

**NORFOLK ISLAND
FOURTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 20 AUGUST 2014**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
FORTIINTH LEJESLIETEW 'SEMBLE
WEDNESDAY 20 ORGAS 2014**

1 The Legislative Assembly met at 10.01 am, and the Speaker, Hon David Buffett AM MLA, took the Chair and read Prayers

2 **CONDOLENCES**

Mr Evans recorded the passing of –

STEPHEN HOLDER CHRISTIAN

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

3 **QUESTIONS WITHOUT NOTICE (10.03-10.41 AM)**

4 **ANSWERS TO QUESTIONS ON NOTICE**

Responses were provided to:

76 Mr Porter asked the Minister for Cultural Heritage and Community Services –

Will the Minister inform the House –

1. How many GEP applications have been lodged in the last 12 months;
2. How many have been declined;
3. How many of those declined have appealed; and
4. How many are under review.

77 Mrs Ward asked the Chief Minister –

Given that Section 31A (4) of the *Tourist Accommodation Act 1984* states that the Minister shall appoint, by instrument in writing published in the Gazette, a person for the purposes of grading registered tourist accommodation houses, will the Chief Minister advise the House on the following:

1. When was the last appointment made,
2. When does that appointment expire,
3. When was the last grading carried out and what was the cost,
4. Was the cost recovered from accommodation houses; and,
5. What is the Government's policy on future grading?

78 Mrs Ward asked the Minister for Cultural Heritage and Community Services –

Will the Minister provide to the House the reason for the KAVHA Crank Mill and Officers' Bath being closed to the public and how long will they be closed for?

79 Mrs Ward asked the Minister for Cultural Heritage and Community Services

Given the Minister's public statement that the approach concerning the production of medicinal cannabinoids in Norfolk Island was made in only early July, how can the Minister justify the speed with which a licence was granted when, the controversial nature of the cannabis and cannabinoids subject has resulted in a debate which is not yet settled?

80 Mrs Ward asked the Minister for Cultural Heritage and Community Services

Is it a fact that neither the Infrastructure and Business Development Committee nor the Administration of Norfolk Island produced a white paper which focused the government's attention on the pros and cons of the medicinal cannabinoids proposal?

81 Mrs Ward asked the Minister for Cultural Heritage and Community Services

If a white paper was not produced how and to what extent did the Minister evaluate the evidence surrounding cannabis and cannabinoids and what evaluations weighed most heavily in favour of the Minister's decision to grant a production licence?

82 Mrs Ward asked the Minister for Cultural Heritage and Community Services

In the interests of satisfying the community that the Minister has fully and properly informed herself will the Minister table for public examination all documents considered by the Norfolk Island Government prior to a production license being granted?

- 1) **Paper tabled:** Ms Adam: **Letter from Administrator dated 30 July 2014**
- 2) **Paper tabled:** Ms Adam: **Letter to Administrator dated 1 August 2014**
- 3) **Paper tabled:** Ms Adam: **Medical Cannabis Producer Licence dated 4 August 2014**

83 Mrs Ward asked the Minister for the Environment

Will the Minister provide to the House the number of planning development applications which have been lodged and granted over the past year in comparison to the previous five years?

- 4) **Paper tabled:** Mr Ward: **Development Applications from 2009-2014**

84 Mrs Ward asked the Minister for Cultural Heritage and Community Services

Is it a fact that the holder of a temporary entry permit is ineligible to buy a Norfolk Island business?

85 Mrs Ward asked the Chief Minister

Is it a fact that the Chief Minister wrote to the Hon. Jamie Briggs MP on March 25, 2014 requesting that State level services be delivered to the Island in a way similar to Christmas Island, and if so; will the Chief Minister explain what he meant by that?

86 Mrs Ward asked the Minister for Finance

Will the Minister provide an update on the implementation of changes to the electricity pricing system as proposed in the 2014-15 budget session

Speaker resumed chair at 10.46 am

5 PRESENTATION OF PAPERS

The following papers were presented:

- 5) Minister for Cultural Heritage and Community Services, Ms Adams – **Centre for International Economics – Economic Impact Assessment** - and moved –

THAT the House take note of the paper

- 6) Minister for Cultural Heritage and Community Services, Ms Adams – **Letter from Administrator giving Federal's Minister's Response**

Debate ensued

Question put and agreed to on the voices

- 7) Minister for Finance, Mr Sheridan – **Customs Duty Exemptions**
- 8) Minister for Finance, Mr Sheridan – **Bookmakers and Betting Exchange Act 1998 – Licence**
- 9) Minister for Finance, Mr Sheridan – **Bookmakers and Betting Exchange Act 1998 – Report of Gaming Authority June 2014**
- 10) Minister for Finance, Mr Sheridan – **Gaming Act 1998 – Report of Gaming Authority June 2014**
- 11) Minister for Finance, Mr Sheridan – **Virements June 2014**
- 12) Minister for Finance, Mr Sheridan – **Revenue Fund Financial Indicators for April 2014**
- 13) Minister for Finance, Mr Sheridan – **NIGTB Budget Item breakdowns**
- 14) Minister for Finance, Mr Sheridan – **NIHE Budget Item breakdowns**
- 15) Minister for Finance, Mr Sheridan – **Revenue Fund Financial Indicators for May 2014**
- 16) Minister for Finance, Mr Sheridan – **Revenue Fund Financial Indicators for June 2014**

6 STATEMENTS OF AN OFFICIAL NATURE

The following statements were made –

- 1) Minister for Cultural Heritage and Community Services, Ms Adams – **Immigration (Amendment No 2) Act 2014 / Imegrieshan (Chienjen 2) Bil 2014 – not to be presented at this Sitting**

17) **Paper tabled:** Ms Adams – **Immigration Legislative Review Committee (ILR) First Report**

18) **Paper tabled:** Ms Adams – **ILR Committee Terms of Reference**

Mrs Ward moved –

THAT the Statement be noted

Debate ensued

Question put and agreed to on the voices

2) Minister for Finance, Mr Sheridan – **Attendance at the 2014 Australasian Casino and Gaming Regulators Conference September 2014**

3) Minister for Finance, Mr Sheridan – **Attendance at the ‘Centenary of the First World War Service for the Commonwealth’ at Glasgow Cathedral 4 August 2014**

19) **Paper tabled:** Mr Sheridan – **Order of Service**

4) Mrs Ward – **Education Review**

Ms Adams moved –

THAT the Statement be noted

Debate ensued

Question put and agreed to on the voices

5) Chief Minister, Mr Snell – **Quota’s 35th Anniversary**

6) Chief Minister, Mr Snell – **White Oaks**

7) Chief Minister, Mr Snell – **Attendance at XXth Commonwealth Games in Glasgow, Scotland**

NOTICES

7 IMMIGRATION ACT 1980 - AUTHORISATION OF APPLICATION FOR GENERAL ENTRY PERMIT

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

THAT for the purpose of paragraph 17A(1)(e) of the *Immigration Act 1980*, this Legislative Assembly resolve that —

**Glenn Zerby; and
Sandhya Patel**

be authorised to make an application for a general entry permit under the Act.

Debate ensued

Question put and agreed to on the voices

8 CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

Minister for Finance, Mr Sheridan, pursuant to notice 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**

**Pool Table
- amount of duty applicable \$256.57**

**DAA Side for Ucklun (Youth Centre)
Conditions: Nil**

**Trampoline
- amount of duty applicable \$297.67**

**DAA Side for Ucklun (Youth Centre)
Conditions: Nil**

Debate ensued

Question put and agreed to on the voices

9 REFERENDUM ACT 1964

Minister for Cultural Heritage and Community Services (Robin Adams) pursuant to notice, moved –

THAT this House –

1. Notes that as a consequence of the commencement of the Territories Law Reform Act on 10 December 2010 –

- a) the Norfolk Island Legislative Assembly and the Norfolk Island Government lost substantial control over its financial affairs; and**
- b) laws passed by the Norfolk Island Legislative Assembly became in all cases subject to the approval of Australian authorities thereby effectively diminishing the self-governing status of Norfolk Island;**

2. Notes that the Commonwealth Minister with responsibility for Norfolk Island under the Norfolk Island Act 1979 is examining the most appropriate governance model for Norfolk Island to be considered by the Australian Cabinet later this year;

3. Being of the opinion that before any change to Norfolk Island’s model of governance is made, the Norfolk Island community should be given an opportunity at referendum or plebiscite to express its views;

4 Directs the Speaker, pursuant to section 5 of the Referendum Act 1964, to immediately commence the process to ascertain the opinion of the electors on the following questions relating to the peace, order and good government of Norfolk Island, namely -

“1. Do you agree that the Norfolk Island community should be given the opportunity to have a vote in a referendum or plebiscite on the future model of government for Norfolk Island?

YES NO

2. Do you agree that the referendum or plebiscite should be conducted by an independent authority unrelated to Norfolk Island or to Australia?

YES NO “

20) Papers tabled: Ms Adams – Articles from “*The Parliamentarian*” from 2006, 2008, 2010 and 2014

Debate ensued

Deputy Speaker Nobbs took the chair at 11.42 am

SUSPENSION OF SITTING

The Deputy Speaker suspended the sitting of the House at 1.05 pm

RESUMPTION OF SITTING

The Speaker took the Chair and resumed the sitting at 2.30 pm

Debate continued on Referendum motion

Mr Ward moved –

THAT clause 3 of the motion be amended by deleting the word ‘being’ and inserting ‘is’ and deleting the word ‘should’ and inserting ‘shall’ and clause 4 of the motion be deleted

Debate ensued

Question – **That the amendment be agreed to** – put and agreed to on the voices

Question – **That the motion as amended be agreed to** – put and agreed to on the voices

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

Minister for Cultural Heritage and Community Services (Ms Adams) by leave, moved -

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

Gerard Marr, Chief Executive of the South Eastern Sydney Local Health District

be re-appointed by the Minister as the representative member of the South Eastern Sydney Local Health District on the Norfolk Island Hospital Advisory Board for the term commencing on the date of gazettal of this appointment until 24 December 2014.

Debate ensued

Question put and agreed to on the voices

**11 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (AMENDMENT) BILL 2014
REJISTRIESHAN 'BERTH, DETH EN MAERIJ (CHIENJEN) BIL 2014**

Chief Minister and Minister for Tourism, Mr Snell, presented a Bill for an Act to provide for the noting of gender reassignment in the register of births and to remove Schedules and for related purposes and moved –

THAT the Bill be agreed to in principle

21) **Paper tabled**: Mr Snell tabled the Explanatory Memorandum to the Bill

Debate ensued

Mr Snell 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 PUBLIC SERVICE BILL 2014
PABLIK SERWES BIL 2014**

Chief Minister and Minister for Tourism, Mr Snell, presented a Bill for an Act Chief Minister and Minister for Tourism, Mr Snell, to present a Bill for an Act to regulate the administration of the public service of Norfolk Island, to repeal the *Public Sector Management Act 2000* and for related purposes and moved –

THAT the Bill be agreed to in principle

22) **Paper tabled**: Mr Snell tabled the Explanatory Memorandum to the Bill

Debate ensued

Mr Snell 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

**13 PROVIDENT ACCOUNT (AMENDMENT) ACT 2014
PROVEDENT AKAUNT (CHIENJEN) BIL 2014**

Chief Minister and Minister for Tourism, Mr Snell, presented a Bill for an Act to amend the *Provident Account Act 1958* and moved –

THAT the Bill be agreed to in principle

23) **Paper tabled:** Mr Snell tabled the Explanatory Memorandum to the Bill

Debate ensued
Mr Snell 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

ORDERS OF THE DAY

**14 MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR - MESSAGE NO. 14 –
“PUBLIC SERVICE BILL 2013.**

Resumption of debate (Minister for Cultural Heritage and Community Services, Ms Adams) from 25 June 2014 on the question – THAT the Message be noted

Debate ensued
Question put and agreed to on the voices

**15 INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE (IBDC) –
GOVERNMENT RESPONSE TO RECOMMENDATIONS**

Resumption of debate (Mrs Ward) from 16 July 2014 on the question – THAT the Paper be noted

Debate ensued
Question put and agreed to on the voices

16 INTRODUCTION OF LAND RATING SYSTEM

Resumption of debate (Mr Nobbs) from 16 July 2014 on the question – THAT the motion be agreed

Debate ensued
Mr Nobbs 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

**17 LAND ADMINISTRATION FEES (AMENDMENT) BILL 2014
LAEN ADMINESTRIESHAN FII (CHIENJEN) BIL 2014**

Resumption of debate (Minister for the Environment, Mr Ward on behalf of the Minister for Finance, Mr Sheridan) from 16 July 2014 on the question – THAT the Bill be agreed to in principle

Debate ensued
Question put
Bill agreed to in principle on the voices
Leave granted to dispense with the detail stage
Mr Sheridan moved –

THAT the Bill be agreed to

Question put and agreed to on the voices

18 FIXING OF NEXT SITTING DAY

Mr Evans moved –

THAT the House at its rising adjourn until Wednesday 17 September 2014 at 10 am

Question put and agreed to on the voices

19 ADJOURNMENT
Mr Nobbs moved –

THAT the House do now adjourn

Debate ensued with Mr Snell, and Mr Nobbs participating
Question put and agreed to on the voices

AND THEN the House at 3.52 pm adjourned until Wednesday 17 September 2014 at 10.00 am

Gaye Evans
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present