

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
13 SEPTEMBER 2000**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
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NAINTH LEJESLIETEW 'SEMBLE
13 SEPTEMBA 2000**

1 The Legislative Assembly met at 10.03 am. The Speaker (Hon D.E. Buffett MLA) took the Chair and read the Prayer

2 **CONDOLENCES**

Mr McCoy recorded the passing of –

**Edith Lillian Cooper
Margaret Ann Corbett**

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

3 **PRESENTATION OF PETITION**

Mr Gardner (Minister for Health and Environment) presented a petition from 257 residents and concerned people of Norfolk Island requesting the Legislative Assembly to take immediate action to eradicate the Kestrel (Sparrow Hawk)

4 **QUESTIONS WITHOUT NOTICE**

5 **ANSWERS TO QUESTIONS ON NOTICE**

Answers were provided to the following questions:

- No. 11 (Mr McCoy to the Minister for Finance) re. Administration Rental Accommodation
Paper: Mr Nobbs (Chief Minister) tabled detail of Administration Rental Accommodation
- No. 12 (Mr McCoy to Minister for Finance) re. waiver of customs duty for upgrading National Park Roads
- No. 13 (Mr McCoy to Minister for Health and Environment) re. memorandum of arrangement for crushing on Old Whaling Station site at Cascade

6 **PRESENTATION OF PAPERS**

- 1) Mr Nobbs (Chief Minister) tabled the Public Sector Management Amendment Regulations 2000
- 2) Mr Smith (Minister for Tourism and Commerce) tabled -
 - a) the inbound passenger statistics August 2000 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- b) the Tourist Accommodation Amendment Regulations 2000 and moved –

THAT the House take note of the paper

Debate ensued

Debate suspended to a later hour in this sitting

- 3) Mr Cook QC on behalf of the Chief Minister tabled the Finance Indicators for August 2000

7 STATEMENTS

- 1) Mr Cook QC (Minister for Immigration and Community Services) , in response to a question asked at an earlier sitting, provided statistics of persons without immigration status;
2) Mr Gardner (Minister for Health and Environment) –

- a) Advised that the Griffiths University Team would return on the weekend with the Health Survey results which would be available to those who participated in the survey;
b) Reported on the public meeting and site inspection which took place as part of the development of the Plans of Management for the Cascade Reserve; he further advised that the consultation process in respect of Selwyn Pine Reserve would commence shortly
Mr Bates moved –

THAT the House take note of the Statement

Debate ensued

Question put and agreed to on the voices – Mr Smith being absent from the Chamber

- c) Provided an update on progress with the Norfolk Island Plan and the Land Initiative
Mr McCoy moved –

THAT the House take note of the Statement

Debate ensued

Question put and agreed to on the voices – Mr Smith being absent from the Chamber

- 3) Mr Nobbs (Chief Minister) –

- a) Responded to a question asked at an earlier sitting whether there had been a breach of the Public Service Act as a result of public servants being paid out for leave in lieu of actually taking the leave;
b) Advised that applications have been made to “Networking the Nation” Secretariat for funding of the following range of telecommunication services – an International Telecommunications Link (including satellite earth station); Cellular Mobile Telephone Services and Telemedicine Pilot (video conferencing);
c) Reported on progress with getting the Satellite Landing System operative at the Norfolk Island Airport
Mr Brown moved –

THAT the House take note of the Statement

Debate ensued

Question put and agreed to on the voices

d) Advised that police investigations were continuing into the recent burglary in the Finance Branch

4) Mr Cook QC (Minister for Immigration and Community Services) –

- a) Gave a brief update on progress with the Immigration Review;
- b) Advised that the Review by Chris Staniforth (Legal Aid Office ACT) of the Norfolk Island Legal Aid Scheme had been completed and was available for inspection by Members

8 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported **Message No. 11** from the Administrator advising that on 29 August 2000 His Excellency the Governor-General declared his assent to the Subdivision (Moratorium) Act 2000

9 TOURIST ACCOMMODATION (OWNERSHIP) ACT 1989 – REFERRAL OF NON-RESIDENT HYPOTHETICAL APPLICATION TO LEGISLATIVE ASSEMBLY

Mr Smith (Minister for Tourism and Commerce), pursuant to notice, moved –

THAT this House, in accordance with subsection 8(3) and paragraph 10A(7)(B) of the Tourist Accommodation (Ownership) Act 1989. Directs the Minister for Tourism and Commerce to make the following ruling in respect of the application of James Edward Spencer and Susan Gai Spencer –

That had the application been dealt with under the Act it would not be contrary to the public interest, and the House would direct the executive member to deal with the application in accordance with the Tourist Accommodation Act 1984

Debate ensued
Mr Smith moved –

THAT debate be suspended until after Notice No. 5

Question put
The House voted –

AYES, 5
Mr Cook
Mr Gardner
Mr Walker
Mr Smith
Mr Brown

NOES, 4
Mr Buffett
Mr Nobbs
Mr Bates
Mr McCoy

Debate suspended

- 10 CUSTOMS ACT 1913 – EXEMPTION FROM PAYMENT OF CUSTOMS DUTY**
Mr Nobbs (Chief Minister), 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 the first column of the Schedule imported by the person specified opposite in the second column of the Schedule be exempted from duty –

SCHEDULE

Column 1 Goods	Column 2 Importer/Conditions
Football Jerseys - amount of duty applicable \$259.35	Junior Rugby League Conditions: Nil
Root Rake - amount of duty applicable \$253.70	Kaipara Excavators Ltd Conditions: That the items specified be donated to the Administration of Norfolk Island

Debate ensued
Question put and agreed to on the voices

- 11 GOODS AND SERVICES TAX OR BROAD BASED CONSUMPTION TAX**
Mr Nobbs (Chief Minister), pursuant to notice, moved -

THAT this House –

- 1) Requests the Executive Member with responsibility for finance to authorise the Administration of Norfolk Island to engage Rangi Krishnan and Carol Krishnan of New Zealand to conduct a review of existing and future taxes and other revenue streams of the Norfolk Island Government; and**
- 2) Authorises the expenditure of \$A59,000.00 to complete the investigation and provide a cost/benefit analysis of implementing and operating a Goods and Services Tax or a Broad Based Consumption Tax as the basis for determining what taxes, if any, can be replaced and over what period of time**

Debate ensued
Question put and agreed to on the voices, Mr Brown abstaining

- 12 REDUCTION OF MOTOR VEHICLE REGISTRATION FEES**
Mr Bates, pursuant to notice, moved -

THAT this House requests the executive member responsible for motor vehicle registration fees to take whatever action is necessary to reduce the cost of private vehicle registration to \$95 effective from the date the fee unit was increased to \$15

Debate ensued
Question put

The House voted –

AYES, 5
Mr Buffett
Mr Bates
Mr Gardner
Mr Walker
Mr Smith

NOES, 3
Mr Nobbs
Mr Cook
Mr McCoy

ABSTENTIONS, 1
Mr Brown

Motion agreed to

The Speaker suspended the sitting at 1.15 pm until 2.15 pm
The sitting resumed at 2.16 pm, the Speaker taking the Chair

13 IMMIGRATION ACT – INCREASE OF QUOTA

Mr Brown, pursuant to notice, moved -

THAT this House recommends to the executive member pursuant to section 21 of the Immigration Act that the number of general entry permits which may be granted in the current year be increased by 15

Debate ensued

The Deputy Speaker took the Chair at 2.55 pm
The Speaker resumed the Chair at 3.10 pm

Mr Brown moved –

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

14 TOURIST ACCOMMODATION AMENDMENT REGULATIONS 2000

Debate resumed on the question – That the House take note of the paper

Debate ensued

Question put and agreed to on the voices

15 NOTICE NO. 1 – RESUMPTION

Debate resumed on the question – That the motion be agreed to

Question put

The House voted –

AYES, 3
Mr Cook
Mr Smith
Mr Brown

NOES, 6
Mr Buffett
Mr Nobbs
Mr Bates
Mr Gardner
Mr Walker

Motion negatived

16 DEAD RAT LANE”

Debate resumed (Mr Walker) on the question – That the motion be agreed to
 Motion withdrawn by leave at the request of Mr Walker

17 IMMIGRATION AMENDMENT BILL 2000

Debate resumed (Mr Cook) on the question – That the Bill be agreed to in principle

The Deputy Speaker took the Chair at 4.12 pm

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

18 FIXING OF NEXT SITTING DAY

Mr Walker moved –

THAT the House at its rising adjourn until Wednesday 18 October 2000 at 10 am

Question put and agreed to on the voices

The Speaker resumed the Chair at 4.42 pm

19 ADJOURNMENT

Mr McCoy moved –

THAT the House do now adjourn

Debate ensued with Mr Gardner and Mr McCoy participating
Question put and agreed to on the voices

AND THEN the House at 4.48 pm adjourned until Wednesday 18 October 2000 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present