

**NORFOLK ISLAND
TWELFTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
TUESDAY 15 DECEMBER 2009**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TWELWTH LEJESLIETEW 'SEMBLE
TUUSDI 15 DISEMBA 2009**

1 The Legislative Assembly met at 10.00 am. The Speaker, Hon Lisle Snell MLA, took the Chair and read Prayers

2 VISITORS TO THE PUBLIC GALLERY

The Speaker welcomed to the Public Gallery Mrs Rosemary Menkens MP and her husband Ray. Mrs Menkens is State Member for Burdekin Queensland, Shadow Minister for Community Services and Housing and Shadow Minister for Women in the Queensland Parliament. The Speaker also welcomed Mr Russ Beadman

3 CONDOLENCES

Mr Sheridan recorded the passing of –

Roy Andrew Smith

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

4 QUESTIONS WITHOUT NOTICE

5 ANSWERS TO QUESTIONS ON NOTICE

An answer was provided to Question on Notice No. 4 from Mr Tim Sheridan to the Minister for Finance in respect of the alleged non reimbursement to Martins Agencies of insurance cover for the Ball Bay Bulk Facilities and airport Management and Refueling agreement

6 PRESENTATION OF PAPERS

Mr Christian, Minister for Finance tabled the financial indicators for November 2009
Mr Magri, Minister for Commerce and Industry, moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

7 STATEMENTS

Mr Nobbs, Chief Minister, made a statement summarizing key issues addressed and achievements made by the Twelfth Assembly in the twelve months just passed
Mr Gardner, Minister for Tourism and Health, moved –

THAT the House take note of the statement

Debate ensued

Question put and agreed to on the voices

7 REPORT OF IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Mr Christian, Chairman of the Impact of Bills and Subordinate Legislation Committee, tabled the final report of the Committee on the impact of the Liquor (Amendment) Bill 2009 and read the report in full into Hansard

Mr Christian moved –

That the recommendations be agreed to

Debate ensued

Debate adjourned (Mr Neville Christian) until later in the sitting

8 REQUEST THAT HIS HONOUR THE ADMINISTRATOR CALL A GENERAL ELECTION

Mr Nobbs, Chief Minister, pursuant to notice, move –

THAT in accordance with section 35 of the Norfolk Island Act 1979 the Administrator be requested to determine Wednesday 17 March 2010 as the date for a general election

Debate ensued

Question put and agreed to on the voices

9 REPORT OF IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Debate resumed (Mr Christian) on the question – That the motion be agreed to

Mr Gardner, Minister for Tourism and Health, moved –

That all words after “That” first occurring be deleted and the following substituted –

The recommendations be considered and voted on one at a time”

Question – That recommendation number 1 be agreed to – put and agreed to on the voices

Question – That recommendation number 2 be agreed to – put

The House voted –

AYES, 4

Mr Brendon Christian

Mr Neville Christian

Mr Anderson

Mr Magri

NOES, 5

Mr Snell

Mr Sheridan

Mrs Jack

Mr Nobbs

Mr Gardner

Motion negatived

Question - That recommendation number 3 be agreed to – put and agreed to on the voices

Question - That recommendation number 4 be agreed to – put and agreed to on the voices

10 APPOINTMENT OF NORFOLK ISLAND GOVERNMENT AUDITOR

Mr Christian, Minister for Finance, pursuant to notice, moved –

THAT the Legislative Assembly recommends to the Administrator that he —

a) appoint CST Nexia Chartered Accountants of New Zealand, a firm in which at least one of its members is a registered auditor within the meaning of section 51A of the *Norfolk Island Act 1979*, to be the Norfolk Island Government Auditor under section 51 of the Act for the financial year ending 30 June 2010; and

b) for the purposes of section 51 of the *Norfolk Island Act 1979* determine that the terms and conditions of appointment of the Norfolk Island Government Auditor be —

(i) an annual base fee of \$39,650 for the financial year ending 30 June 2010;

(ii) the reimbursement at their actual costs of out of pocket expenses incurred in relation to the appointment up to a maximum of \$11,000 in any one year

Debate adjourned

Question put and agreed to on the voices

11 APPOINTMENT OF AUDITOR FOR NORFOLK ISLAND GOVERNMENT TOURIST BUREAU

Mr Gardner, Minister for Tourism and Health, pursuant to notice, moved -

THAT for the purposes of subsection 18(1) of the *Norfolk Island Government Tourist Bureau Act 1980*, the Legislative Assembly resolve that CST Nexia Chartered Accountants of New Zealand, appointed as the Norfolk Island Government Auditor under section 51A of the *Norfolk Island Act 1979*, be the Auditor of the Norfolk Island Government Tourist Bureau for the financial year ending 30 June 2010

Debate adjourned

Question put and agreed to on the voices

12 HEALTHCARE (AMENDMENT NO. 2) BILL 2009

Mr Gardner, Minister for Tourism and Health, pursuant to notice, presented a Bill for an Act to amend the *Healthcare Act 1989* for the purposes of clarifying the eligibility of persons for emergency evacuation and to permit optometrists to provide a limited class of prescriptions, to make consequent amendment to the *Pharmacy Act 1956* and the *Medical Practitioners Registration Act 1983* and for related purposes and moved –

THAT the Bill be agreed to in principle

Paper tabled: 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

The Speaker suspended the sitting at 1.03 pm until 3 pm

The House resumed at 3 pm, the Speaker taking the Chair

13 PLANNING ACT 2002

Mrs Jack, Minister for the Environment, Education and Social Welfare, pursuant to notice, tabled the revised version of the Norfolk Island Plan and support documents and moved –

THAT in accordance with subsection 12(4) of the *Planning Act 2002*, this House resolves that the draft plan laid before this House being a revised version of the Norfolk Island Plan originally approved on 25 February 2004 as most recently amended on 18 November 2009, and deemed to be the Plan under section 8 of the *Planning Act 2002*, be approved; and that for the purposes of subsection 13(1) of the *Planning Act 2002* that the date of commencement of the approved plan be 29 January 2010

Debate ensued

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

14 WASTE MANAGEMENT REGULATIONS 2004

Debate resumed (Mrs Jack, Minister for Environment, Education and Social Welfare) from 18 November 2009 on the question – That the motion be agreed to

Question put

The House voted –

AYES, 6

Mr Brendon Christian

Mr Neville Christian

Mr Nobbs

Mr Gardner

Mr Anderson

Mr Magri

NOES, 3

Mr Snell

Mr Sheridan

Mrs Jack

Motion agreed to

15 SOCIAL SERVICES (AMENDMENT) BILL 2009

Debate resumed (Mrs Jack, Minister for the Environment, Education and Social Welfare) from 25 March 2009 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

16 FIXING OF THE NEXT SITTING DAY

Mr Brendon Christian moved –

THAT the House at its rising adjourn until Wednesday 20 January 2010 at 10 am

At the request of Mrs Jack, Minister for the Environment, Education and Social Welfare, the date was amended to 27 January 2010

Question put and agreed to on the voices

17 ADJOURNMENT

Mr Sheridan moved –

THAT the House do now adjourn

Debate ensued with all Members participating

Question put and agreed to on the voices

AND THEN the House at 4.16 pm adjourned until Wednesday 27 January 2010 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present