

**NORFOLK ISLAND
TWELFTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
THURSDAY 25 AND MONDAY 29 2009**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TWELWTH LEJESLIETEW 'SEMBLE
THERSDI 25 EN MANDI 29 JUUN 2009**

- 1 The Legislative Assembly met at 10.03 am. The Speaker, Hon Lisle Snell MLA, took the Chair and read Prayers

2 **SUSPENSION OF SITTING**

Mr Gardner moved –

That the House do now suspend until Monday 29th June 2009 at 10am

Debate ensued

Question put and agreed to on the voices

3 **RESUMPTION OF SITTING**

The House resumed at 10.00 am on Monday, 29th June 2009, the Speaker taking the Chair

4 **LEAVE OF ABSENCE – MR BRENDON CHRSTIAN MLA**

Leave of absence was unanimously extended to Mr Brendon Christian

5 **CONDOLENCES**

Mr Sheridan recorded the passing of –

**William Kenneth Green
Dorothy Jean Kitching
Thelma Reynolds
Beverley Harrison McCoy**

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

6. **MOTION BY LEAVE – NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 – APPOINTMENT AND RE-APPOINTMENT OF MEMBERS TO THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU**

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

THAT this House in accordance with section 4 of the *Norfolk Island Government Tourist Bureau Act 1980* recommends to the executive member that he re-appoint

**Morgan Evans
Nadia Cuthbertson; and
Wallace James Beadman**

to be members of the Norfolk Island Government Tourist Bureau for the period commencing 1 July to 30 June 2010; and that under section 4 he appoint—

**David Sanders; and
David Porter,**

to be members of the Norfolk Island Government Tourist Bureau for the period

commencing 1 July to 30 June 2010

Debate ensued
Question put and agreed to on the voices

7. JUSTICE LEGISLATION (MISCELLANEOUS AMENDMENT) BILL 2009

Mr Gardner, Minister for Tourism and Health, pursuant to notice, presented a Bill for An Act to amend the Criminal Code Act 2007, the Criminal Procedure Act 2007, the Court Procedures Act 2007, the Sentencing Act 2007, the Suits by and against the Administration Act 1979 and to repeal certain defunct enactments, 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

8. WASTE MANAGEMENT (AMENDMENT NO.2) BILL 2009

Leave having been extended for Mrs Jack to present the Waste Management (Amendment No.2) Bill 2009 and for the Bill to be considered through all stages at this sitting, Mrs Jack, Minister for the Environment, Education and Social Welfare, moved -

THAT the Bill be agreed to in principle

Paper: Mrs Jack tabled the Explanatory Memorandum to the Bill
Debate ensued
Mrs Jack moved –

THAT debate be adjourned until later in this sitting

Question put and agreed to on the voices

9. DEPARTURE FEE (AMENDMENT) BILL 2009

Leave having been extended for Mr Christian to present the Departure Fee (Amendment) Bill 2009 and for the Bill to be considered through all stages at this sitting, Mr Christian, Minister for Finance, presented the Departure Fee (Amendment) Bill 2009 and moved –

THAT the Bill be agreed to in principle

Paper: Mr Christian tabled the Explanatory Memorandum to the Bill
Debate ensued
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

10 APPROPRIATION BILL 2009-2010

Debate resumed (Mr Neville Christian, Minister for Finance,) from 17 June 2009 on the question – That the Bill be agreed to in principle

Question put
Bill agreed to in principle on the voices, Mr Sheridan dissenting

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, Mr Sheridan dissenting

11 VALUATION OF LAND BILL 2009

Debate resumed (Mr Neville Christian, Minister for Finance,) from 17 June 2009 on the question – That the Bill be agreed to in principle

Question put

The House voted –

AYES, 6

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

Mr Magri

NOES, 2

Mr Snell

Mr Sheridan

Bill agreed to in principle

Detail stage

Mr Christian moved –

THAT the Bill be amended as follows –

That all clauses after clause 2 of the Valuation of Land Bill 2009 be deleted and the following inserted:

“Valuations

3. (1) The executive member may at any time cause a valuation to be made of the value of a parcel of land.

(2) A valuation made under this section must be made by a valuer appointed under subsection (3).

(3) For the purposes of this section the executive member may by notice in the Gazette appoint one or more persons who are registered as a valuer in a State or Territory of the Commonwealth.

(4) For the purpose of making a valuation under subsection (1) a valuer may at any time during the normal hours of duty of the Norfolk Island public sector enter upon the land the subject of the valuation.

(5) A valuer entering upon land for the purpose of making a valuation must upon request produce identification in a form approved by the executive member.

(6) A person must not refuse entry to a valuer who has produced his or her identification and who seeks entry to land in accordance with this section.

Penalty: 5 penalty units.

(7) A copy of the valuation made by the valuer under this section may be made available to the landowner upon request.

Regulations

4. The Administrator may make Regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.”

Question – That the amendments be agreed to – put and agreed to on the voices, Mr Snell and Mr Sheridan dissenting

Question – That the clauses as amended be agreed to - put and agreed to on the voices, Mr Snell and Mr Sheridan dissenting

Question – That the remainder of the Bill be agreed to - put and agreed to on the voices, Mr Snell and Mr Sheridan dissenting

Mr Christian moved –

THAT the Bill as amended be agreed to

Question put

Bill agreed to on the voices , Mr Snell and Mr Sheridan dissenting

12. WASTE MANAGEMENT (AMENDMENT NO.2) BILL 2009

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

Debate ensued

Question put

The House voted –

AYES, 6

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

Mr Magri

NOES, 1

Mr Sheridan

ABSTENTIONS, 1

Mr Snell

Bill agreed to in principle

Detail stage

Mrs Jack moved the following amendments:

That the Bill be amended as follows:

- 1. Delete all words in proposed new section 13A from and including the words ” (1) A person must not –“ through to and including the word “unless –“and substitute –**

“(1) A person must not move asbestos or an asbestos product (the ‘waste’) from any place where it has, before or after the commencement of this section, been dumped, stored or otherwise placed or remove the waste from a building, structure, plant or vehicle unless –“; and

- 2. Renumber proposed paragraphs (i) and (ii) as (a) and (b) respectively**

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 put – That the remainder of the Bill be agreed to

Mrs Jack moved -

THAT the Bill as amended be agreed to

Question put

Bill agreed to on the voices, Mr Sheridan dissenting and Mr Snell abstaining

13 FIXING OF THE NEXT SITTING DAY

Mr Anderson moved –

THAT the House at its rising adjourn until Wednesday 15 July 2009 at 10 am

Question put and agreed to on the voices

15 ADJOURNMENT

Mr Magri moved –

THAT the House do now adjourn

Debate ensued with Chief Minister and Minister for Tourism and Health participating

Question put and agreed to on the voices

AND THEN the House at 1.50 pm adjourned until Wednesday 15 July 2009 at 10 am

Robin-Eleanor Adams

Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present except Mr Brendon Christian by leave