

**NORFOLK ISLAND
FOURTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 10 APRIL 2013**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
FORTIINTH LEJESLIETEW 'SEMBLE
WEDNESDAY 10 IEPRIL 2013**

1 The Legislative Assembly met at 10.03 am, the Speaker, Hon David Buffett AM MLA, took the Chair and read Prayers

2 **QUESTIONS WITHOUT NOTICE (10.04 AM)**

Mrs Ward moved –

THAT questions without notice be extended by 15 minutes

Question - THAT Questions without notice be extended to 11.14 am – put and agreed to on the voices

3 **PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Minister for Cultural Heritage and Community Services, Ms Adams- ***Immigration Act 1980 – Declaration of residency year ended 31 December 2012***
- 2) Minister for Finance, Mr Sheridan – **Customs Approved Exemptions**
- 3) Minister for Finance, Mr Sheridan – **GST Quarterly Report – Jan/Mar 2013**

4 **STATEMENTS**

The following statements were made –

- 1) Chief Minister and Minister for Tourism, Mr Snell – **Including Government Portfolio Priorities; Proposed visit by the Hon Catherine King, MP, Minister for Regional Services, Local Communities and Territories - 15-16 April; Visit of Joint Standing Committee; Ministerial Portfolios; CEO and Chief of Staff resignations; recruitment process**

Mrs Ward moved –

THAT the Statement be noted

Debate ensued

Question put and agreed to on the voices

- 2) Minister for Cultural Heritage and Community Services, Ms Adams - **Update on portfolio responsibilities – Community Services; KAVHA and Immigration**
- 3) Minister for Cultural Heritage and Community Services, Ms Adams - **Report on meeting with Norfolk Women's Forum; Foodcare and Social Awareness Group**
- 4) Minister for Cultural Heritage and Community Services, Ms Adams - **Report on meeting with Customs and Immigration Manager; Immigration Officer; Crown Counsel; CEO, Chief Minister and Social Services Manager re *Immigration (Amendment No 2) Bill 2012***
- 5) Minister for Cultural Heritage and Community Services, Ms Adams – **Immigration Report**
- 6) Minister for Cultural Heritage and Community Services, Ms Adams – **KAVHA Report**

5 **IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY TO THE IMMIGRATION COMMITTEE**

Minister for Cultural Heritage and Community Services, Ms Adams, pursuant to notice, moved –

THAT for the purposes of subsections 6(2) and 6(4) of the *Immigration Act 1980*, this House recommends to the executive member that –

**Ronald Coane Nobbs, and
Melissa Ward**

being members of the Legislative Assembly, be appointed as members of the Immigration Committee.

Debate ensued

Question put and agreed to on the voices

6 SOCIAL SERVICES ACT 1980 - APPOINTMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD

Minister for Cultural Heritage and Community Services, Ms Adams, pursuant to notice, moved –

THAT for the purposes of subsection 5(1) of the *Social Services Act 1980*, this House resolves to choose –

**Ronald Coane Nobbs, and
Melissa Ward**

being members of this House, to each be a member of the Norfolk Island Social Services Board and further, in accordance with subsection 4(5) of the Act, appoint –

Melissa Ward

to be chairman of the Board

Debate ensued

Question put and agreed to on the voices

7 HEALTHCARE ACT 1989 – APPOINTMENT OF A MEMBER TO THE HEALTHCARE CLAIMS COMMITTEE

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

THAT for the purposes of section 22(2) of the *Healthcare Act 1989*, this House resolves to choose –

Hadyn Paul Evans

to be a Member of the Claims Committee

Debate ensued

Question put and agreed to on the voices

8 SEA INSTALLATIONS ACT 1987 (CLWTH) – NOMINATION OF MEMBER TO BE REPRESENTATIVE

Minister for the Environment, Mr Ward pursuant to notice, moved –

THAT for the purposes of paragraph (d) of the definition of “representative” in section 4(1), of the *Sea Installations Act 1987* of the Commonwealth, this House nominates –

David Raymond Porter

to represent Norfolk Island for the purposes of the Act

Debate ensued

Question put and agreed to on the voices

9 NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 – APPOINTMENT OF MEMBER OF THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU

Chief Minister and Minister for Tourism, Mr Snell, pursuant to notice, moved –

THAT this House in accordance with subsection 4(2) of the Norfolk Island Government Tourist Bureau Act 1980 recommends to the executive member that he appoint –

David Raymond Porter

as a member of the Norfolk Island Government Tourist Bureau

Debate ensued

Question put and agreed to on the voices

10 APPOINTMENT OF BUSINESS COMMITTEE

Mr Nobbs, pursuant to notice, moved -

THAT this House pursuant to standing order 20 in addition to the Speaker appoints –

**Lisle Denis Snell; and
Robin Eleanor Adams**

to be Members of the Business Committee

Debate ensued

Question put and agreed to on the voices

11 APPOINTMENT OF THE HOUSE COMMITTEE

Mrs Ward, pursuant to notice, moved –

THAT this House, pursuant to standing order 19, in addition to the Speaker, appoints –

**Hadyn Paul Evans; and
Timothy John Sheridan**

to be Members of the House Committee

Debate ensued

Question put and agreed to on the voices

12 APPOINTMENT OF STANDING ORDERS COMMITTEE

Mr Porter, pursuant to notice, moved –

THAT this House, pursuant to standing order 17, in addition to the Speaker and Deputy Speaker, appoints –

**Robin Eleanor Adams;
Timothy John Sheridan; and
Melissa Ward**

to be Members of the Standing Orders Committee

Debate ensued

Question put and agreed to on the voices

13 APPOINTMENT OF THE IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE

Mr Evans, pursuant to notice, moved –

THAT this House pursuant to standing order 20A appoints –

**Ronald Coane Nobbs;
Melissa Ward; and
David Raymond Porter**

**as Members of the Impact of Bills and Subordinate Legislation Committee and appoints –
Timothy John Sheridan**

as the alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason

Debate ensued

Question put and agreed to on the voices

14 APPOINTMENT OF A COMMITTEE OF PRIVILEGES

Mr Ward, pursuant to notice, moved:

THAT this House, pursuant to standing order 18, appoints –

**Ronald Coane Nobbs
Timothy John Sheridan; and
David Raymond Porter**

as permanent members of the Committee of Privileges; and

Melissa Ward

as the alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason

Debate ensued

Question put and agreed to on the voices

15 APPOINTMENT OF A PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Minister for Finance, Mr Sheridan, pursuant to notice, moved -

THAT this House, pursuant to standing order 20B, in addition to the Speaker (ex officio) appoints –

**Ronald Coane Nobbs
Hadyn Paul Evans; and
David Raymond Porter**

as Members of the Public Accounts and Estimates Committee

Debate ensued

Question put and agreed to on the voices

16 AMENDMENT OF STANDING ORDERS – ESTABLISHMENT OF INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE

Chief Minister, Mr Snell pursuant to notice moved –

THAT the Standing Orders be amended by the insertion of the following new standing order: “20C. An Infrastructure and Business Development Committee to consist of the Chief

Minister (ex officio) and three other Members shall be appointed as soon as practicable after the opening of a new Houser to:

- 1) **Investigate and report on –**
 - (a) **the means by which the current Norfolk Island economy may be strengthened and expanded;**
 - (b) **Norfolk Island’s current and future infrastructure needs based on current, proposed or potential business development requirements; and**
 - (c) **such other relevant matters as the Chief Minister and/or the Committee deems relevant.**
- 2) **The Committee shall –**
 - (a) **have the power to send for persons, papers and records; and may invite submissions from members of the public; and**
 - (b) **report to the Legislative Assembly as to the outcome of its deliberations and recommendations on a quarterly basis.**

Debate ensued

Question put and agreed to on the voices

17 APPOINTMENT OF MEMBERS OF THE INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE

Chief Minister and Minister for Tourism, Mr Snell pursuant to notice, moved -

THAT this House under standing order 20C, in addition to the Chief Minister (ex officio) appoints –

**Ronald Coane Nobbs;
Haydn Paul Evans; and
David Raymond Porter**

as Members of the Infrastructure and Business Development Committee

Debate ensued

Question put and agreed to on the voices

18 POLICE ACT 1931 – REVIEW

Mr Nobbs pursuant to notice, moved -

THAT this House resolves that the Minister responsible for the Norfolk Island Police undertake a review of the Norfolk Island *Police Act 1931* and attendant arrangements between the Commonwealth and Norfolk Island governments in relation to policing on Norfolk Island, including a review of the Memorandum of Understanding, and report to the House within 60 days

Debate ensued

Question put and agreed to on the voices

19 PUBLIC SECTOR MANAGEMENT ACT 2000 - APPOINTMENT OF A DEPUTY OF A MEMBER OF THE PUBLIC SERVICE BOARD

Chief Minister and Minister for Tourism, Mr Snell to move —

THAT this House in accordance with subsection 11(1) of the *Public Sector Management Act 2000*, recommends that the responsible Minister appoint —

Rhonda Evelyn Griffiths

as a deputy of a Board Member of the Public Service Board referred to in section 10(1)(a) for the period of two years commencing 11 April 2013.

Debate ensued

Question put and agreed to on the voices

20 NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 - APPOINTMENT OF MEMBER OF THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ADVISORY BOARD AND APPOINTMENT OF DEPUTY MEMBER

Chief Minister and Minister for Tourism, Mr Snell pursuant to notice, moved -

THAT this House in accordance with sections 4 and 6 of the *Norfolk Island Government Tourist Bureau Act 1980* resolves that the Minister with responsibility for the Norfolk Island Government Tourist Bureau Advisory Board appoint —

Rael Donde

to be a member of the Norfolk Island Government Tourist Bureau Advisory Board for the term of two years commencing 11 April 2013;

and appoint —

Greg Brugman

to be a delegate member of the Norfolk Island Government Tourist Bureau Advisory Board for the appointed member and to act as the member if the member is absent or unable to discharge official duties, during the term that the member is appointed to the Norfolk Island Government Tourist Bureau Advisory Board.

Debate ensued

Question put and agreed to on the voices

21 MOTION BY LEAVE – PUBLIC SECTOR MANAGEMENT ACT 2000 – RECOMMENDATION OF ASSEMBLY FOR APPOINTMENT OF EXECUTIVE DIRECTOR BY CHIEF ADMINISTRATIVE OFFICER

Chief Minister and Minister for Tourism, Mr Snell, sought leave to move foreshadowed motion

Question – **THAT leave be granted** - put

Mr Nobbs dissented

Minister for Cultural Heritage and Community Services, Ms Adams moved –

THAT so much of Standing Orders be set aside as to allow the motion to be brought on

Question put

The House voted –

AYES, 8

Mr Buffett

Mr Porter

Mr Ward

Ms Adams

Mr Snell

Mrs Ward

Mr Evans

Mr Sheridan

Leave was granted

Chief Minister and Minister for Tourism, Mr Snell, moved -

NOES, 1

Mr Nobbs

ABSTENTIONS, 0

THAT for the purpose of subsection 39(1) of the *Public Sector Management Act 2000*, this Legislative Assembly recommends that Mr Bruce Taylor be appointed by the Chief Executive Officer in accordance with the provisions of the organizational structure and

employment standards as an Executive Director with the title or designation of Deputy Chief Executive Officer

Debate ensued

Question – **THAT the motion be agreed to** - put

The House voted –

AYES, 7

Mr Buffett

Mr Porter

Mr Ward

Ms Adams

Mr Snell

Mr Evans

Mr Sheridan

Motion agreed to

NOES, 1

Mr Nobbs

ABSTENTIONS, 1

Mrs Ward

- 22 AUSTRALIAN NATIONAL AUDIT OFFICE ~ INDEPENDENT AUDITOR'S REPORT**
Resumption of debate (Mr Nobbs) from 20 March 2013 on the question – **THAT the Independent Auditor's Report for the Administration of Norfolk Island; Norfolk Island Hospital Enterprise; and The Norfolk Island Government Tourist Bureau, tabled by Mr Sheridan, be noted**

Debate ensued

Question – **THAT the Papers be noted** - put and agreed to on the voices

- 23 FIXING OF NEXT SITTING DAY**

Mr Porter moved –

THAT the House at its rising adjourn until Wednesday 8 May 2013 at 10 am

Question put and agreed to on the voices

- 20 ADJOURNMENT**

Mr Evans moved –

THAT the House do now adjourn

Debate ensued with Ms Adams and Mr Snell participating

Question put and agreed to on the voices

AND THEN the House at 1 pm adjourned until Wednesday 8 May 2013 at 10 am

Gaye Evans
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present