



# MINUTES

## Ordinary Council Meeting

**28 June 2017**

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*orn 28 Junn 2017*

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS  
ON WEDNESDAY 28 JUNE 2017 AT 2:00PM**

**PRESENT:**

Cr Robin Adams (Mayor)

Cr John McCoy (Deputy Mayor)

Cr Rod Buffett (Councillor)

Cr David Porter (Councillor)

Cr Lisle Snell (Councillor)

**IN ATTENDANCE:**

Lotta Jackson (General Manager)

Bruce Taylor (Group Manager Services)

Shane Nankivell (Acting Group Manager Corporate / Chief Financial Officer)

**1 WELCOME**

The Mayor welcomed Councillors, Officers and the community to the meeting of the Norfolk Island Regional Council and opened the meeting at 2:00pm.

**2 STATEMENT OF RESPECT**

*The Norfolk Island Regional Council promotes a climate of respect for all. We will endeavour to inspire in our community shared civic pride by valuing and protecting our unique culture and environment, both natural and built, for the current and future generations. We, the elected members and staff of the Norfolk Island Regional Council undertake to act with honesty and integrity, to conduct ourselves in a way that engenders trust and confidence in the decisions we make, and the actions we take on behalf of the Norfolk Island community. We acknowledge the Norfolk Island people, the traditional custodians of this Island.*

**3 APOLOGIES**

Joy Walker (Executive Manager Governance and HR)

**CONDOLENCES**

Cr Adams recorded the passing of:

- Margery Jill McDowell
- Beth Quintal
- Rae Ffrench Olsen
- Ruth Hawkins / Unt
- Colin White
- Thomas Lesley Lloyd

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

**4 DISCLOSURE OF INTEREST**

Councillor	Agenda Item	Type	Nature of Interest
Cr Robin Adams	8.3 Minutes of the Public Reserves Advisory Committee Meeting held on 6 June 2017	Less than Significant Non Pecuniary Interest	Secretary of Norfolk Island Cattle Association and owner of cattle on public roads.
Cr Robin Adams	9.1 Operational Plan 2017-2018	Less than Significant Non Pecuniary Interest	Solar Panels on residence.
Cr Rod Buffett	9.1 Operational Plan 2017-2018	Less than Significant Non Pecuniary Interest	Solar Panels on residence.
Cr David Porter	9.1 Operational Plan 2017-2018	Less than Significant Non Pecuniary Interest	Solar Panels on residence.
Cr Snell	9.1 Operational Plan 2017-2018	Less than Significant Non Pecuniary Interest	Solar Panels on residence.
Cr David Porter	12.1 Legislation – Tourist Accommodation Act and Regulations 1984	Pecuniary Interest	Operates tourism accommodation on Norfolk Island
Cr John McCoy	12.1 Legislation – Tourist Accommodation Act and Regulations 1984	Pecuniary Interest	Lessee of tourism accommodation on Norfolk Island

**5 PUBLIC ACCESS**

Ms. Cherri Buffett, President – Norfolk Island Chamber of Commerce, made a presentation on behalf of the Chamber of Commerce in regard to Waste Management planning.

Ms Buffett expressed the concerns of the Chamber of Commerce, in particular the short timeframe to July 2018, before the need to stop burning and dumping of waste at Headstone is in effect.

**6 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE COUNCIL MEETING HELD ON 17 MAY 2017****RESOLUTION 2017/86**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That the Minutes of the Council Meeting held on 17 May 2017 be confirmed.

Abstained: Cr Lisle Snell

**CARRIED**

**7 MAYORAL MINUTE**

Nil

## 8 REPORTS FROM COMMITTEES

## 8.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 10 MAY 2017

**RESOLUTION 2017/87**

Moved: Cr Rod Buffett

Seconded: Cr John McCoy

That:

1. The Minutes of the Audit Committee Meeting held on 10 May 2017 be received and noted.
2. Council note insufficient time and insufficient information is provided to the Committee (by Australian National Audit Office (ANAO) for considered review and comment. That Council provide the Committee with the Asset Valuation Report and ANAO Closing Report and associated information enabling the Committee to review processes and findings as they relate to the NIRC.
3.
  - a) The Audit Committee congratulates Council on identifying the true cost of business units and in applying increased fees and charges in the draft Operational Plan to obtain full cost recovery, ensuring increased sustainability for Council.
  - b) The Council advise the Commonwealth that the Councils Audit and Risk Committee commends the Commonwealths early acceptance of the fees and charges given the significant positive impact on Councils financial position.
  - c) Council approach the Commonwealth to amend relevant legislation to permit Council to determine its own fees and charges in an instrument/s providing powers similar to those contained in the *Local Government Act NSW 1993*.
4. The Audit Committee notes the verbal report provided and requests that Council provide the Committee out of session with the Quarterly Review of Activities for January to March, once adopted by Council.
5. The Audit Committee notes the verbal report provided and requests that Council provide the Committee out of session with the Quarterly Financial Report for January to March 2017, once adopted by Council.
6. Council make reasonable enquires to ensure it is aware of any legislative obligations to report a reasonable suspicion of corruption, and to whom.

Recorded Against: Cr Lisle Snell

**CARRIED**

## 8.2 MINUTES OF THE ROCK FEED SOURCE ADVISORY COMMITTEE MEETING HELD ON 25 MAY 2017

**RESOLUTION 2017/88**

Moved: Cr John McCoy

Seconded: Cr David Porter

That the Minutes of the Rock Feed Source Advisory Committee Meeting held on 25 May 2017 be noted.

**CARRIED**

**8.3 MINUTES OF THE PUBLIC RESERVES ADVISORY COMMITTEE MEETING HELD ON 6 JUNE 2017****RESOLUTION 2017/89**

Moved: Cr John McCoy

Seconded: Cr David Porter

That:

1. The Minutes of the Public Reserves Advisory Committee Meeting held on 6 June 2017 be received and noted.
2. The information in the Officer's Report, June 2017, be noted.
3. The Ball Bay Reserves Plan of Management be an agenda item for the meeting 4 July, 2017 and the information gathered by Kevin Mills in his 2007 Vegetation Survey on Euphorbia be provided to members for discussion at the July meeting.
4. The information in the submission from the 'Norfolk Island Cattle Association' (NICA) be noted and the recommendations be accepted, namely:
  - a) That the Committee recommends Council adopt the 2016 GHD Report "The Administration of Norfolk Island: Calculation of Stocking Rates on Public lands 18 February 2016", and make it publicly available.
  - b) The Committee recommends to Council that as a matter of priority Council commences meaningful dialogue with NICA as recommended in the GHD report to develop a Plan/s of Management to enable controlled grazing on public land and in public reserves.

**CARRIED**

**8.4 MINUTES OF THE HERITAGE AND CULTURE ADVISORY COMMITTEE MEETING HELD ON 9 JUNE 2017****MOTION**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That:

1. The Minutes of the Heritage and Culture Advisory Committee Meeting held on 9 June 2017 be noted.
2. The Heritage and Culture Advisory Committee recommend that Council adopt the amended Final Draft Heritage and Culture Strategy 2017-2020.
3. The following amendments be made to the Terms of Reference for the Heritage and Culture Advisory Committee:

Purpose

*To advise Council on Heritage and Culture*

Role

*Concurrently to the operation of heritage and culture activities, through the General Manager by responsible staff, the role of the Committee will include:*

*Making of recommendations to the Norfolk Island Regional Council*

Meetings

*The Committee shall meet, as a minimum, quarterly (every three (3) months) unless Council has approved otherwise.*

4. Council approves the Amendment to the Terms of Reference for the Heritage and Culture Advisory Committee.

**AMENDMENT**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That the motion be amended to include the following as Item 5:

That Council, in consultation with the Council of Elders as proposed in Item 2 of section 4.3 of the Strategy; incorporate information and learning of Norfolk's culture and heritage in staff induction programs and in particular Council use the 'Welcome to Norfolk Island – Your Guide to Norfolk Island Culture' as a resource for use in inductions for new NIRC staff.

**CARRIED****RESOLUTION 2017/90**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That:

1. The Minutes of the Heritage and Culture Advisory Committee Meeting held on 9 June 2017 be noted.
2. The Heritage and Culture Advisory Committee recommend that Council adopt the amended Final Draft Heritage and Culture Strategy 2017-2020.
3. The following amendments be made to the Terms of Reference for the Heritage and Culture Advisory Committee:

Purpose

*To advise Council on Heritage and Culture*

Role

*Concurrently to the operation of heritage and culture activities, through the General Manager by responsible staff, the role of the Committee will include:*

*Making of recommendations to the Norfolk Island Regional Council*

Meetings

*The Committee shall meet, as a minimum, quarterly (every three (3) months) unless Council has approved otherwise.*

4. Council approves the Amendment to the Terms of Reference for the Heritage and Culture Advisory Committee.
5. Council, in consultation with the Council of Elders as proposed in Item 2 of section 4.3 of the Strategy; incorporate information and learning of Norfolk's culture and heritage in staff induction programs and in particular Council use the 'Welcome to Norfolk Island – Your Guide to Norfolk Island Culture' as a resource for use in inductions for new NIRC staff.

**CARRIED**

**9 REPORTS FROM GENERAL MANAGER****9.1 OPERATIONAL PLAN 2017-2018**

The purpose of this report is for Council to adopt the Operational Plan 2017-2018 which includes the activities, rates, fees and charges and budget for the financial year 2017-2018.

**MOTION**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That:

- (1) Council adopts the Operational Plan for 2017-2018;
- (2) Council makes a rating structure in line with the revenue policy;
- (3) Council adopts the Fees and Charges contained within the Operational Plan for 2017-2018;
- (4) Council adopts the Budget for 2017-2018 contained within the Operational Plan 2017-2018.

**AMENDMENT**

Moved: Cr Robin Adams

Seconded: Cr Rod Buffett

That paragraph (2) of the motion be amended to read:

(2) In order for Council to meet its obligations under the *Norfolk Island Applied Laws Ordinance 2016, No. 9*, of the Commonwealth which requires that an ordinary rate made for a year by Council must be such as to ensure that the total of ordinary rates levied on all rateable land for the year ending on 30 June 2018 and any later year at least is \$1,000,000, Council makes a rating structure in line with the revenue policy.

That paragraph (3) of the recommendation be amended to read:

(3) Council adopts the Fees and Charges contained within the draft Operational Plan 2017-2018 with the exception of the proposed electricity tariff increases, grid access fee and the photovoltaic (solar) user access fee at page 28 of the draft Plan which require further consideration by Council; and on the understanding that the waste management fees proposed at page 84 of the draft Plan commence no earlier than 1 August 2017 to allow for staff and community education to occur on what currently constitutes non-recyclable waste and what currently constitutes recyclable waste.

(3a) Narrative on page 39 in regard to Disposal fees (non-recyclables) to be changed to mirror change on page 84 - 'Pre-paid bag' to be replaced by 'box or bag/bin for volume up to 120 litres'

**CARRIED**

**AMENDMENT**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That the Mayor and the General Manager are to urgently pursue the Commonwealth to amend the Airport Regulations to the proposed Security deposit for Regular Passenger Transport (RPT) charter, and that the new fee be a sum equal to 3 months of Landing Fees or \$50,000, whichever is the greatest.

**CARRIED**



**AMENDMENT**

Moved: Cr John McCoy  
Seconded: Cr Lisle Snell

That Council change the 'Waste Management Levy if imported by sea and that the proposed fee be amended and increased from \$32 to \$70 per cubic metre.

**LOST**

**RESOLUTION 2017/91**

Moved: Cr David Porter  
Seconded: Cr Rod Buffett

That:

- (1) Council adopts the Operational Plan for 2017-2018, making corrections of administrative errors as mentioned on pages: 53, 55, 56 and 71;
- (2) In order for Council to meet its obligations under the *Norfolk Island Applied Laws Ordinance 2016, No. 9*, of the Commonwealth which requires that an ordinary rate made for a year by Council must be such as to ensure that the total of ordinary rates levied on all rateable land for the year ending on 30 June 2018 and any later year at least is \$1,000,000, Council makes a rating structure in line with the revenue policy;
- (3) Council adopts the Fees and Charges contained within the draft Operational Plan 2017-2018 with the exception of the proposed electricity tariff increases, grid access fee and the photovoltaic (solar) user access fee at page 28 of the draft Plan which require further consideration by Council; and on the understanding that the waste management fees proposed at page 84 of the draft Plan commence no earlier than 1 August 2017 to allow for staff and community education to occur on what currently constitutes non-recyclable waste and what currently constitutes recyclable waste;  
(3a) Narrative on page 39 in regard to Disposal fees (non-recyclables) to be changed to mirror change on page 84, 'Pre-paid bag' to be replaced by 'box or bag/bin for volume up to 120 litres'
- (4) Council adopts the Budget for 2017-2018 contained within the Operational Plan 2017-2018.
- (5) The Mayor and the General Manager are to urgently pursue the Commonwealth to amend the Airport Regulations to the proposed Security deposit for RPT charter, and that the new fee be a sum equal to 3 months of Landing Fees or \$50,000, whichever is the greatest.

Recorded Against: Cr Lisle Snell

**CARRIED**

**9.2 STATUS REPORT - TOURISM**

The purpose of this report is to provide a Tourism update on activities which have taken place in May and June 2017.

**RESOLUTION 2017/92**

Moved: Cr John McCoy  
Seconded: Cr Robin Adams

That the Tourism progress and update as highlighted in this report be received and noted.

**CARRIED**

**10 REPORTS FROM EXECUTIVE MANAGER GOVERNANCE & HUMAN RESOURCES****10.1 WORKFORCE MANAGEMENT PLAN 2016-2020**

The purpose of this report is for Council to adopt the updated draft Workforce Management Plan as part of the Resourcing Strategy for Council's Delivery Program

**RESOLUTION 2017/93**

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council adopts the updated Workforce Management Plan 2016-2020.

Recorded Against: Cr Lisle Snell

**CARRIED****11 REPORTS FROM GROUP MANAGER COMMERCIAL HUB****11.1 LONG TERM FINANCIAL PLAN 2018-2027**

The purpose of this report is to update Council on the revised Long Term Financial Plan (Plan) in conjunction with the 2017-2018 Operational Plan Budget.

**RESOLUTION 2017/94**

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That:

1. Council notes the Long Term Financial Plan 2018-2027.
2. Council adopts the 'Base Scenario' contained within the Long Term Financial Plan 2018-2027.

Recorded Against: Cr Lisle Snell

**CARRIED****11.2 ADMINISTRATION OF NORFOLK ISLAND'S 2015-2016 FINANCIAL STATEMENTS**

The purpose of this report is to present the financial statements for the Administration of Norfolk Island (ANI) to the Council for information purposes only.

**RESOLUTION 2017/95**

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council notes the financial statements for the Administration of Norfolk Island 2015-2016.

**CARRIED**

**11.3 INVESTMENT REPORT MAY 2017**

The purpose of this report is to report to Council the balance of investments held as at 31 May 2017.

**RESOLUTION 2017/96**

Moved: Cr David Porter

Seconded: Cr John McCoy

That the investment report be received and noted, with the interest accrued on investments during the month of May 2017 being \$23,126 and the total deposits held being \$12,366,083.

**CARRIED**

**11.4 CUSTOMER SERVICE CHARTER**

The purpose of this report is for Council to consider the adoption of a Customer Service Charter.

**RESOLUTION 2017/97**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That Council adopts the Customer Service Charter.

**CARRIED**

**12 REPORTS FROM GROUP MANAGER SERVICES**

Cr McCoy and Cr Porter left the meeting at 4:24pm.

**12.1 LEGISLATION - TOURIST ACCOMMODATION ACT AND REGULATIONS 1984**

The purpose of this report is for Council to approve requesting the Department of Infrastructure and Regional Development to draft an ordinance to repeal all or any references to accommodation Grading System, Grading or System of Grading in the *Tourist Accommodation Act 1984* and the *Tourist Accommodation Regulations 1984* for the Minister's approval.

**MOTION**

Moved: Cr Lisle Snell  
Seconded: Cr Rod Buffett

That Council approves requesting the Department of Infrastructure and Regional Development to draft an ordinance to repeal all or any references to Grading System, Grading or System of Grading in the *Tourist Accommodation Act 1984* and the *Tourist Accommodation Regulations 1984* for the Minister's approval.

**AMENDMENT**

Moved: Cr Robin Adams  
Seconded: Cr Rod Buffett

That the matter be deferred to a future meeting to allow Council to review the relevant Regulations, to be briefed on relevant regulations and to include any other potential changes so that the Minister is only required to make legislative changes once.

**CARRIED**

**RESOLUTION 2017/98**

Moved: Cr Lisle Snell  
Seconded: Cr Rod Buffett

That the request to the Department of Infrastructure and Regional Development to draft an ordinance in regard to Grading System, Grading or System of Grading in the *Tourist Accommodation Act 1984* and the *Tourist Accommodation Regulations 1984*, be deferred to a future meeting to allow Council to review the relevant Regulations, to be briefed on relevant regulations and to include any other potential changes so that the Minister is only required to make legislative changes once.

**CARRIED**

Cr McCoy and Cr Porter returned to the meeting at 4:28pm.

**12.2 DCA CIRCLE RESIDENTIAL PROPERTIES AND OPEN SPACE**

The purpose of this report is to advise Council of the current status of Department of Civil Aviation (DCA) Circle houses and provide recommendations of the way forward.

**MOTION**

Moved: Cr John McCoy

Seconded: Cr David Porter

That this report is noted, and;

That Council:

1. Approves the drafting of a request of the Commonwealth to include Social Housing in future Service Delivery Agreements;
2. Engages with the Community on possible future mixed use of the DCA circle assets and land with a view to developing a park management plan within the constraints of the planning and environmental controls;
3. Approves an annual review of the current rental paid by tenants;
4. Approves inclusion of an additional annual \$63,000 expenditure in Operational Plans to progress the DCA Circle Housing Maintenance issues that have been identified; and,
5. Notes that the Legal Services team will review the current tenancy agreements and makes recommendations back to the General Manager on a new compliant tenancy agreement format.

**AMENDMENT**

Moved: Cr David Porter

Seconded: Cr John McCoy

That the following text is added to the end of item 3 of the motion:  
'in conjunction with a Social Housing Rental Policy, approved by Council'.

**CARRIED**

**RESOLUTION 2017/99**

Moved: Cr John McCoy

Seconded: Cr David Porter

That this report is noted, and,

That Council:

1. Approves the drafting of a request of the Commonwealth to include Social Housing in future Service Delivery Agreements;
2. Engages with the Community on possible future mixed use of the DCA circle assets and land with a view to developing a park management plan within the constraints of the planning and environmental controls;
3. Approves an annual review of the current rental paid by tenants, in conjunction with a Social Housing Rental Policy, approved by Council;
4. Approves inclusion of an additional annual \$63,000 expenditure in Operational Plans to progress the DCA Circle Housing Maintenance issues that have been identified; and,
5. Notes that the Legal Services team will review the current tenancy agreements and makes recommendations back to the General Manager on a new compliant tenancy agreement format.

**CARRIED**

**12.3 SPORTS PROMOTION GRANTS FUNDING**

The purpose of this report is for Council to adopt the results of the assessment of the Sports Promotional Grants Program for 2016-2017.

**RESOLUTION 2017/100**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That the following applications be accepted for the 2016-2017 Sports Promotion Grant Program:

Applicant	Amount
Norfolk Island Bowling Club	\$1,000.00
Norfolk Island Netball Association	\$1,500.00
Norfolk Island Waa Outrigger Club (World Distance Championships in Tahiti)	\$1,000.00
Norfolk Island Junior Rugby League Club	\$1,500.00

**CARRIED****12.4 STATUS REPORT - WASTE AND ENVIRONMENT**

The purpose of this report is to provide a Waste and Environment update.

**RESOLUTION 2017/101**

Moved: Cr David Porter

Seconded: Cr Lisle Snell

That the Waste and Environment status report be received and noted.

**CARRIED****12.5 STATUS REPORT - 2016-2017 EXPRESSIONS OF INTEREST PROGRESS**

The purpose of this report is for Council to note the progress on recent Expressions of Interest (EOIs) issued by the Norfolk Island Regional Council.

**RESOLUTION 2017/102**

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That Council notes the progress of Expressions of Interest for the Argentine Ant Eradication, Lighterage Operations, Lease of Tanalith Plant, Electricity Production and Distribution, and Fuel Supply and Distribution as contained within this report.

**CARRIED**

**13 NOTICES OF MOTION****13.1 NOTICE OF MOTION - NORFOLK ISLAND TIME ZONE**

I, Councillor John McCoy, give notice that at the next Ordinary Meeting of Council be held on 28 June 2017, I intend to move the following motion: -

**RESOLUTION 2017/103**

Moved: Cr John McCoy

Seconded: Cr Robin Adams

That the Norfolk Island Regional Council conducts a community survey to determine a preferred Norfolk Island time zone.

**CARRIED**

**14 URGENT BUSINESS WITHOUT NOTICE****15 CONFIDENTIAL MATTERS FOR CONSIDERATION****16 QUESTIONS FOR THE NEXT MEETING**

The next Ordinary Meeting of Council will take place on Wednesday 19 July 2017 held at the Norfolk Island Regional Council Chambers commencing at 2:00pm.

There being no further business the Mayor declared the meeting closed at 5:11pm.

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I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting of Council held on Wednesday 28 June 2017.

Submitted to the Ordinary Meeting of Council held on Wednesday 19 July 2017.

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Mayor Robin Adams

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Date