

**NORFOLK ISLAND
TWELFTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 18 FEBRUARY 2009**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TWELWTH LEJESLIETEW 'SEMBLE
WENSDI 18 FEBYUWERI 2009**

- 1 The Legislative Assembly met at 10.02 am. The Speaker, Hon Lisle Snell MLA, took the Chair and read Prayers

2 **CONDOLENCES**

Mr Sheridan recorded the passing of –

**James Bruce Smith
Nancy Jocelyn Smith**

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

3 **QUESTIONS WITHOUT NOTICE**

4 **ANSWERS TO QUESTIONS ON NOTICE**

The Minister for Finance provided an answer to the question on notice from Mr Sheridan relating to the cash position of the Administration as at 31 December 2009

5 **PRESENTATION OF PAPERS**

The following papers were tabled:

- 1) Mr Gardner, Minister for Tourism and Health, tabled the inbound passenger statistics for December 2008 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 2) Mrs Jack, Minister for the Environment, Education and Social Welfare – exposure draft of the Child Welfare Bill 2009
Mr Gardner, Minister for Tourism and Health, moved –

THAT the paper be noted and printed

Debate ensued

Question put and agreed to on the voices

- 3) Mr Gardner, Minister for Tourism and Health – Public Sector Remuneration Tribunal Determination PSRT 1 of 2008 in respect of the Legislative Assembly

6 **STATEMENTS**

The following statements were made:

Mr Gardner, Minister for Tourism and Health, reported that consequent on the resignation of Justice Weinberg, that the Hon Peter Michael Jacobson had been appointed Chief Justice of the Supreme Court of Norfolk Island

7 **MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR**

The Speaker report Message No. 24 from the Office of the Administrator advising that on 13 February 2009 he declared his assent to the Waste Management (Amendment) Act 2009

8 DEDICATION OF OLD ROADS

Mr Magri, Minister for Commerce and Industry, pursuant to notice, moved –

THAT the Legislative Assembly resolves that for the purposes of section 35(1) of the Roads Act 2002 empowering the executive member during the transitional period to dedicate land that was an old road or an old service area as a public road or as part of a public road, the period before 27 February 2010 is, under section 45A(b) of the Act, declared to be the transitional period

Paper: Mr Magri tabled a memorandum to him dated 14 January 2009 from the Registrar of Titles advising the categories of roads proposed for dedication as public roads under Part 8 of the Roads Act 2002

Debate ensued

Question put and agreed to on the voices

9 MOTION BY LEAVE – IMMIGRATION ACT 1980 – SETTING OF QUOTA FOR PERIOD 17 FEBRUARY 2009 TO 16 FEBRUARY 2010

Mr Andre Nobbs, Chief Minister, by leave, moved -

THAT for the purposes of subsection 21(1) of the Immigration Act 1980, this Legislative Assembly resolve that it be determined by instrument in writing that 100 General Entry Permits be granted during the period 17 February 2009 to 16 February 2010

Mr Gardner, Minister for Tourism and Health, by leave, moved –

THE figure “100” be deleted and the figure “30” inserted

Debate ensued

Question – That the amendment be agreed to – put

The House voted –

AYES, 1

Mr Gardner

NOES, 6

Mr Brendon Christian

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Anderson

Mr Magri

ABSTENTIONS, 1

Mr Snell

Mr Sheridan was absent from the chamber during the vote

Amendment defeated

Mr Magri, Minister for Commerce and Industry, moved –

THAT the question be put

Question – That the motion be agreed to - put

The House voted –

AYES, 7

Mr Brendon Christian

Mr Sheridan

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Anderson

Mr Magri

NOES, 1

Mr Gardner

ABSTENTIONS, 1

Mr Snell

Motion agreed to

10 ROAD TRAFFIC (AMENDMENT) BILL 2009

Mr Gardner, Minister for Tourism and Health, presented a Bill for an Act to amend the Road Traffic Act 1982 and moved –

THAT the Bill be agreed to in principle

Paper: Mr Gardner tabled the explanatory memorandum to the Bill

Debate ensued

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

11 APPROPRIATION (AMENDMENT) BILL 2008-2009

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

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mr Christian moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices

12 ROAD TRAFFIC (AMENDMENT) BILL 2008

Debate resumed (Mrs Jack, Minister for the Environment, Education and Social Welfare) on the question – That the Bill be agreed to in principle

Mrs Jack moved –

THAT the question be put

Question – That the question be put – put

The House voted –

AYES, 6

Mr Snell

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

NOES, 3

Mr Brendon Christian

Mr Sheridan

Mr Magri

Motion agreed to

Question – That the motion be agreed to – put

The House voted –

AYES, 5

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

NOES, 3

Mr Brendon Christian

Mr Sheridan

Mr Magri

ABSTENTIONS, 1

Mr Snell

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mrs Jack moved –

THAT the Bill be agreed to

Question put

The House voted –

AYES, 5

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

NOES, 3

Mr Brendon Christian

Mr Sheridan

Mr Magri

ABSTENTIONS, 1

Mr Snell

Bill agreed to

13 ROAD TRAFFIC (AMENDMENT NO. 2) BILL 2008

Debate resumed (Mr Magri, Minister for Commerce and Industry) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mr Magri moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices

14 PLANT AND FRUIT DISEASES (AMENDMENT) BILL 2008

Debate resumed (Mrs Jack, Minister for the Environment, Education and Social Welfare) on the question – That the Bill be agreed to in principle

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

15 FIXING OF THE NEXT SITTING DAY

Mr Magri, Minister for Commerce and Industry, moved –

THAT the house at its rising adjourn until Wednesday 25 March 2009 at 10 am

Question put and agreed to on the voices

16 ADJOURNMENT

Mr Brendon Christian moved –

THAT the House do now adjourn

Debate ensued with Mr Nobbs and Mrs Jack participating

Question put and agreed to on the voices

AND THEN the House at 1.39 pm adjourned until Wednesday 25 March 2009 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present