

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
16 MAY 2001**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
NAINTH LEJESLIETEW 'SEMBLE
16 MIEH 2001**

1 The Legislative Assembly met at 10.04 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 **CONDOLANCES**

Mr McCoy recorded the passing of-

Sian Quantrill

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

3 **LEAVE OF ABSENCE**

Leave of absence from the sitting was extended to Mr Bates, Mr Smith and Mr Brown

4 **QUESTIONS WITHOUT NOTICE**

Acting Deputy Speaker Gardner took the Chair at 10.58 am

5 **ANSWERS TO QUESTIONS ON NOTICE**

An answer was provided to question on notice number 60 asked by Mr Cook QC relating to the Governors Lodge project and its water supply. Mr McCoy also provided a response to a question asked at an earlier sitting about the use of pesticides in the Norfolk Island National Park

6 **PRESENTATION OF PAPERS**

The following papers were presented to the House by the Mr Nobbs (Chief Minister) -

- 1) Travel Expenditure (Administration of Norfolk Island) funded from the Revenue Fund for the period 1 January to 31 March 2001
- 2) Inbound Passenger Statistics April 2001
Mr Nobbs moved –

THAT the House take notice of the paper

Debate ensued

Question put and agreed to on the voices

- 3) Airport Landing fee exemptions for period 1 January to 30 April 2001
- 4) Financial indicators April 2001
Mr Nobbs moved –

THAT the House take notice of the paper

Debate ensued

Question put and agreed to on the voices

7 **STATEMENTS**

1) Mr Buffett (Minister for Immigration and Community Services) -

- a) Acknowledged the efforts of all those persons and organisations involved in the recent tragedy at Puppy's Point;

- b) Reported on the attendance by the Clerk and himself at the Centenary of Federation Parliamentary sittings in Melbourne last week and on his attendance at the recent CPA Executive Committee meeting in Barbados;
 - c) Advised of progress with the development of the new immigration guidelines;
 - d) Reported progress with the Justice and Courts Legislation
- 2) Mr Nobbs (Chief Minister) -
- a) Reported progress with the review of the effect of deregulation of the Tourist Accommodation Industry;
 - b) Spoke to the possible need to bring forward the timetable for the upgrade of the Norfolk Island airport and possible options for funding the upgrade
- 3) Mr McCoy (Minister for Health and Environment) briefed members on some difficulties experienced with arranging the recent Medivac;
- 4) Mr Nobbs (Chief Minister) reported on the meeting in Sydney recently with SMEC Australia Pty Limited. The meeting was attended by officers of the Administration and members of the Cascade Cliff Management Board

8 DISCHARGE OF MATTERS FROM THE NOTICE PAPER

Mr McCoy (Minister for Health and Environment), by leave, moved –

THAT Notices 7 and 8 and Orders of the Day 1, 5, 7 and 8 on the Notice Paper be discharged

Debate ensued

Question put and agreed to on the voices

9 APPROPRIATION BILL 2001 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

Acting Deputy Speaker Gardner reported **Message No. 15** from the Deputy Administrator recommending to the Legislative Assembly the enactment of a proposed law entitled “ An Act to authorise expenditure from the Public Account for the year ending on 30th June 2002”

10 APPROPRIATION BILL 2001

Mr Nobbs (Chief Minister), pursuant to notice, presented a Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2002 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Nobbs) and the resumption of debate made an order of the day at a subsequent day of sitting

11 RECOMMENDATION FOR APPOINTMENT OF CHIEF EXECUTIVE OFFICER

Mr. Nobbs (Chief Minister), pursuant to notice, moved –

That this House, in accordance with subsection 38(1) of the Public Sector Management Act 2000, recommends that the responsible executive member appoints as the Chief Executive Officer that person recommended for the position by the selection committee in its report dated 26 April 2001; and that a contract of employment in that capacity be offered to the successful applicant for a period of 3 years renewable for a further period of 2 years

Mr Nobbs, by leave moved –

THAT the motion be amended by -

- a) deleting “2 years” and
- b) inserting in it’s place – “up to 2 years subject to agreement of both parties and providing Norfolk Island Immigration requirement are satisfied”

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

The House voted –

AYES, 5

Mr Nobbs

Mr Cook

Mr McCoy

Mr Gardner

Mr Walker

NOES, 1

Mr Buffett

Motion agreed to

12 AMENDMENT TO PLANNING ACT 1996 IN RESPECT OF TOURIST ACCOMMODATION

Mr Walker, pursuant to notice, moved –

THAT this House directs the appropriate Executive Member to have drafted such amendments to the Planning Act 1996 as would prevent the processing of any existing applications, or the acceptance of any new applications lodged after 10am on 16th May 2001, for Tourist Accommodation, without the applicant having first secured, relevant to the said application –

- 1) a position in the Tourist Accommodation Quota pursuant to section 8 of the Tourist Accommodation Act 1984, and
- 2) evidence of the applicants secured position under (1) above for presentation to the Secretary of the Planning Board, and
- 3) a Conditional Registration Certificate under section 7(4A) of the Tourist Accommodation Act 1984 to accompany the application

Debate ensued

Question put and agreed to on the voices

13 ADMINISTRATION POLICY AND GUIDELINES FOR PROCUREMENT OF GOODS AND SERVICES

Mr. Nobbs (Chief Minister), pursuant to notice, moved -

That this House approves the Policy and Guidelines in respect of the Procurement of Goods and Services outlined in the document dated 10 May 2001 and entitled “ Procurement of Goods and Services (Purchasing, Tenders, and Contracts) – Circular Number 5.1” and requests the responsible executive member to adopt the said Policy and Guidelines by direction under section 38 of the Public Money’s Act 1979

Debate ensued

Question put and agreed to on the voices

14 STATUTE AMENDMENT (GAMING FEES) BILL 2001

Mr McCoy (Minister for Health and Environment), pursuant to notice, presented a Bill for an Act to amend the Gaming Act 1998 and Bookmakers Act 1998 in certain particulars and moved –

THAT the Bill be agreed to in principle

Debate ensued

The Speaker took the Chair at 1.05 pm

Mr McCoy (Minister for Health and Environment) moved –

THAT so much of Standing Orders be suspended as would prevent the Bill being considered through all stages at this sitting

Question put

Motion negatived on the voices

Mr Nobbs (Chief Minister) moved –

THAT 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 Buffett

Mr Nobbs

Mr McCoy

NOES, 3

Mr Cook

Mr Gardner

Mr Walker

Motion negatived

Mr Cook QC moved –

THAT the motion to set aside Standing Orders earlier negatived be rescinded

Question put and agreed to on the voices

Mr McCoy (Minister for Health and Environment) moved –

THAT so much of Standing Orders be suspended as would prevent the Bill being considered through all stages at this sitting

Question put

The House voted –

AYES, 2

Mr Nobbs

Mr McCoy

NOES, 3

Mr Cook

Mr Gardner

Mr Walker

ABSTENTION, 1

Mr Buffett

Motion negatived

Mr Nobbs (Chief Minister) moved –

THAT 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 Nobbs
Mr Cook
Mr McCoy

NOES, 2
Mr Gardner
Mr Walker

ABSTENTION, 1
Mr Buffett

Motion agreed

14 FIXING OF NEXT SITTING DAY

Mr Walker moved –

THAT the House at its rising adjourn until Wednesday 20 June 2001 at 10 am

Question put and agreed to on the voices

15 ADJOURNMENT

Mr Cook moved –

THAT the House do now adjourn

Question put and agreed to on the voices

AND THEN the House at 1.58 pm adjourned until Wednesday 20 June 2001 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present except Bates, Mr Smith and Mr Brown