

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
21 NOVEMBER 2001**

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21 NOWEMBA 2001**

- 1 The Legislative Assembly met at 10.05 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 QUESTIONS WITHOUT NOTICE

Acting Deputy Speaker Gardner took the Chair at 10.26 am

3 PRESENTATION OF PAPERS

The following papers were presented to the House –

- 1) Mr Nobbs (Chief Minister) tabled the Progress Report of a Working Group established in September 2001 to examine, inquire into and report on all aspects of the operation of the Legislative Assembly including but not limited to the constitution and membership of the Legislative Assembly, the voting system, terms of office and roles and responsibilities of members of the Legislative Assembly
Mr Nobbs moved –

THAT the House take note of the paper

Debate ensued
Question put and agreed to on the voices

- 2) Mr Smith (Minister for Tourism and Commerce) tabled the Inbound Passenger Statistics for October 2001 and moved –

THAT the House take note of the Paper

Debate ensued
Question put and agreed to on the voices

- 3) Mr Nobbs (Chief Minister) tabled the audited Financial Statements for the Administration of Norfolk Island for the year ended 30 June 2001 and moved –

THAT the House take note of the paper

Debate ensued
Question put and agreed to on the voices

- 4) Mr McCoy (Minister for Health and Environment) tabled the Report from the Chairman of the Norfolk Island Gaming Authority relating to the activities of the Authority from 1 January 2001 to 30 September 2001 and moved –

THAT the House take note of the paper

Debate ensued
Question put and agreed to on the voices

- 5) Mr Nobbs (Chief Minister) tabled a bound copy of the Census of Population and Housing 7 August 2001
- 6) Mr Smith (Minister for Tourism and Commerce) tabled the Independent Audit Report and financial statements of the Norfolk Island Tourist Bureau Enterprise (sic)
- 7) Mr Nobbs (Chief Minister) tabled the Financial Indicators for month of October 2001 and moved –

THAT the House take note of the Paper

Debate ensued
Question put and agreed to on the voices

- 8) Mr McCoy (Minister for Health and Environment) –
 - a) Tabled both the Summary Report dated 10 October 2001 from Biomass Energy Services & Technology Pty Ltd re the Feasibility of installing a thermal gasifier and Stage 2 of the Community Consultation Report dated June 2001 in respect of the Waste Management Options Study and moved –

THAT the House take note of the Papers

Debate ensued
Question put and agreed to on the voices

- b) Tabled the Financial Report for the Cascade Cliff Sale of Rock Enterprise dated 15 November 2001 and moved -

THAT the House take note of the Paper

Debate ensued
Question put and agreed to on the voices

- 9) Mr Buffett (Minister for Immigration and Community Services) tabled an Exposure Draft dated November 2001 of the proposed Evidence Bill 2001

4 STATEMENTS OF AN OFFICIAL NATURE

- 1) Mr Buffett (Minister for Immigration and Community Services) –
 - a) Reported on progress with planning for the 6th South Pacific Mini Games Mr Bates moved –

THAT the House take note of the Statement

Debate ensued
Question put and agreed to on the voices

- b) Advised that Senator Macdonald had instructed the Administrator to withhold assent to the Immigration (Guidelines) Amendment Bill 2001
- 2) Mr McCoy (Minister for Health and Environment) provided an update on the present status of the Joint Norfolk Island/Commonwealth Land Initiative Mr Adams moved –

THAT the House take note of the Statement

Debate ensued
Question put and agreed to on the voices

5 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

Acting Deputy Speaker Gardner reported Message No. 24 from His Honour the Administrator advising that on 31 October 2001 he declared his assent to the Tourist Accommodation (Quota Administration) Amendment Act 2001 and the Customs (Vehicle Size Limits) Amendment Act 2001

6 REPORT FROM SELECT COMMITTEE INQUIRY INTO IMPACT OF DEREGULATION TOURIST ACCOMMODATION REGISTRATIONS AND RELATED MATTERS

Committee Chairman, Mr Bruce Walker, reported on the Committee's progress with its inquiry which had been interrupted by the calling of a general election on 29 November 2001

7 SELECT COMMITTEE INQUIRY INTO MATTERS RELATING TO THE DEREGULATION OF THE TOURIST ACCOMMODATION REGISTRATIONS AND OTHER MATTERS.

Mr Walker, pursuant to notice, moved -

THAT this House resolves and recommends that –

- 1 All evidence, submissions and any other relevant documentation received by the Select Committee appointed by the Ninth Legislative Assembly to inquire into matters relating to the deregulation of the Tourist Accommodation Registrations and other Matters remain in the custody of the Clerk to the Legislative Assembly until the Tenth Legislative Assembly is appointed; and**
- 2 The Tenth Legislative Assembly give high priority to the appointment of a new Select Committee charged with the same Terms of Reference in order that it may complete this very worthwhile report and recommendations**

Debate ensued

Acting Deputy Speaker Bates took the chair at 12.54 pm

Acting Deputy Speaker Gardner took the Chair at 12.54 pm

A member having moved – That the question be put – Acting Deputy Speaker indicated his intention to allow further debate notwithstanding the requirement of standing order 69(b)

A point of order having been raised by Mr Brown that standing order 69(b) required the question be put without further debate, Acting Deputy Speaker Gardner ruled that to disallow Members who had indicated a wish to enter into the debate from so doing would be an infringement of the rights of these Members within the meaning of standing order 73

Mr Brown moved –

THAT the Chair's ruling be dissented from

Question put

The House voted –

AYES, 2

Mr Adams

Mr Brown

NOES, 7

Mr Buffett

Mr Nobbs

Mr Bates

Mr McCoy

Mr Gardner

Mr Walker

Mr Smith

Motion negatived

Debate continued

Question put

The House voted –

AYES, 6

Mr Buffett

Mr Nobbs

Mr Bates

Mr McCoy

Mr Walker

Mr Smith

NOES, 3

Mr Adams

Mr Gardner

Mr Brown

Motion agreed to

8 PUBLIC SECTOR MANAGEMENT ACT 2000 – APPOINTMENT OF EXECUTIVE DIRECTOR ENVIRONMENT AND INFRASTRUCTURE

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

THAT, notwithstanding the motion of this House passed on 15 July 2001, this House, pursuant to section 39(1) of the Public Sector Management Act 2000, and as a consequence of the report made by the Chief Executive Officer to members of the Legislative Assembly at their informal meeting of 5 November 2001, recommends that the Chief Executive Officer appoint as the Executive Director Environment and Infrastructure the person selected as the preferred applicant for the position under Section 39 (2)(b) of the Act and that the CEO proceed to negotiate a performance-based contract in accordance with her responsibilities under Section 40(2) of the Act and relevant immigration provisions

Debate ensued

The Speaker took the Chair at 1.55 pm

Acting Deputy Speaker Gardner took the Chair at 2.06 pm

Mr Buffett moved –

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

Debate ensued

Question put

The House voted –

AYES, 6	NOES, 3
Mr Buffett	Mr Nobbs
Mr Bates	Mr McCoy
Mr Adams	Mr Walker
Mr Gardner	
Mr Smith	
Mr Brown	

Motion agreed to

9 SOUTH PACIFIC MINI GAMES OPENING CEREMONY

Mr Bates, pursuant to notice, moved -

THAT this House recommends to the Chief Executive Officer that as many administration functions as possible be closed during the opening ceremony of the South Pacific Mini Games and that staff be encouraged to attend the Ceremony without penalty and that the private sector be encouraged to do likewise

Debate ensued

Mr Brown, by leave, moved the following amendment:

Delete the word “penalty”, insert the word “pay” and add the word “recommends” immediately before the words “that the private sector be encouraged to do likewise”

Debate ensued

Mr Brown withdrew his amendment in favour of the following amendment proposed by Mr Buffett (Minister for Immigration and Community Services):

THAT all words after “Chief Executive Officer” be deleted and the following substituted:

“that arrangements be made for as many staff as possible, to attend the Opening and Closing Ceremonies of the South Pacific Mini Games, and equally encourages that the private sector do likewise”

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 ADJOURNMENT

Mr Bates moved –

THAT the House do now adjourn

Debate ensued with Mr Bates, Mr McCoy, Mr Buffett and Mr Nobbs participating

Question put and agreed to on the voices

AND THEN the House at 2.43 pm adjourned

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present