

**NORFOLK ISLAND
TENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 20 AUGUST 2003**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TENTH LEJESLIETEW 'SEMBLE
WENSDI 20ORGAS 2003**

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

2 **GIVING OF NOTICES**

Mr Nobbs foreshadowed his intention to move three motions relating to the following issues at the next sitting of the House:

- 1) Immigration controls, including setting of a ceiling on population numbers;
- 2) Improvement of local primary production; and
- 3) Speculation in land on Norfolk Island

3 **CONDOLENCES**

Ms Nicholas recorded the passing of –

Thomas George Ellis Quintal

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

4 **QUESTIONS WITHOUT NOTICE**

The Deputy Speaker took the Chair at 10.54 am

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

THAT time for questions without notice be extended by 15 minutes

Debate ensued

Question put and agreed to on the voices

Paper: Mr Gardner (Chief Minister) at the request of Mr Brown tabled copy of coverage in mainland press (The Age and The Australian) relating to Federal Minister Wilson Tuckey

Time for questions without notice having again expired Mr Brown moved –

THAT time for questions without notice be further extended by 5 minutes

Debate ensued

Question put and agreed to on the voices

Time for questions without notice having again expired Mr Brown moved –

THAT time for questions without notice be further extended by 2 minutes

Debate ensued

Question put and agreed to on the voices

5 ANSWERS TO QUESTIONS ON NOTICE

Answers were provided to the following questions on notice:

No. 44 (Mr Brown to Minister for Finance) re. power factor correction equipment at the power shed

No. 42 (Mr Brown to Minister for Community Services and Tourism) re. increase in Health Care Levy to cover cost of theatre fees

No. 43 (Mr Brown to Minister for Community Services and Tourism) payment of special duties allowances to Members of the Norfolk Island Public Service

No. 45 (Mr Brown to Minister for Community Services and Tourism) re. recent Administration staff training with Hunter Plant Operator Training School

Paper: **Mr D. Buffett tabled a Training Summary of courses available, number of persons who attended each course and the section in the Administration from which each person came**

No. 46 (Mr Brown to Minister for Community Services and Tourism) re. dangers of using hand held mobile trunk radios while driving motor vehicles

Acting Deputy Speaker Brown took the Chair at 11.54 am

6 PRESENTATION OF PAPERS

The following papers were tabled:

- 1) Mr Gardner, Chief Minister – copy of Licence to act as a Bookmaker granted to AusTOTE Pty Ltd;
- 2) Mr I Buffett, Minister for Land and the Environment – S. 41 *Interpretation Act 1979* – Heritage Regulations 2003;
- 3) Mr Gardner, Chief Minister – interim report on Offshore Finance Centre costs from 1999 to date;
- 4) Mr Donaldson, Minister for Finance – detail of expenditure between May 2003 and July 2003 on travel funded by the Administration of Norfolk Island;
- 5) Mr D. Buffett, Minister for Community Services and Tourism – Inbound passenger statistics for July 2003;
- 6) Mr Gardner, Chief Minister – draft policy for pasturage rights dated August 2003
Mr Gardner moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 7) Mr Donaldson, Minister for Finance – Direction under subsection 32A(2) of the *Public Moneys Act 1979* to the Finance Manager to transfer such amount of unexpended appropriation from the financial year ended 30 June 2003 to the financial year ending 30 June 2004 as the Finance Manager considers equal to the amount remaining unpaid on substantial liabilities incurred in the financial year ended 30 June 2003

7 STATEMENTS

- 1) Ms Nicholas, as Chairman of the outgoing Norfolk Island Hospital Board of Management, summarised the activities and achievements of the Board during her term of office and recorded thanks to Members of the Board and to all Hospital staff for their assistance to the Board

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

THAT the House take note of the statement

Debate ensued

Question put and agreed to on the voices

The Deputy Speaker took the Chair at 12.16 pm

- 2) Mr I Buffett, Minister for Land and the Environment, reported on the current situation with respect to rock crushing;
- 3) Mr Gardner, Chief Minister, in response to a question asked by Mr Brown at an earlier sitting of the House, gave an interim summation of the achievements of the 10th Legislative Assembly;
- 4) Mr I Buffett, Minister for Land and the Environment, reported on the stock health program, in particular, the results of the examination undertaken in conjunction with officers of the Public Service and Dr Brian Gartrell, local veterinarian, on the most effective way of ensuring the health of the local livestock on the clear understanding that animal and human health and welfare are interrelated.

8 MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR

The Deputy Speaker reported the following messages from the Office of the Administrator:

Message No. 20 from the Deputy Administrator advising that on 29 July 2003, acting in accordance with the Federal Minister's instructions and with section 21 of the *Norfolk Island Act 1979*, and with the advice of the Executive Council, the Administrator revoked his purported assent to the Employment Amendment (No. 3) Bill 2001. The Bill purported to have been assented to by the Administrator on 1 February 2002 did not include amendments to the Bill as passed by the Legislative Assembly. Commencement of the Bill was conditional on notification of the assent in the Gazette. Notification has not taken place. On 29 July 2003, the Administrator declared his assent to the Employment Amendment (No. 2) Bill 2001 that included the amendments passed by the Legislative Assembly. The *Employment Amendment (No. 2) Act 2001* commenced on Gazettal on 8 August 2003

Message No. 19 from the Administrator advising that on 29 July 2003 he declared his assent to the Employment Amendment (No. 2) Act 2001, Customs Amendment Act 2003, Customs Amendment (Fuel) Act 2003, Telecommunications Amendment Act 2003, Norfolk Island Hospital Amendment Act 2003 and the Customs Amendment (No. 2) Act 2003

9 INTERIM REPORT OF SELECT COMMITTEE ON GOVERNANCE AND ELECTORAL ISSUES

The Committee Chairman, Mr John Brown, provided a further interim report on the Committee's activities, in particular summarizing the results of completed Questionnaires and extended the deadline until Monday 25 August for the lodgment of questionnaires

**The Deputy Speaker suspended the sitting at 12.53 pm until 2.15 pm
The house resumed at 2.16 pm, the Deputy Speaker taking the Chair**

10 PUBLIC SECTOR MANAGEMENT ACT 2000 – MEMBERSHIP OF PUBLIC SERVICE BOARD

Mr D. Buffett, Minister for Community Services and Tourism, pursuant to notice, moved –

THAT this House, in accordance with paragraph 10(1)(a) of the *Public Sector Management Act 2000*, recommends that the responsible executive member re-appoint —

John Edgar Christian

to be the presiding member of the Public Service Board for the period 15 August 2003 to 14 August 2005; and,

under subsection 11(1) of the Act, recommends that the responsible executive member appoint —

Leanne Schmitz

to be the deputy of the member of the Public Service Board for the period 20 August 2003 to 19 August 2005

Debate ensued
Mr Nobbs moved –

THAT the question be put

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

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

11 NORFOLK ISLAND HOSPITAL ACT 1985 – APPOINTMENT OF MEMBERS OF THE NORFOLK ISLAND HOSPITAL ADVISORY BOARD

Mr D. Buffett, Minister for Community Services and Tourism, pursuant to notice, moved –

THAT this House, in accordance with subsection 12(1) of the *Norfolk Island Hospital Act 1984*, resolves that –

**John Edgar Christian;
David James Magri; and
Rees David Walden**

be appointed by the executive member as members of the Norfolk Island Hospital Advisory Board for the period ending 19 August 2006

Mr Brown joined the meeting at 2.21 pm

Debate ensued
Question put and agreed to on the voices

12 COLLECTION OF DEPARTURE FEE

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to investigate and report back to the House at its next meeting as to the financial and other consequences of causing the Norfolk Island departure tax to be collected, in the case of passengers travelling on scheduled air services, by the airlines rather than the Norfolk Island Government Tourist Bureau

Debate ensued

Question put and agreed to on the voices

13 HEALTHCARE REFERRALS

Mr Brown, pursuant to notice, moved –

THAT this House requests the responsible executive member to take such action as may be required in relation to the Healthcare Fund to ensure that-

- 1. Healthcare Referrals to overseas providers not be made in circumstances where the treatment can reasonably be provided at the Norfolk Island Hospital**
- 2. When a Healthcare Referral to an overseas provider is deemed to be necessary, such referral be made, in a case requiring hospitalisation, to a public hospital on a shared ward basis**
- 3. If a Healthcare Referral to an overseas hospital is deemed necessary, such referral shall if reasonably possible be to a hospital with which the Healthcare Scheme has reasonable arrangements in terms of cost**
- 4. If a Healthcare Referral is required to an overseas hospital, and is deemed to be of such urgency that the long term health of the patient will be put at risk (as distinct from suffering temporary pain or discomfort) by waiting for a bed to come available in a public hospital on a shared ward basis, then an endeavour be made to obtain treatment as a private patient in a public hospital, failing which it shall be appropriate to refer the patient to a private hospital, in each case on the basis that the patient be solely responsible for bed costs to such extent as they exceed the shared ward public hospital bed rate in the particular overseas location, but on the basis that theatre fees and similar fees be recognized as fees which can be claimed from the Healthcare Fund**

Debate ensued

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

14 TOURIST BUREAU GENERAL WAGE ADJUSTMENTS

Mr Brown, pursuant to notice, moved –

THAT this House requests the executive member with responsibility for the Norfolk Island Government Tourist Bureau to cause a Bill to be drafted and tabled in the Legislative Assembly as soon as possible in order to make it clear that general wage adjustments for staff employed by the Norfolk Island Government Tourist Bureau, including its manager, must be dealt with by way of application to the Public Sector Remuneration Tribunal

Debate ensued

Question put and agreed to on the voices

15 NORFOLK ISLAND ECONOMY

Mr Brown, pursuant to notice, moved –

THAT this House recognizes the importance of a buoyant and profitable private sector

Debate ensued

Question put and agreed to on the voices

16 ABSENTEE LANDOWNERS LEVY AMENDMENT BILL 2003

Mr Donaldson, Minister for Finance, pursuant to notice, presented the Absentee Landowners Levy Amendment Bill 2003 and moved – That the Bill be agreed to in principle

Debate ensued

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

17 EMPLOYMENT AMENDMENT BILL 2003

Mr Donaldson, Minister for Finance, pursuant to notice, presented the Employment Amendment Bill 2003 and moved – That the Bill be agreed to in principle

Debate ensued

Mr Donaldson moved –

THAT the debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

Question put and agreed to on the voices, Mr Brown and Mr Gardner abstaining

18 BILLBOARDS REPEAL BILL 2003

Mr I Buffett, Minister for Land and the Environment, pursuant to notice, presented the Billboards Repeal Bill 2003 and moved – – That the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr I Buffett) 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 17 September 2003 at 10.00 am

Question put and agreed to on the voices

20 ADJOURNMENT
Mr Nobbs moved –

THAT the House do now adjourn

Debate ensued with Mr I Buffett participating
Question put and agreed to on the voices

AND THEN the House at 3.41 pm adjourned until Wednesday 17 September 2003 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present