

**NORFOLK ISLAND  
MINUTES OF PROCEEDINGS  
OF THE  
EIGHTH LEGISLATIVE ASSEMBLY  
22 SEPTEMBER 1999**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
IETH LEJESLIETEW 'SEMBLE  
22 SEPTEMBBA 1999**

**1** The Legislative Assembly met at 10.02 am. The Speaker (Hon G C Smith) took the chair and read the Prayer

**2 CONDOLENCES**

Mr Bates recorded the death of -

**John Healey Ryves  
Mary Buffett  
Louise Jane Beale  
Stewart McDonald Guymer**

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

**3 LEAVE OF ABSENCE FOR MR DAVID BUFFETT AM, MLA**

Leave from the sitting was unanimously extended to Mr Buffett

**4 QUESTIONS WITHOUT NOTICE**

**Acting Deputy Speaker Bates took the Chair at 10.17 am**

**Acting Deputy Speaker Gardner took the Chair at 10.24 am**

**5 QUESTIONS ON NOTICE**

An answer was provided by Mr Ion-Robinson (Minister for Immigration and Resource Management) to question on notice number 37

**6 PRESENTATION OF PAPERS**

The following papers were presented to the House:

- 1) Mr Smith (Chief Minister) - Customs Act 1913 - exemptions approved by the executive member under section 2B(2)
- 2) Mr Ion-Robinson (Minister for Immigration and Resource Management) - Opinion on the Constitutional Relationship between Norfolk Island and the Commonwealth of Australia by Professor James Crawford SC, Whewell Professor of International Law, Cambridge
- 3) Mr Robertson (Minister for Tourism and Commerce) - Report of Cascade Cliff Management Board on the Cascade Cliff Loan Fund for the period 13 July 1998 to 30 June 1999

- 4) Mr Ion-Robinson (Minister for Immigration and Resource Management) - Review of Norfolk Island Stock Situation - Final Report by David James Gardiner, BVSc, PGCRSc  
Mr Ion-Robinson moved -

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

- 5) Mr Robertson (Minister for Tourism and Commerce) - Report (September 1999) of the Review Group Committee Inquiry into Liquor Supply in Norfolk Island, together with submissions received by the Committee  
Mr Robertson moved -

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

- 6) Mr Smith (Chief Minister) - Human Resources Policy 1.0.0 Administration of Norfolk Island (draft dated 28.4.99)  
Mr Smith moved -

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

- 7) Mr Robertson (Minister for Tourism and Commerce) - Inbound Passenger Statistics August 1999

**7 STATEMENTS**

Mr Smith (Chief Minister) - Travel expenditure funded by the Norfolk Island Government for the period 1 April to 30 June 1999

**Paper:**

**Itemised detail of travel expenditure**

**8 MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR**

Acting Deputy Speaker Gardner reported **Message 151** from the Administrator advising that on 18 August 1999 he declared his assent to the Road Traffic Amendment Act 1999

**9 PUBLIC SERVICE ACT 1979 - RE-APPOINTMENT OF MEMBERS TO THE PUBLIC SERVICE BOARD**

Mr Smith (Chief Minister), pursuant to notice, moved -

**THAT -**

- a) **this House for the purposes of subsection 13A(1) of the Public Service Act 1979, recommends to the Administrator that Charrise Clarke and Brian John Check be re-appointed as members of the Public Service Board until 17 March 2000; and**
- b) **this House under subsection 13BA(3) of the Public Service Act 1979 resolves to re-appoint John Thornton Pearson being a person referred to in paragraph 13BA(3) of that Act, to be a member of the Public Service Board until 17 March 2000**

Debate ensued

Question put and agreed to on the voices

**10 REVIEW OF DEREGULATED TOURIST ACCOMMODATION INDUSTRY**

Mr McCoy, pursuant to notice, moved -

**THAT this House, recognising that Norfolk Island is first and foremost the home of its residents, resolves -**

- a) **to conduct a review to ascertain the impact of the deregulated tourist accommodation industry on the Island's unique -**
  - **ecology;**
  - **environment; and**
  - **lifestyle; and**
- b) **to impose with immediate effect a 12 months moratorium on approval of any further applications for tourist accommodation units**

Debate ensued

**Acting Deputy Speaker Bates took the Chair at 11.33 am**

Mr McCoy moved -

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

Question put

The House voted -

**AYES, 3**

**Mr Smith**

**Mr Bates**

**Mr McCoy**

**NOES, 4**

**Mr Robertson**

**Mr Gardner**

**Mr Ion-Robinson**

**Mr Brown**

Question negatived

Mr Gardner (Minister for Health), by leave, moved the following amendment:

**THAT the punctuation marks and words after the word “lifestyle” be deleted**

Debate ensued

Question - That the amendment be agreed to - put and agreed to - Mr Brown and Mr Bates abstaining

Question - That the motion as amended be agreed to - put and agreed to - Mr Brown and Mr Bates abstaining

**11 IMMIGRATION ACT 1980 - VARIATION OF QUOTA**

Mr Ion-Robinson (Minister for Immigration and Resource Management), by leave, moved -

**THAT for the purposes of paragraph 21(3)(a) of the *Immigration Act 1980*, this House resolves that the instrument executed by me on 3 March 1999, as varied on 3 August 1999, be varied by increasing the number of general entry permits that may be granted in the period 17 February 1999 to 16 February 2000 from 20 to 30**

Debate ensued

**The Speaker took the Chair at 11.58 am**

Question put and agreed to on the voices

**The Speaker suspended the sitting at 12.03 pm until 1.30 pm**

**The Sitting resumed at 1.34 pm, the Speaker taking the Chair**

**12 FIREARMS AMENDMENT (NO. 2) BILL 1999**

Mr Ion-Robinson (Minister for Immigration and Resource Management), pursuant to notice, presented a Bill for an Act to amend the Firearms Act 1997 and moved -

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

Debate ensued

Leave having been granted for the Bill to be taken through all stages at this sitting -

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mr Ion-Robinson moved -

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**13 GAMING SUPERVISION AMENDMENT (NO. 2) BILL 1999**

Mr Gardner (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the Gaming Supervision Act 1998 and moved -

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

Debate ensued

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

**Acting Deputy Speaker Bates took the Chair at 1.48 pm**

**14 CONVEYANCING AMENDMENT BILL 1999**

Mr Smith (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the Conveyancing Act 1913 and moved -

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

Debate ensued

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

**15 STATUTES (FEES REMISSION) BILL 1999**

Mr Smith (Chief Minister), pursuant to notice, presented a Bill for an Act to provide for the remission of certain fees under the Customs Act 1913 and the Land Administration Fees Act 1996 and moved -

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

Debate ensued

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

**16 *TOURIST ACCOMMODATION OWNERSHIP ACT 1989 - APPLICATION BY RESORTS INVESTMENTS MADE UNDER SECTION 7 OF THE TOURIST ACCOMMODATION ACT 1984 FOR CONDITIONAL REGISTRATION OF EIGHTEEN ADDITIONAL UNITS***

Debate resumed (Mr Robertson, Minister for Tourism and Commerce) on the question - That the motion be agreed to.

Mr Robertson advised that as the Legislative Assembly had not passed a resolution under subsection 4(5) of the Tourist Accommodation (Ownership) Act 1989 within 60 days after the date of referral to it of the application, the Assembly is taken to have resolved to direct the executive member to deal with the application in accordance with the Tourist Accommodation Act 1984.

Motion withdrawn by leave

**17 CUSTOMS AMENDMENT (NO. 3) BILL 1999 AND STATUTES AMENDMENT (FEES) AMENDMENT BILL 1999**

Debate resumed (Mr Smith, Chief Minister) on the question - That the Bills be agreed to in principle. Bills withdrawn by leave

**18 STATUTES AMENDMENT (FEES) (NO. 2) BILL 1999**

Debate resumed (Mr Smith, Chief Minister) on the question - That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

**Detail stage:**

Mr Smith moved the following detail stage amendments:

Question - That detail stage amendment number 1 be agreed to - put and agreed to on the voices

Question - That detail stage amendment number 2 be agreed to - put and agreed to on the voices

Question - That detail stage amendment number 3 be agreed to - put and agreed to on the voices

Mr Smith read into Hansard the letter from the Hospitality Association of Norfolk Island addressed to Mr Gardner in which they made representation on the proposed increase in the fee for Sale of Food Licences.

Question - That detail stage amendment number 4 be agreed to - put and agreed to - Mr Brown dissenting

Question - That detail stage amendment number 5 be agreed to - put and agreed to on the voices

Question - That the clauses as amended be agreed to - put and agreed to on the voices

Question - That the remainder of the Bill be agreed to - put and agreed to on the voices

Mr Smith moved -

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to on the voices

**19 BOOKMAKERS AMENDMENT BILL 1999**

Debate resumed (Mr Robertson, Minister for Tourism and Commerce), on the question -

That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

**Detail stage**

Mr Gardner moved the following detail stage amendments:

Question - That detail stage amendment number 1 be agreed to - put and agreed to - Mr Brown abstaining

Question - That detail stage amendment number 2 be agreed to - put and agreed to - Mr Brown abstaining

Question - That the clauses as amended be agreed to - put and agreed to - Mr Brown abstaining

Question - That the remainder of the Bill be agreed to - put and agreed to - Mr Brown abstaining

Mr Gardner moved -

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to - Mr Brown abstaining



**20 GAMING AMENDMENT BILL 1999**

Debate resumed (Mr Robertson, Minister for Tourism and Commerce), on the question -  
That the Bill be agreed to in principle

Question put

Bill agreed to in principle - Mr Brown abstaining

**Detail stage**

Mr Gardner moved the following detail stage amendments:

Question - That detail stage amendment number 1 be agreed to - put and agreed to - Mr Brown abstaining

Question - That detail stage amendment number 2 be agreed to - put and agreed to - Mr Brown abstaining

Question - That the clauses as amended be agreed to - put and agreed to - Mr Brown abstaining

Question - That the remainder of the Bill be agreed to - put and agreed to - Mr Brown abstaining

Mr Gardner moved -

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to - Mr Brown abstaining

**21 FIXING OF NEXT SITTING DAY**

Mr McCoy moved -

**THAT the House at its rising adjourn until Wednesday 20 October 1999 at 10 am**

Question put and agreed to on the voices

**22 ADJOURNMENT**

Mr Ion-Robinson (Minister for Immigration and Resource Management) moved -

**THAT the House do now adjourn**

Debate ensued, Mr Gardner and Mr Brown participating

Question put and agreed to on the voices

**AND THEN the House at 2.34 pm adjourned until Wednesday 20 October 1999 at 10 am**

**Robin-Eleanor Adams**  
**Clerk to the Legislative Assembly**

**Members Present:** All Members were present Mr Buffett, by leave

11 August 1999

Mr Owen Walsh  
Official Secretary  
Office of the Administrator  
Kingston Norfolk Island

Enclosed is one copy each of the following which were dealt with at the sitting of the House on 10 August 1999

Papers tabled

- Inbound passenger statistics July 1999 (Mr Gardner for an on behalf of Mr Robertson)
- Norfolk Island Provident Account Financial Statements for year ended 30 June 1999

Statements made in responses to Questions without Notice previously asked

- FIL - Trust Accounts - Controls and Regulation
- Airport Lighting

Robin-Eleanor Adams  
**Clerk to the Legislative Assembly**

11 August 1999

Greenways Press,

As agreed by the Speaker, I am faxing to you a copy of -

- The Speaker's opening remarks in the Assembly on 10 August 1999 to commemorate the 20<sup>th</sup> anniversary of the inaugural meeting of the First Legislative Assembly; and
- A letter dated 9 August 1999 from Senator the Hon. Ian Macdonald to the Chief Minister the Hon George Smith MLA written by the Senator in response to the Chief Ministers letter to him of 5 February 1999 concerning the transfer of powers between the Federal and Norfolk Island Governments. This letter was read out by the Chief Minister during debate by the House on Notice No. 1.