the following be added – “(c) that should an alternative cellular system be available at a more acceptable cost that alternative be examined and considered for introduction”

Debate ensued

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

Pursuant to Notice, the House then moved to Orders of the Day

9 LAND PACKAGE BILLS

Mr I Buffett (Minister for Land and the Environment) by leave withdrew Orders of the Day Numbered 1 to 8 on the Notice Paper relating to the following Bills:

Planning Bill 2002
Norfolk Island Planning and Environment Board Bill 2002
Heritage Bill 2002
Subdivision Bill 2002
Roads Bill 2002
Trees Amendment Bill 2002
Land Titles Amendment Bill 2002
Building Bill 2002

10 PLANNING BILL 2002

Mr I Buffett (Minister for Land and the Environment), pursuant to notice, presented a Bill for an Act to provide for a Norfolk Island Plan and associated controls on the use and development of land in Norfolk Island, and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

11 NORFOLK ISLAND PLANNING AND ENVIRONMENT BOARD BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act to provide for the establishment, authorities, functions, powers and duties of the Norfolk Island Planning and Environment Board, and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

12 HERITAGE BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act in association with the Planning Act 2002 to provide for the promotion for the conservation of the heritage of Norfolk Island, and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

13 SUBDIVISION BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act in association with the Planning Act 2002 to provide for planning controls on the subdivision and amalgamation of land, and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

14 ROADS BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act to provide for the opening and closing of public roads and for related matters

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

15 TREES AMENDMENT BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act to amend the Trees Act 1997 and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

16 LAND TITLES AMENDMENT BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act to amend the Land Titles Act 1996 and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

17 BUILDING BILL 2002

Mr I Buffett (Minister for Land and the Environment) pursuant to notice, presented a Bill for an Act in association with the *Planning Act 2002* to provide for controls on building activity and the use of buildings and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper: Mr I F Buffett tabled the Explanatory Memorandum

Debate ensued

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

18 UPGRADING OF ROADS OTHER THAN PUBLIC ROADS

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

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

19 FIXING OF THE NEXT SITTING DAY

Mr Brown moved –

THAT the House at its rising adjourn until Wednesday 16 October 2002 at 10 am

Question put and agreed to on the voices

17 ADJOURNMENT

Mr Smith moved –

THAT the House do now adjourn

Debate ensued with Mrs Jack, Ms Nicholas, Mr Brown, Mr Nobbs and Mr I Buffett participating

Question put and agreed to on the voices

AND THEN the House at 3.32 pm adjourned until Wednesday 16 October 2002 at 10 am

Gaye Evans

Deputy Clerk to the Legislative Assembly

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