

**NORFOLK ISLAND
FOURTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 17 DECEMBER 2014**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
FORTIINTH LEJESLIETEW 'SEMBLE
WEDNESDAY 17 DESEMBA 2014**

1 The Legislative Assembly met at 10.02 am, and the Speaker, Hon David Buffett AM MLA, took the Chair and read Prayers.

2 **CONDOLENCES**

Speaker Buffett recorded condolence for the hostage victims **Tori Johnson** and **Katrina Dawson**, who tragically lost their lives during the armed siege in Sydney, NSW on Monday 15 December 2014.

Mr Evans recorded the passing of –

**Chloe Barbara Nicholas
Michael Alexander Jack**

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

3 **QUESTIONS WITHOUT NOTICE (10.11 to 10.38 AM)**

4 **ANSWERS TO QUESTIONS ON NOTICE**

Responses were provided to:

43 Mrs Ward asked the Chief Minister and Minister for Tourism -

Given the Chief Minister's response to Question on Notice 38; will the Chief Minister confirm his stated position that he and his Government are reliant on Federal Government action to encourage business development, improve the economy and deliver on a sustainable long term future for the Island?

1) **Paper tabled:** Mr Snell – Letter to Assistant Minister Jamie Briggs

2) **Paper tabled:** Mr Snell – Letter from Assistant Minister Jamie Briggs

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

Will the Minister inform the House who is ultimately responsible for the public release of the Norfolk Island World Heritage Listed Area - Heritage Management Plan, draft or otherwise?

45 Mrs Ward asked the Minister for Environment –

Will the Minister inform the House who is ultimately responsible for the public release of the Norfolk Island Public Reserve Management Plan, draft or otherwise?

46 Mrs Ward asked the Minister for Environment –

Will the Minister table the Norfolk Island Government's current policy on future rock supply?

47 Mrs Ward asked the Minister for Environment –

In relation to the Cascade Pier upgrade project will the Minister answer the following;

1. Given the Minister's assertion in the last Sitting of the House that the risk analysis in relation to design and rock supply, carried out by the Administration of Norfolk Island, was deficient; will the Minister table all relevant documentation to support his claim
2. Will the Minister table the contingency document that he shared with the Administrator prior to the last Sitting
3. Is it a fact that the Norfolk Island Government supports the JSC recommendation that the Commonwealth Government assume responsibility for the Cascade and Kingston Pier upgrades and if so; will the Minister explain why, and
4. Is it a fact that the Norfolk Island Government is refusing to sign the Cascade Pier funding agreement and if so; will the Minister list the reasons?

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

What has the Norfolk Island Government done to identify gaps between Norfolk Island and relevant Australian legislation and funding mechanisms in relation to health and education?

3) Paper tabled: Ms Adams – NIG Media Release – Social Services and Tax**49 Mrs Ward asked the Minister for Cultural Heritage and Community Services –**

Given the recommendations of the Norfolk Island Education Report 2014; is there an ambition on the part of the Norfolk Island Government to review the current provision of education arrangements in partnership with the Australian Government and if so; what timeframe has been set to achieve this?

50 Mrs Ward asked the Chief Minister and Minister for Tourism -

Will the Chief Minister table the current Legislative Program and confirm that this is the same priority document that both the Norfolk Island Government and the Administration of Norfolk Island are working from?

4) Paper tabled: Mr Snell – NILA Legislative Program as at 9 December 2014**51 Mrs Ward asked the Chief Minister and Minister for Tourism -**

Given the Chief Minister's statement regarding the veracity of the ACIL TASMAN Economic Development Report during tabling debate in April 2012; why is the Chief Minister now promoting utilization of the services of the same author?

52 Mrs Ward asked the Chief Minister and Minister for Tourism -

Given that the number of unrestricted entry permits holders who have been granted an exemption from payment of the Healthcare Levy on the grounds of income has now been quantified as less than five (5), and given that the seemingly relevant funding agreement milestone has \$200,000 attached to it; has the Norfolk Island Government changed its non-compliant position?

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

Given that in 2010 the Norfolk Island Government requested and agreed a reform path, and given that the community at large have been given ample opportunity over many years to directly influence and shape their future; will the Minister explain her statement in the article 'Norfolk Islanders deserve respect in governance talks' that she is disappointed in the apparent lack of understanding that Norfolk Island is the homeland of the descendants of the original settlers who relocated to Norfolk Island from Pitcairn Island in June 1856?

Further response from Mr Sheridan on QON 31 and 30 from November Sitting -**30 Mr Nobbs asked the Minister for Finance –**

Will the Minister for Finance provide, for the public record, a simple table for each financial year since 1979 that lists

1. year;
2. average number for resident population for the year;
3. total dollar value of expenditure from the NIG Public Account for the year;
4. total dollar value of expenditure at (3) funded by Australian Government; and
5. total dollar value of expenditure at (3) used to fund works on Commonwealth assets e.g. Roads, Reserves, Piers etc.?

31 Mr Nobbs asked the Minister for Finance –

Will the Minister for Finance provide, for the public record, an itemised list detailing the specific works the Norfolk Island Government has been required to do in exchange for annual payments received from the Australian Government under Funding Agreements?

5) Paper tabled: Mr Sheridan – Funding Agreement Milestone Requirement**5 PRESENTATION OF PAPERS**

The following papers were presented:

- 6) Speaker Buffett – Letter from Speaker Bronwyn Bishop (Reps) on Matter of Public Importance
- 7) Mr Ward – Community Title Bill 2014 (Exposure Draft) and Explanatory Memorandum and moved –

THAT the Paper be noted

Debate ensued

Question put and agreed to on the voices

8) Mr Sheridan – Airport (Amendment) Regulations 2014

9) Mr Sheridan – Virements Nov 2014

- 10) Mr Sheridan – Bookmakers Licences: Raximus; Moneyball Aust; Bet HQ and Madbookie
- 11) Mr Sheridan – Revenue Fund Financial Indicators Nov 2014 and Material Departures
- 12) Mr Sheridan – NIHE Nov Statement
- 13) Mr Sheridan – NIGTB Nov Statement
- 14) Mr Sheridan – NIHE Quarterly Report
- 15) Mr Sheridan – NIGTB Quarterly Report
- 16) Mr Ward – Rock Supply documentation

6 STATEMENTS OF AN OFFICIAL NATURE

The following statements were made –

- 1) Minister for Cultural Heritage and Community Services, Ms Adams – **NICS YEAR 7/8 Debating Team – successfully competed in Australia**
- 2) Minister for Cultural Heritage and Community Services, Ms Adams – **NICS Awards Nova Bates drawing chosen for Beyond Borders Calendar Oct 2015**
- 3) Minister for the Environment, Mr Ward – **Submission to JSC - Response to NI Governance Consultation Process**
- 17) **Paper tabled:** Mr Ward – Response to NI Governance Consultation Process
 - 4) Minister for Finance, Mr Sheridan – **Airline operations to Island over Christmas period**
 - 5) Minister for Cultural Heritage and Community Services, Ms Adams – **Attendance at Medicinal Cannabis Conference, Tamworth, NSW in Nov 2014**
 - 6) Minister for Cultural Heritage and Community Services, Ms Adams – **NIHE accreditation update**
- 18) **Paper tabled:** Ms Adams – Australian Bureau of Statistics – Patient Experiences in Australia

NOTICES

7 IMMIGRATION ACT 1980 – FUNDING AGREEMENT COMPLIANCE TO THE GRANTING OF RESIDENCY

Mrs Ward pursuant to notice moved –

THAT this House requests the responsible Minister to take such action as may be required in order to comply with the Norfolk Island Funding Agreement 2014/15 milestone 9a which seeks to remove unrestricted entry permit requirements for Australian citizens and permanent residents and ensure that Australians are considered resident of Norfolk Island on arrival

Debate ensued

Question put Question

The House voted –

Ayes 5

Mr Buffett

Mr Porter

Mrs Ward

Mr Evans

Mr Sheridan

Motion agreed to

Noes 3

Mr Ward

Mr Snell

Mr Nobbs

Abstention 1

Ms Adams

ORDER OF THE DAY NO 2

8 TRAFFIC (AMENDMENT) BILL 2014 / TRAEFIK (CHIENJEN) BIL 2014

Resumption of debate (Minister for the Environment, Mr Ward) from 15 October 2014 on the question – That the Bill be agreed to in principle

Debate ensued

Mr Nobbs moved –

THAT the Bill be referred to the Impact of Bills Committee

(Speaker noted SO 159: After the bill has been agreed to in principle it may be moved “That the bill be referred to a select or standing committee”)

Ms Adams moved –

THAT so much of Standing Order be suspended as to allow the Bill to be referred to the Impact of Bills Committee

Question put

The House voted -

Ayes 4

Ms Adams

Mr Snell

Mr Nobbs

Mr Evans

Noes 5

Mr Buffett

Mr Porter

Mr Ward

Mrs Ward

Mr Sheridan

Abstain 0

Motion negatived

Mr Sheridan moved

THAT the Bill be agreed to in principle

Question put and agreed to on the voices – Mr Sheridan dissenting and Mr Nobbs abstaining

Detail stage

Mr Ward moved -

THAT the detail stage amendment dated 16 December 2014 be taken as read and agreed to as a whole

Debate ensued

Mr Nobbs moved –

THAT the Bill be referred to the Impact of Bills Committee

Question put

The House voted -

Ayes 5

Mr Buffett

Ms Adams

Mr Snell

Mr Evans

Mr Nobbs

Noes 4

Mr Porter

Mr Ward

Mrs Ward

Mr Sheridan

Abstain 0

Motion agreed – Bill referred to the Impact of Bills Committee

9 FIXING OF NEXT SITTING DAY

Mr Evans moved –

THAT the House at its rising adjourn until Wednesday 11 February 2015 at 10 am

Question put and agreed to on the voices

10 ADJOURNMENT

Mr Nobbs moved –

THAT the House do now adjourn

Debate ensued with all Members participating in extending Christmas and New Year 2015 greetings

Question put and agreed to on the voices

AND THEN the House at 2.36 pm adjourned until Wednesday 11 February 2015 at 10.00 am

Gaye Evans

Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present