

**NORFOLK ISLAND  
ELEVENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 15 & 22 NOVEMBER 2006**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
LEWNTH LEJESLIETEW 'SEMBLE  
WENDSI 15 & 22 NOWEMBA 2006**

1 The Legislative Assembly met at 10.00 am, the Speaker, Hon Geoff Gardner, took the Chair and read Prayers

2 **SUSPENSION OF SITTING UNTIL 22 NOVEMBER 2006**

The Speaker advised the House as follows:

"It is the intention of the House this morning to suspend until 22 November 2006. As Members are aware, Ministers of the Norfolk Island Government are resuming their discussions with Minister Jim Lloyd tomorrow morning in Melbourne. The Norfolk Island Ministers will also have meetings with Qantas and OzJet officials on Friday afternoon in Sydney. Along with Secretary to Government, Mr Peter Maywald, they depart on this morning's aircraft and return to the Island on Sunday the 19<sup>th</sup> November 2006. Suspending the sitting this morning until 22 November 2006 will allow the Ministers to fully brief the House and the community on the outcomes of their discussions."

The Speaker suspended the sitting at 10.03 am until Wednesday 22 November 2006

**The House resumed at 10.01 am on Wednesday 22 November 2006, the Speaker resuming the Chair**

3 **QUESTIONS WITHOUT NOTICE**

4 **PRESENTATION OF PAPERS**

The following papers were presented:

- (1) Mr Christian, Minister for Finance – Financial Indicators for October 2006  
Mr Christian moved –

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

- (2) Mr Brown, Minister for Community Services –

- (a) Financial Report and Independent Audit Report for Norfolk Island Government Tourist Bureau for year ended 30 June 2006;  
(b) Financial Report Independent Audit Report for Norfolk Island Hospital Enterprise for year ended 30 June 2006;

- (3) Mr Christian, Minister for Finance –

- (a) Audited Financial Statements for the Norfolk Island Administration for year ended 30 June 2006;  
(b) Census of Population and Housing 8 August 2006  
Mr Christian moved –

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices;

(4) Mr Brown, Minister for Community Services –

- (a) Inbound passenger statistics for October 2006  
Mr Brown moved –

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

- (b) Official tourist accommodation gradings assessed by AAA Tourism as at 15 November 2006

(5) The Speaker –

- (a) Independent audit report on the finances of The Administration of Norfolk Island for the year ended 30 June 2006;  
(b) Norfolk Island Provident Account Financial Statements for year ended 30 June 2006

## 5 STATEMENTS

Mr Christian, Minister for Finance, provided further information relative to the financial indicators for October 2006 in respect of the airline operation  
Mr Brown, Minister for Community Services, moved –

**THAT the House take note of the statement**

Debate ensued

Question put and agreed to on the voices

## 6 MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR

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

**Message No. 44** from the Administrator dated 30 October 2006 advising that on 19 October 2006 His Excellency the Governor-General declared his assent to the Land Titles (Amendment) Act 2005

**Message No. 45** from the Administrator dated 31 October 2006 advising that on 31 October 2006 he declared his assent to the Juries (Amendment) Act 2006 and the Healthcare (Amendment No. 2) Act 2006

**Message No. 46** from the Administrator dated 7 November 2006 advising that on 7 November 2006 he declared his assent to the Bookmakers (Betting Exchange) Amendment Act 2006

## 7 SOCIAL SERVICES (AMENDMENT NO. 2) BILL 2006

Mr Brown, Minister for Community Services, by leave, presented a Bill for an Act to amend the Social Services Act 1980 and moved –

**THAT the Bill be agreed to in principle**

Debate ensued

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

## 8 IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Mr Buffett, Chief Minister, moved –

**THAT this House resolves to –**

1. Discharge David Ernest Buffett from attending the Impact of Bills and Subordinate Legislation Committee; and
2. Nominate and elect Geoffrey Robert Gardner as a member of that Committee

Debate ensued

Question put and agreed to on the voices

## 9 LISTING OF KAVHA ON NATIONAL HERITAGE AND WORLD HERITAGE LISTS

Resumption of debate (Mr Nobbs) from 18 October 2006 on the question - That the motion be agreed to

Mr Brown, Minister for Community Services, moved –

**THAT the motion be amended to read as follows:**

**THAT this House, in relation to the Kingston and Arthur's Vale Historical Area (KAVHA) requests the responsible executive member to ensure that the current official approved KAVHA Conservation Management Plan (dated it is understood 1988) be revised as soon as possible and that the revised document be the subject of a formal approval process which includes an inbuilt appeal mechanism**

Debate ensued

Question - That the amendment be agreed to - put and agreed to on the voices, Mr Nobbs dissenting

Question – That the motion as amended be agreed to – put and agreed to on the voices, Mr Nobbs abstaining

**10 CUSTOMS (AMENDMENT NO. 2) BILL 2006**

Debate resumed (Mr Brown, Minister for Community Service) from 18 October 2006 on the question – That the Bill be agreed to in principle

**Mrs Jack, Minister for the Environment, absented herself from the Chamber due to pecuniary interest in the matter**

On the motion of Mr Brown, Bill withdrawn by leave

**Mrs Jack returned to the Chamber**

**11 HEALTHCARE LEVY (AMENDMENT NO. 2) BILL 2006**

Debate resumed (Mr Brown, Minister for Community Services) from 18 October 2006 on the question – That the Bill be agreed to in principle

Mr Brown moved –

**THAT the question be put**

Question – That the question be put – put

The House voted –

**AYES, 8**

**Mr Buffett**

**Mr Gardner**

**Mr Sheridan**

**Mr Nobbs**

**Mr Christian**

**Mr Tim Brown**

**Mrs Boudan**

**Mr Brown**

**NOES, 1**

**Mrs Jack**

Motion agreed to

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

The House voted –

**AYES, 5**

**Mr Buffett**

**Mr Gardner**

**Mr Christian**

**Mr Tim Brown**

**Mr John Brown**

**NOES, 4**

**Mr Sheridan**

**Mr Nobbs**

**Mrs Jack**

**Mrs Boudan**

Bill agreed to in principle

Mr Brown moved –

**THAT the Bill be agreed to**

Question put

The House voted -

**AYES, 5**  
**Mr Buffett**  
**Mr Gardner**  
**Mr Christian**  
**Mr Tim Brown**  
**Mr John Brown**

**NOES, 4**  
**Mr Sheridan**  
**Mr Nobbs**  
**Mrs Jack**  
**Mrs Boudan**

Bill agreed to

**12 NORFOLK ISLAND SUSTAINABILITY LEVY (AMENDMENT NO. 2) Bill 2006**

Debate resumed (Mr Christian, Minister for Finance) from 18 October 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

**Detail stage:**

Mr Christian moved that the following amendments be taken as read and agreed to as a whole:

1. **Amend clause 5(1)(a) as follows – for “derive” substitute “derived”;**
2. **Amend clause 5(2)(a) as follows – for “activity;” substitute “activity;”;**
3. **Amend clause 10 as follows – for “Party” substitute “Part”; and**
4. **Amend clause 12(b) as follows – for “provide’ substitute “provided”**

Question – That the amendments be agreed to – put and agreed to on the voices

Question – That the clauses 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 Christian moved –

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to

**13 SOCIAL SERVICES (AMENDMENT) BILL 2006**

Debate resumed (Mr Brown, Minister for Community Services) from 18 October 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

**Detail stage:**

Mr Brown moved – That the following amendments be agreed to

**“That the following clauses be inserted after clause 4 of the Bill –**

**‘Amendment of definitions**

**5. Section 3 of the principal Act is amended -**

**(a) by deleting the definition “officer” and substituting –**

**“officer” has the meaning given to “public sector employee” by the *Public Sector Management Act 2000*”;**

**(b) by amending the definition of “income” by inserting after paragraph (a) –**

**(aa)the value of an interest in any property received by way of distribution from a deceased estate other than an interest in real property.”**

**Amendment of section 4****6. For subsection 4(4) of the principal Act substitute –**

**“(4) The following are not capable of being chosen as a member of the Board –**

- (a) the executive member;**
- (b) the authorised officer; and**
- (c) a person involved as an employee or volunteer in the provision of social services.”**

**Proposed paragraph 4(4)(c) withdrawn by leave**

Question – That the amendments be agreed to – put and agreed to on the voices, Mr Buffett abstaining

Question – That the clauses 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 Brown moved –

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to

**14 FIXING OF THE NEXT SITTING DAY**

Mr Nobbs moved -

**THAT the House at its rising adjourn  
until Thursday 21 December 2006 at 10 am**

Question put and agreed to on the voices

**15 ADJOURNMENT**

Mr Tim Brown moved –

**THAT the House do now adjourn**

Debate ensued with Mrs Jack participating

Question put and agreed to on the voices

**AND THEN the House at 12.48 pm adjourned until Thursday 21 December 2006 at 10 am**

Robin-Eleanor Adams  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present except Mr Tim Brown by leave on 18 October 2006