

**NORFOLK ISLAND
ELEVENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 17 MAY 2006**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
LEWNTH LEJESLIETEW 'SEMBLE
WENDSI 17 MIEH 2006**

1 The Legislative Assembly met at 10.04 am, the Speaker, Mr Neville Christian, took the Chair and read Prayers

2 CONDOLENCES

Mrs Boudan recorded the passing of –

Winifred Margaret Pitcher

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

3 LEAVE OF ABSENCE FOR MR TIM BROWN

Mr John Brown advised that Mr Tim Brown would be late for the sitting due to his aircraft from Brisbane not arriving until later in the morning. Such leave as was required was extended to Mr Tim Brown

4 QUESTIONS WITHOUT NOTICE

5 ANSWERS TO QUESTIONS ON NOTICE

Answers were provided to the following questions on notice:

No. 3 – Mr Brown to Minister for Finance re monthly financial statements for the Government's Air Service
No. 4 – Mr Brown to Minister for Finance re charges against "recoverable" item

6 PRESENTATION OF PAPERS

Mr Nobbs, Minister for Finance, tabled the Financial Indicators for April 2006
Mr Nobbs moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

7 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported Message No. 36 from the Administrator advising that on 12 May 2006 he declared his assent to the Norfolk Island Sustainability Levy Act 2006

8 APPROPRIATION BILL 2006-2007 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported Message No. 37 from the Administrator dated 16 May 2006 recommending to the Legislative Assembly the enactment of a proposed law entitled "A Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2007"

9 APPROPRIATION BILL 2006-2007

Mr Nobbs, Minister for Finance, pursuant to notice, presented a Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2007 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Paper: Mr Brown tabled the Administration of Norfolk Island – Revenue Fund – 2nd Draft Budget 12.05.06 2006-2007

Mr Brown moved –

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

Question put and agreed to on the voices

10 PLANNING ACT 2002 – DEEMING OF PLANNING APPLICATION TO HAVE BEEN REFUSED IN CERTAIN CIRCUMSTANCES

Leave having been denied to Mr Brown to amend the motion appearing in his name on the Notice Paper in the manner he was proposing, Mr Brown advised that he would withdraw the motion relating to the Planning Act 2002 appearing in his name on the Notice Paper

11 IMMIGRATION ACT 1980 – INTENTION TO RE-APPOINT PERSONS TO IMMIGRATION COMMITTEE

Mr Buffett, Minister for Community Services, pursuant to notice, moved —

THAT for the purposes of subsection 6(5) of the *Immigration Act 1980*, this House recommends the re-appointment of —

**Joanne Elliott; and
Barbara Elvy**

as members of the Immigration Committee for the period 19 May 2006 to 18 May 2008

Debate ensued

Question put and agreed to on the voices

12 EMPLOYMENT ACT 1988 – INTENTION TO RE-APPOINT A PERSON TO EMPLOYMENT CONCILIATION BOARD

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

THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolves to re-appoint —

Richard Kleiner

being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 21 May 2006 to 20 May 2009

Debate ensued

Question put and agreed to on the voices

13 TELECOMMUNICATIONS (AMENDMENT) BILL 2006

Mr Nobbs, Minister for Finance, pursuant to notice, presented a Bill for an Act to amend the Telecommunications Act 1992 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Mr Tim Brown MLA joined the meeting at 11.55 am

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

14 BUSINESS TRANSACTIONS (ADMINISTRATION) BILL 2006 – RECISSION OF BILL

Mr Nobbs, Minister for Finance, moved -

THAT the resolution of the Legislative Assembly on 22 February 2006 that the Business Transactions (Administration) Bill 2006 as amended be agreed to, be rescinded

Debate ensued

Question put and agreed to on the voices

15 BUSINESS TRANSACTIONS (ADMINISTRATION) BILL 2006 DATED 16 MAY 2006

Mr Nobbs, Minister for Finance, moved –

That so much of standing orders be suspended as would prevent his introducing the Business Transactions (Administration) Bill 2006 dated 16 May 2006 and for the Bill to be considered through all stages at this sitting

Question put

The House voted –

AYES, 7
Mr Buffett
Mr Gardner
Mr Sheridan
Mr Nobbs
Mr Christian
Mrs Jack
Mrs Boudan

NOES, 2
Mr Tim Brown
Mr John Brown

Standing Orders suspended in accordance with the requirements of standing order number 244

Mr Nobbs presented the Business Transactions (Administration) Bill 2006 dated 16 May 2006 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

Mr Nobbs moved –

THAT the Bill be agreed to

Question put

Bill agreed to, Mr Tim Brown and Mr John Brown dissenting

16 BUSINESS TRANSACTIONS (LEVY IMPOSITION) BILL 2005 AND BUSINESS TRANSACTIONS (LEVY IMPOSITION) AMENDMENT BILL 2006 – RECISSION OF BILLS

Mr Nobbs, Minister for Finance, moved -

THAT –

- a) **the resolution of the Legislative Assembly on 22 February 2006 that the Business Transactions (Levy Imposition) Bill 2005 be agreed to; and**
- b) **the resolution of the Legislative Assembly on 15 March 2006 that the Business Transactions (Levy Imposition) Amendment Bill 2006 be agreed to,**

be rescinded

Debate ensued

Question put and agreed to on the voices

17 BUSINESS TRANSACTIONS (LEVY IMPOSITION) BILL 2006 DATED 16 MAY 2006

Mr Nobbs, Minister for Finance, moved –

That so much of standing orders be suspended as would prevent his introducing the Business Transactions (Levy Imposition) Bill 2006 dated 16 May 2006 and for the Bill to be considered through all stages at this sitting

Question put and agreed to on the voices, Mr Tim Brown and Mr John Brown dissenting

Standing Orders suspended in accordance with the requirements of standing order number 244

Mr Nobbs presented the Business Transactions (Levy Imposition) Bill 2006 dated 16 May 2006 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Question put

Bill agreed to in principle on the voices, Mr Tim Brown and Mr John Brown dissenting

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 Tim Brown and Mr John Brown dissenting

18 ESTABLISHMENT AND MAINTENANCE OF CONSTRUCTIVE DIALOGUE WITH THE AUSTRALIAN GOVERNMENT ABOUT ITS PROPOSED FUTURE GOVERNANCE AND FINANCIAL ARRANGEMENTS FOR NORFOLK ISLAND

Leave having been denied to Mr Brown to move a motion circulated to members during the sitting on the matter of dialogue with the Australian Government on future governance and financial arrangements for Norfolk Island, Mr Brown moved –

THAT so much of standing orders be suspended as would prevent his moving the motion circulated in his name

Question put
The House voted –

AYES, 2
Mr Tim Brown
Mr John Brown

NOES, 7
Mr Buffett
Mr Gardner
Mr Sheridan
Mr Nobbs
Mr Christian
Mrs Jack
Mrs Boudan

Motion negatived

19 APPOINTMENT OF PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Debate resumed (Mr Brown) from 19 April 2006 on the question – That the motion be agreed to
Question put and agreed to on the voices

20 PRIVATISATION OF VISITORS INFORMATION CENTRE, POST OFFICE AND TANALITH PLANT

Debate resumed (Mr Brown) from 19 April 2006 on the question – That the motion be agreed to
Question put and agreed to on the voices, Mrs Boudan abstaining

21 HEALTHCARE (MEDICAL EVACUATION FUND) BILL 2006

Debate resumed (Mr Buffett, Minister for Community Services) from 19 April 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

Detail stage:

Mr Buffett moved –

THAT the definition of “evacuation costs” in clause 14 of the Bill be amended by substituting for the words “or whose life is at risk if not so evacuated, or both”, the words –

“and whose life is at risk if not so evacuated”

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 Buffett moved –

THAT the Bill as amended be agreed to

Question put

Bill as amended agreed to

22 TELECOMMUNICATIONS (AMENDMENT) BILL 2005

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

On the motion of Mr Nobbs, the Bill was withdrawn by leave

23 LEGISLATIVE ASSEMBLY (AMENDMENT) BILL 2006

Debate resumed (Mr Brown) from 15 March 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle, Mr Buffett dissenting and Mrs Jack being absent from Chamber

Detail stage:

Mr Gardner, Chief Minister, moved –

Clause 4, line 2, delete the number “1”, insert the number “2”

Question – That the amendment be agreed to – put and agreed to on the voices, Mr Buffett and Mr Tim Brown dissenting

Mr Brown moved –

THAT the Bill as amended be agreed to

Question put

Bill as amended agreed to on the voices, Mr Buffett dissenting

24 FIXING OF THE NEXT SITTING DAY

Mrs Jack, Minister for the Environment, moved -

THAT the House at its rising adjourn until Wednesday 21 June 2006 at 10 am

Question put and agreed to on the voices

25 ADJOURNMENT

Mr John Brown moved –

THAT the House do now adjourn

Debate ensued with Mr Brown, Mrs Jack, Mr Nobbs and Mr Buffett participating.

Paper: Mrs Jack tabled the following papers in connection with the recent importation of a variety of mango trees from Queensland:

- Mango tree importation protocol issued by Administration of Norfolk Island;
- Permit 1/06 from Authorised Officer Norfolk Island Administration issued 23 March 2006 to Mr Peter Woodward re importation of bare rooted mango trees;
- Phytosanitary Certificate issued by Queensland Department of Primary Industries and Fisheries dated 12 April 2006

Question put and agreed to on the voices

AND THEN the House at 1.52 pm adjourned until Wednesday 21 June 2006 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present