

**NORFOLK ISLAND
ELEVENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 20 APRIL 2005**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
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LEWNTH LEJESLIETEW 'SEMBLE
WENDSI 20 IEPRIL 2005**

1. Legislative Assembly met at 10.04 am, the Speaker, Hon David E. Buffett AM, took the Chair and read the Prayer.

2 LEAVE OF ABSENCE FOR MR TIM BROWN MLA

Leave from the sitting was unanimously extended to Mr Tim Brown MLA

3 PRESENTATION OF PETITIONS

Mr Sheridan presented a Petition from 186 residents of Norfolk Island which reads: "The petition of certain residents draws to the attention of the House concerns within the community about our health ministers' apparent refusal to consider the implications of how the loss of a full time generic counseling service will affect the needs and well being of the island community. We, the community strongly appeal to the Assembly, that we be accorded the privilege that every individual is entitled to – good psycho- social health and well-being as we have had in the last 17 months. Your petitioners therefore pray that the House will use its strongest and best endeavours to consider the importance and urgency in procuring a full-time generic counselling service. A part-time service does not work effectively for the well being of individuals unless there is a full time service to support it."

Mr Sheridan foreshadowed his intention to move a motion in regards to the petition later in the sitting

4 GIVING OF NOTICES

Mr Gardner, Chief Minister, tabled an exposure draft of the Bankruptcy Bill 2005 and foreshadowed his intention to introduce it at a later sitting

5 QUESTIONS WITHOUT NOTICE

The Deputy Speaker took the Chair at 10.24 am

6 PRESENTATION OF PAPERS

The following papers were tabled:

- (1) Mr Brown, Minister for Community Services, - Pharmacy (Amendment) Regulations 2005;
- (2) Mr Nobbs, Minister for Finance –
 - a) Details of funds transferred by way of virement since 16 February 2005;
 - b) Financial Indicators March 2005;

7 STATEMENTS

- 1) Mrs Jack, Minister for the Environment, responded to a question asked at an earlier sitting relating to qualifications of building inspectors;
- 2) Mr Nobbs, Minister for Finance –
 - a) provided a response to a question asked at an earlier sitting re fees authorised vehicle inspectors can charge for a registration inspection
Mr Christian moved –

THAT the House take note of the statement

Debate ensued

Question put and agreed to on the voices

- b) Announced that the government had taken certain significant decisions to help restore the stability of Government and Administration finances; return the Revenue Fund Budget to surplus and allow the Island to plan in a measured way for the replacement and improvement of vital public infrastructure of Norfolk Island. The most significant change will be the introduction during 2005 of the Norfolk Sustainability Levy, a broad-based scheme designed to apply to both tourists and residents alike, which will collect a levy on the sale of all goods and services provided on the Island. The Levy is designed to replace existing charges such as the Financial Institutions Levy, airlines passenger departure fees, accommodation house cold bed tax and customs duty on all business imports;

3) Mrs Jack, Minister for the Environment –

- a) responded to the issues raised in the petition presented at the March 2005 sitting of the House relating to the planning legislation;
- b) formally advised the House that the application from Mrs Kirsti Jenkins-Smith to rezone portion 55b from rural to rural/residential had failed

Mr Gardner, Chief Minister, moved –

THAT the House take note of the statement

Debate ensued

Acting Deputy Speaker Christian took the Chair at 10.52 am

Question put and agreed to on the voices

The Speaker resumed the Chair at 11.01 am

8 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported **Message No. 10** from the Administrator advising that on 22 March 2005 he declared his assent to Interpretation (Amendment) Act 2005; the Norfolk Island Hospital (Amendment) Act 2005; the Healthcare Levy (Amendment) Act 2005; the Road Traffic (Amendment) Act 2005 and the Fuel Levy (Amendment) Act 2005

9 MUSEUM TRUST ACT 1987 – RE-APPOINTMENT OF TRUSTEES OF THE NORFOLK ISLAND MUSEUM TRUST

Mr Gardner (Chief Minister), pursuant to notice, moved –

THAT this House resolves for the purposes of paragraph 5(2)(b) of the *Museum Trust Act 1987* that the executive member re-appoint

**Albert Fletcher Buffett
Margaret Rosemary Jowett
Kathleen Marion LeCren
Jo-Anne Emily Quintal
Allan David Tavener**

as trustees of the Norfolk Island Museum Trust for the period 21 April 2005 to 20 April 2007

Debate ensued

Question put and agreed to on the voices

10 GRANTING OF APPROVALS UNDER THE EMERGENCY PROVISION OF CRUSHED ROCK AND AGGREGATE ACT 2005

Mrs Jack, Minister for the Environment, pursuant to notice, moved –

THAT this House resolves in accordance with the provisions of section 4 of the Emergency Provision of Crushed Rock and Aggregate Act 2005 that it is satisfied it to be in the public interest that the Minister for the Environment issue approvals to do the various works for the various purposes described in the Act for a further period of seven (7) days and, accordingly, the House approves and authorises the Minister to give such approvals in accordance with the Act and, subject to any changes the Minister considers necessary that do not affect compliance with the Act, to issue approvals in the form previously approved by the House

Mr Brown, Minister for Community Services, and Mr Neville Christian absented themselves from the Chamber during debate on this matter

Debate ensued
Question put and agreed to on the voices

Mr Brown, Minister for Community Services, and Mr Neville Christian returned to the Chamber

11 PROCUREMENT OF FULL-TIME COUNSELLING SERVICE FOR NORFOLK ISLAND

Mr Sheridan, by leave, moved –

THAT this House requests that the responsible executive member responsible for health to procure a full-time generic counselling service which is to be made available on Island

Debate ensued

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

12 PLANNING (AMENDMENT) BILL 2005 – DECLARATION OR URGENCY

The Speaker reported that the Business Committee, under standing order 158, had declared that the Planning (Amendment) Bill 2005 should be passed through all stages at this sitting

13 PLANNING (AMENDMENT) BILL 2005

Mrs Jack, Minister for the Environment, pursuant to notice, presented the Planning (Amendment) Bill 2005 and moved – THAT the Bill be agreed to in principle

Debate ensued

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mrs Jack moved –

THAT the Bill be agreed to

Question put

Bill agreed to

14 DEPARTURE FEE (AMENDMENT) BILL 2005

Mr Nobbs, Minister for Finance, pursuant to notice, presented the Departure Fee (Amendment) Bill 2005 and moved – THAT the Bill be agreed to in principle

Leave granted for Bill to pass through all stages at this sitting

Debate ensued

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr Nobbs moved –

THAT the Bill be agreed to

Question put

Bill agreed to

15 HEALTHCARE (AMENDMENT NO. 2) BILL 2005

Mr Brown, Minister for Community Services, by leave, presented the Healthcare (Amendment No. 2) Bill 2005 and moved – THAT the Bill be agreed to in principle

Debate ensued

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

16 CUSTOMS (AMENDMENT) BILL 2005

Mr Nobbs, Minister for Finance, presented the Customs (Amendment) Bill 2005 and moved – That the Bill be agreed to in principle

Debate ensued

Mr Gardner, Chief Minister, moved –

THAT so much of standing orders be suspended as would prevent the Bill be passed through all stages at this sitting

Question put and agreed to on the voices

Question – That the Bill be agreed to in principle – put

Bill agreed to in principle, Mr Christian abstaining

Leave granted to dispense with the detail stage

Mr Nobbs moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices, Mr Christian abstaining

Acting Deputy Speaker Christian took the chair at 12.16 pm

17 REPORT OF IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE ON THE LIQUOR LICENSING BILL 2005

Resumption of debate (Mr Buffet) from 16 March 2005 on the question – That the report be adopted

Debate ensued

Question put and agreed to on the voices

The Speaker resumed the Chair at 12.30 pm

18 EVIDENCE (AMENDMENT) BILL 2005

Debate resumed (Mr Gardner, Chief Minister) from 16 March 2005 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

19 LEGAL AID (AMENDMENT) BILL 2005

Debate resumed (Mr Gardner, Chief Minister) from 16 March 2005 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

20 NORFOLK ISLAND PLANNING AND ENVIRONMENT BOARD (AMENDMENT) BILL 2005

Debate resumed (Mrs Jack, Minister of the Environment) from 16 March 2005 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

Mrs Jack moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices

21 SOCIAL SERVICES AMENDMENT BILL 2004

Debate resumed (Mr Brown, Minister for the Community Services) from 16 March 2005 on the question – That the Bill be agreed to in principle

Mr Brown, by leave, moved –

THAT debate on the Social Services Amendment Bill 2004 stand adjourned; and the Bill, together with any amendments thereto which may be proposed by the executive member, stand referred to the Impact of Bills and Subordinate Legislation Committee for its consideration; the Committee to report if possible to the Legislative Assembly on its deliberations and recommendations at the June 2005 sitting of the House

Debate ensued

Question put and agreed to on the voices

22 FIXING OF NEXT SITTING DAY

Mr Lorraine Boudan moved –

THAT the House at its rising adjourn until Wednesday 18 May 2005 at 10 am

Question put and agreed to on the voices

23 ADJOURNMENT

Mr Christian moved –

THAT the House do now adjourn

Debate ensued with Mr Gardner participating

AND THEN the House at 12.49 pm adjourned until Wednesday 18 May 2005 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present except Mr Tim Brown by leave