

**NORFOLK ISLAND  
FOURTEENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 19 MARCH 2014**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
FORTIINTH LEJESLIETEW 'SEMBLE  
WEDNESDAY 19 MAACH 2014**

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

2 **CONDOLENCES**

Mr Evans recorded the passing of –

**Carolyn Clare Edward  
Peter Hubert Standfield**

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

3 **QUESTIONS WITHOUT NOTICE (10.08 AM)**

4 **ANSWERS TO QUESTIONS ON NOTICE**

**Responses were provided to:**

**41 Mrs Ward asked the Minister for Finance -**

Will the Minister assure the House that municipal rates will not be implemented prior to a household income and business survey being carried out and considered as stated in Schedule 2, 19.6 of the 2013-14 funding agreement?

**42 Mrs Ward asked the Chief Minister –**

Is it a fact that the Norfolk Island Administration requires assistance to design household income and business surveys and if so; has this assistance been sought from the Commonwealth, has assistance been provided and when can the community expect to engage in the survey process?

**43 Mrs Ward asked the Minister for Finance –**

Will the Minister provide the following information in relation to the supply of fuel to the Island:

1. When does the current fuel supply contract end,
2. Is there an option for the current contract to be extended and if so for how long,
3. Has an appropriate tender document been developed yet,
4. When will the tender request be Gazetted, and
5. Who will oversee the tender process and ensure that the community receives value for money?

**44 Mrs Ward asked the Chief Minister – answered by Minister for Finance, Mr Sheridan**

Is it a fact that the Norfolk Island Government is committed to scoping and implementing land tax in addition to municipal rates, in order to broaden its revenue base and in preparation for integration into the Federal taxation and social security system?

**45 Mrs Ward asked the Chief Minister –**

Is it a fact that the absence of contemporary Public Service legislation is seen by the Norfolk Island Government as a barrier to reform?

- 46 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Given that the Minister has publicly stated that recent amendments to the *Immigration Act 1980* have created unintended consequences; will the Minister update Members on what is being done to address unintended consequences, particularly in relation to Section 33A which states that a foreign national who is already residing on island must be entitled to reside permanently in Australia before they can be granted Norfolk Island residency?
- 47 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Given that there is no legislated timeframe in which immigration permit applications must be processed; will the Minister propose an appropriate timeframe and seek to amend the legislation accordingly?
- 48 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Given that a key Norfolk Island Government policy objective is to grow the population; will the Minister outline the measures which have been put in place to ensure that the Government's '*Sustainable Growth Strategy*' objectives are being met and provide an update to the community on the rate of success or otherwise?
- 49 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Is it a fact that children are being denied access to education at the school because they are classed as visitors and if so; will the Minister highlight the documented policy and sections of legislation which would show why visitor children are unable to access a public school education while on island?
- 50 Mrs Ward asked the Minister for Environment –**  
Is it a fact that the Norfolk Island Government produced a position paper on the introduction of community title and if so; will the Minister provide a copy of the document to Members?
- 51 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Given that appointment of a Director of the Norfolk Island Hospital Enterprise is a required condition of the funding agreement; will the Minister explain why the position was not filled prior to the acting Director leaving the island?
- 52 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**  
Will the Minister outline which Australian National Audit Office recommendations have been implemented in relation to the Norfolk Island Hospital Enterprise, which have not and give reasons for any non-compliance?
- 53 Mrs Ward asked the Chief Minister –**  
Given that the Norfolk Island Administration has demonstrated its inability to meet 2013-14 funding agreement milestones in a timely manner; when will the Government put in place mechanisms and adequate resources to ensure the completion of all milestones by June 30?

## 5 PRESENTATION OF PAPERS

The following papers were presented:

- 1) Minister for the Environment, Mr Ward - **Letter to Hon Jamie Briggs MP from Chief Minister re CDG010 – Cascade Pier Project**
- 2) Minister for the Environment, Mr Ward - **Strata/Community Title for NI**
- 3) Chief Minister and Minister for Tourism, Mr Snell – **Letter to Ian McPhee PSM, Auditor-General from Chief Minister**
- 4) Minister for Finance, Mr Sheridan – **Revenue Fund Financial Indicators January 2014**
- 5) Minister for Finance, Mr Sheridan – **Virements for November and December 2013**
- 6) Minister for Cultural Heritage and Community Services, Ms Adams – **Declaration of Residency granted during y/e 31 December 2013**

**6 STATEMENTS OF AN OFFICIAL NATURE**

The following statements were made –

- 1) Chief Minister and Minister for Tourism, Mr Snell – **NIGTB Manager’s contract**
  - 2) Minister for Cultural Heritage and Community Services, Ms Adams – **Recruitment and Appointment of NIHE Director**
  - 3) Minister for the Environment, Mr Ward – **Inconsiderate use of trail bikes**
  - 4) Chief Minister and Minister for Tourism, Mr Snell – **Reporting in House at February 2014 Sitting of visit by Minister Briggs**
- 7) **Paper tabled:** Chief Minister tabled documents re Report to February 2014 Sitting
- 5) Minister for Cultural Heritage and Community Services, Ms Adams – **KAVHA CMP**
  - 6) Minister for Cultural Heritage and Community Services, Ms Adams – **Update on Education Review Working Group**

**7 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR - MESSAGE NO. 9**

**Message No. 9** from the Administrator advising that on 17 February 2014 Her Excellency the Governor-General, acting on the advice of the Federal Executive Council, withheld assent to sections of the Land Valuation Bill 2012 and declared assent to the remainder of the **Land Valuation Bill 2012**

**8 COMMONWEALTH DAY MESSAGE**

The Speaker read the Commonwealth Day Message dated 10 March 2014 from Her Majesty The Queen, Head of the Commonwealth

**NOTICES****9 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – MESSAGE NO. 10**

**Message No. 10** from the Administrator advising that on 19 March 2014 in accordance with the requirements of section 25 of the *Norfolk Island Act 1979* he recommended to the Legislative Assembly the enactment of the proposed law entitled “An Act to repeal and replace the **Appropriation Act 2013-2014** and to authorise expenditure from the public account for the year ending on 30 June 2014.

**10 APPROPRIATION (NO. 2) BILL 2013-2014  
APROEPRIESHAN (NAMBA 2) BIL 2013-2014**

Minister for Finance, Mr Sheridan, pursuant to notice, presented a Bill for an Act to repeal and replace the Appropriation Act 2013-2014 and to authorise expenditure from the Public account for the period ending on 30 June 2014 and moved -

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

- 8) **Paper tabled:** Mr Sheridan tabled the explanatory memorandum to the Bill  
Debate ensued  
Mr Sheridan moved –

**THAT debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting**

Question put and agreed to on the voices

**11 NORFOLK ISLAND CULTURAL STRATEGY 2014-2018**

Minister for Cultural Heritage and Community Services, Ms Adams, pursuant to Notice, tabled the Norfolk Island Cultural Strategy 2014-2018 and moved -

**THAT, having noted the Cultural Vision, the Critical Success Factors and the Action Plan contained within the Norfolk Island Cultural Strategy 2014 - 2018 prepared for and endorsed by the Norfolk Island Council of Elders and tabled by the Minister for Cultural Heritage and Community Services, this House supports the Minister engaging with the Commonwealth, the Council of Elders and the community on the progression of this overarching cultural strategy for Norfolk Island.**

**Norfolk Island Cultural Strategy 2014-2018...cont.**

**Papers tabled:**

- 9) Minister for Cultural Heritage and Community Services, Ms Adams – **Norfolk Online Press Release on NI Genes**
- 10) Minister for Cultural Heritage and Community Services, Ms Adams – **Letter to Hon Simon Crean MP from Chief Minister 13<sup>th</sup> NILA**
- 11) Minister for Cultural Heritage and Community Services, Ms Adams – **Letter from Hon Simon Crean MP from Council of Elders**
- 12) Minister for Cultural Heritage and Community Services, Ms Adams – **Letter from Council of Elders presenting Cultural Strategic Plan 2014-18**
- 13) Minister for Cultural Heritage and Community Services, Ms Adams – **NI Cultural Strategic Plan 2014-2018**
- 14) Minister for Cultural Heritage and Community Services, Ms Adams – **Minister Jamie Briggs MP's letter to NI residents**

Debate ensued  
Ms Adams moved –

**THAT debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting**

Question put and agreed to on the voices

**12 MOTION BY LEAVE  
NORFOLK ISLAND HOSPITAL ACT 1985 – APPOINTMENT OF MEMBER TO ADVISORY BOARD**

Minister for Cultural Heritage and Community Services, Ms Adams, sought leave to move foreshadowed motion

Question – **THAT leave be granted** – put and agreed on the voices  
Minister for Cultural Heritage and Community Services, Ms Adams, moved -

**THAT this House, in accordance with sections 12 and 13 of the *Norfolk Island Hospital Act 1985*, resolve that —**

**Brett John Sanderson**

**be appointed by the Minister as a member of the Norfolk Island Hospital Advisory Board for a term of 12 months commencing on the date of gazettal of his appointment.**

Debate ensued  
Question put and agreed to on the voices

**13 MOTION BY LEAVE  
REPORTS OF STANDING COMMITTEES**

Mr Nobbs sought leave to move foreshadowed motion

Question – **THAT leave be granted** – put and agreed on the voices  
Mr Nobbs moved -

**THAT this House agree that the third Quarterly Report of the Infrastructure and Business Development Committee tabled on 19 February 2014 be passed to the Norfolk Island Government for its progression**

Debate ensued  
**Mr Nobbs moved –**

**THAT debate be adjourned and made an Order of the Day**

**For a subsequent day of Sitting**

Question put and agreed to on the voices

**14 MOTION BY LEAVE**

**CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY**

Minister for Finance, Mr Sheridan sought leave to move foreshadowed motion

Question – **THAT leave be granted** – put and agreed on the voices

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

**THAT, under subsection 2B(4) of the *Customs Act 1913*, this House recommends to the Administrator that the goods specified in column 1 of the Schedule imported by the person specified in column 2, and on the conditions mentioned in column 2 of the Schedule, be exempted from duty.**

**SCHEDULE**

**Column 1**

**Goods**

**Column 2**

**Importer/conditions**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• <b>Kits for removing glass car screens and battery pack light</b><br/>- amount of duty applicable \$220.75</li> </ul> | <p><b>Norfolk Island Rescue Squad Inc</b><br/><b>Conditions: Nil</b></p> |
| <ul style="list-style-type: none"> <li>• <b>Archery Targets</b><br/>- amount of duty applicable \$239.45</li> </ul>  | <p><b>Archery Norfolk Island</b><br/><b>Conditions: Nil</b></p>          |

Debate ensued

Question put and agreed to on the voices

**ORDERS OF THE DAY**

**15 CHILD WELFARE (AMENDMENT) BILL 2014**

**LUKEN AUT FE LETL SALAN (CHIENJEN) BIL 2014**

Resumption of debate (Minister for Cultural Heritage and Community Services, Ms Adams) from 19 February 2014 on the question –THAT the Bill be agreed to in principle

Debate ensued

Question – THAT the Bill be agreed to in principle - put and agreed to on the voices

Leave granted to dispense with the detail stage

Ms Adams moved –

**THAT the Bill be agreed to**

Question put and agreed to on the voices

**16 HEALTHCARE AMENDMENT BILL 2014**

**HEALTHKEYA CHIENJEN BIL 2014**

Resumption of debate (Minister for Cultural Heritage and Community Services, Ms Adams) from 19 February 2014 on the question –THAT the Bill be agreed to in principle

Debate ensued

Question – THAT the Bill be agreed to in principle - put and agreed to on the voices – Mr Snell abstained

Leave granted to dispense with the detail stage

Ms Adams moved –

**THAT the Bill be agreed to**

Question put and agreed to on the voices– Mr Snell abstained

**17 FIXING OF NEXT SITTING DAY**

Mr Sheridan moved –

**THAT the House at its rising adjourn until Wednesday 16 April 2014 at 10 am**

Question put and agreed to on the voices

**18 ADJOURNMENT**  
Mr Ward moved –

**THAT the House do now adjourn**

Question put and agreed to on the voices

**AND THEN the House at 1.27 pm adjourned until Wednesday 16 April 2014 at 10.00 am**

Gaye Evans  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present