



MINUTES

Ordinary Council Meeting

20 September 2017

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**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS
ON WEDNESDAY, 20 SEPTEMBER 2017 AT 2:00PM**

PRESENT: Cr Robin Adams (Mayor), Cr Rod Buffett (Councillor), Cr John McCoy (Deputy Mayor), Cr David Porter (Councillor), Cr Lisle Snell

IN ATTENDANCE: Lotta Jackson (General Manager), Bruce Taylor (Group Manager Services), Joy Walker (Executive Manager Governance and Human Resources), Rob Carlesso (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 2:10pm.

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

Nil

4 DISCLOSURE OF INTEREST

Councillor	Agenda Item	Type	Nature of Interest
Cr Robin Adams	9.2 Recommendation Item 3 – Ball Bay Reserve Cattle Grazing	Less than Significant Non Pecuniary Interest	I have four head of cattle on the roads in the Anson Bay Area and I am Secretary of the Norfolk Island Cattle Association Inc.
Cr John McCoy	16.2 Airport Regulations 1992	Less than Significant Non Pecuniary Interest	Leasee of Tourist Accommodation Property on Norfolk Island.
Cr David Porter	16.2 Airport Regulations 1992	Less than Significant Non Pecuniary Interest	Leasee of Tourist Accommodation Property on Norfolk Island.

5 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 AUGUST 2017****RESOLUTION 2017/142**

Moved: Cr Rod Buffett
Seconded: Cr David Porter

1. That the Minutes of the Council Meeting held on 16 August 2017 be confirmed.

CARRIED**5.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 8 SEPTEMBER 2017****RESOLUTION 2017/143**

Moved: Cr Lisle Snell
Seconded: Cr David Porter

1. That the Minutes of the Extraordinary Council Meeting held on 8 September 2017 be confirmed.

CARRIED**6 PUBLIC ACCESS****8.1 Status Report – Economic Development**

Cr Robin Adams welcomed Mr Mat Goddard to the meeting to discuss the Economic Development Status Report.

Mr Goddard detailed the Hindle Enterprise Group's first two weeks working with the community, this included the range of business and project engagements, the current community perception and observations, strategy projects and recommendations for implementation. Mr Goddard also provided a more current update on their activities including investigating the potential for an airline to fly to Norfolk from a smaller airport such as Newcastle or Toowoomba.

Cr Robin Adams thanked Mr Goddard for his address.

7 MAYORAL MINUTE

Nil

8 STATUS REPORTS**8.1 ECONOMIC DEVELOPMENT**

Noted.

8.2 RATES NOTICES - FIRST INSTALMENT

Noted.

8.3 WASTE AND ENVIRONMENT

Noted.

8.4 RESPONSE TO NOTICE OF MOTION - LAYOUT PLANS OF WASTE MANAGEMENT CENTRE

Noted.

8.5 RESPONSE TO NOTICE OF MOTION - UNUSED VEHICLES

Noted.

8.6 ENTERPRISE AGREEMENT 2017

Noted.

9 REPORTS FROM COMMITTEES**9.1 MINUTES OF THE PUBLIC RESERVES ADVISORY COMMITTEE MEETING HELD ON 8 AUGUST 2017****RESOLUTION 2017/144**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That:

1. The Minutes of the Public Reserves Advisory Committee Meeting held on 8 August 2017 be received and noted.
2. The cat trapping programme on Norfolk Island continues as part of NIRC pest and noxious weeds eradication.
3. The Acting Manager Local Services and Assets/ Conservator report be noted.
4. A summary of the results from the public consultation process for future domestic cat management, be made public.

CARRIED

9.2 MINUTES OF THE PUBLIC RESERVES ADVISORY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2017**RESOLUTION 2017/145**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That:

1. The Minutes of the Public Reserves Advisory Committee Meeting held on 5 September 2017 be received and noted.
2. That the Acting Manager Local Services report be noted.
3. That Council agree to the continued grazing of cattle in the Ball Bay Reserve and that a revised Plan of Management include the designated areas to be developed.

CARRIED

9.3 MINUTES OF THE ROCK FEED SOURCE ADVISORY COMMITTEE MEETING HELD ON 24 AUGUST 2017**RESOLUTION 2017/146**

Moved: Cr David Porter

Seconded: Cr John McCoy

That:

1. The Minutes of the Rock Feed Source Advisory Committee Meeting held on 24 August 2017 be received and noted.
2. The Group Manager Services advises the Committee at the next meeting on the progress of the application for extraction of rock at Cascade.
3. The information in the Group Manager Services' Report be noted.
4. The following questions be attended to for the next meeting:
 - a. Quantity of rock available at 44a for local consumption;
 - b. Update on planning legislation and progress on Cascade and Headstone;
 - c. Contractors requirement of rock in the future as well as Council's requirement for roads maintenance schedules.
5. No further rock to be removed from the batter at school oval and the area to be rehabilitated

CARRIED

9.4 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 17 AUGUST 2017**MOTION**

Moved: Cr David Porter

Seconded: Cr John McCoy

1. That the Minutes of the Audit Committee Meeting held on 17 August 2017 be received and noted.
2.
 - a) That the Audit Committee notes the draft Interim Management Report and External Audit Plan for the year ending 30 June 2017.
 - b) That final reports be provided to the Audit Committee once completed by Pitcher Partners and reviewed by Council's management.
 - c) Further discussion between the External Auditors and Council staff to occur next week to agree and finalise the External Audit Plan and Interim Management Report.
3. That the Audit Committee note the 2015/2016 closing letter recommendations progress report.
4. That the verbal report provided by the General Manager be noted and the quarterly review of activities Operational Plan 2016-2017 for the period April to June 2017 be received.
5.
 - a) That Council note the Audit and Risk Committee's concerns that Council's decision not to increase the electricity fees and charges for 2017/2018 as previously adopted by Council on 21 December 2016 "Fully Costed Scenario" will result in Council's electricity business unit increasing the deficit in 2017/2018 from \$123K to \$533K which must have a significant negative impact on not only the current 2017/2018 electricity budget but the long term financial plan which was developed using the "Fully Costed Scenario". The Audit and Risk Committee is of the view that deficits of this magnitude are not sustainable and action should be taken to rectify the situation.
 - b) That the five (5) business units Income and Expenditure information be highlighted and headed as "Business Units" at each quarterly budget review.
 - c) That Council document how it will mitigate its key financial risks at the first quarterly financial report.
6.
 - a) That the Audit Committee note the information in this report in relation to risk management and continuous improvement functions currently being undertaken by Council.
 - b) That at the next Audit Committee meeting a progress report be provided.
7.
 - a) That the Audit Committee note the information in relation to Council's Risk Management Action Plan for 2016/2017.
 - b) That the Audit Committee note the information in relation to the updated review from site visit undertaken in April 2017.
8. The Audit Committee notes the Insurable Risk Report.

9. That the Audit Committee note the documentation in relation to Council's Customer Service Charter, Complaints Handling Policy, Feedback form Customer Service Charter and Complaints Handling Process Flowchart.

AMENDMENT

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That paragraph 1 be amended to read – ‘That the Minutes and the motions contained therein of the Audit Committee Meeting held on 17 August be received and noted as follows:’.

CARRIED

RESOLUTION 2017/147

Moved: Cr David Porter

Seconded: Cr John McCoy

That the Minutes and the motions contained therein of the Audit Committee Meeting held on 17 August be received and noted as follows:

1.
 - a) That the Audit Committee notes the draft Interim Management Report and External Audit Plan for the year ending 30 June 2017.
 - b) That final reports be provided to the Audit Committee once completed by Pitcher Partners and reviewed by Council’s management.
 - c) Further discussion between the External Auditors and Council staff to occur next week to agree and finalise the External Audit Plan and Interim Management Report.
2. That the Audit Committee note the 2015/2016 closing letter recommendations progress report.
3. That the verbal report provided by the General Manager be noted and the quarterly review of activities Operational Plan 2016-2017 for the period April to June 2017 be received.
4.
 - a) That Council note the Audit and Risk Committee’s concerns that Council’s decision not to increase the electricity fees and charges for 2017/2018 as previously adopted by Council on 21 December 2016 “Fully Costed Scenario” will result in Council’s electricity business unit increasing the deficit in 2017/2018 from \$123K to \$533K which must have a significant negative impact on not only the current 2017/2018 electricity budget but the long term financial plan which was developed using the “Fully Costed Scenario”. The Audit and Risk Committee is of the view that deficits of this magnitude are not sustainable and action should be taken to rectify the situation.
 - b) That the five (5) business units Income and Expenditure information be highlighted and headed as “Business Units” at each quarterly budget review.
 - c) That Council document how it will mitigate its key financial risks at the first quarterly financial report.
5.
 - a) That the Audit Committee note the information in this report in relation to risk management and continuous improvement functions currently being undertaken by Council.
 - b) That at the next Audit Committee meeting a progress report be provided.

6. a) That the Audit Committee note the information in relation to Council's Risk Management Action Plan for 2016/2017.
b) That the Audit Committee note the information in relation to the updated review from site visit undertaken in April 2017.
7. The Audit Committee notes the Insurable Risk Report.
8. That the Audit Committee note the documentation in relation to Council's Customer Service Charter, Complaints Handling Policy, Feedback form Customer Service Charter and Complaints Handling Process Flowchart.

CARRIED

9.5 MINUTES OF THE TOURISM ADVISORY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2017

RESOLUTION 2017/148

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

1. That the Minutes of the Tourism Advisory Committee Meeting held on 5 September 2017 be received and noted.
2. That the report from the Team Leader Tourism and Economic Development be noted.

CARRIED

10 REPORTS FROM GENERAL MANAGER**10.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017**

The purpose of this report is to inform and acquire Council's endorsement for the Mayor's and General Manager's attendance at the Local Government NSW Annual Conference 2017, Monday 4 December to Wednesday 6 December 2017.

RESOLUTION 2017/149

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That

1. Council notes and endorses the attendance by the Mayor and the General Manager at the Local Government NSW Annual Conference 2017, Monday 4 December to Wednesday 6 December 2017; and
2. That Council nominates Councillor Buffett to join the Mayor and the General Manager to the conference;
3. The expenses are to be in line with the requirements in the policy *Payment of Expenses and Provision of Facilities to Councillors*.

Recorded Against: Crs John McCoy and Lisle Snell

CARRIED

11 REPORTS FROM EXECUTIVE MANAGER GOVERNANCE AND HUMAN RESOURCES**11.1 POLICY: RECORDS MANAGEMENT POLICY**

The purpose of this report is for Council to consider the adoption of a new Records Management Policy and in doing so, making the transitioned Administration of Norfolk Island policy and guideline '2009/04 – Document and Record Management' obsolete.

RESOLUTION 2017/150

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

1. The Records Management Policy is adopted.
2. The Administration of Norfolk Island APG '2009/04 – Document and Record Management' is made obsolete.

CARRIED

12 REPORTS FROM GROUP MANAGER CORPORATE / CHIEF FINANCIAL OFFICER**12.1 POLICY: RELATED PARTIES DISCLOSURES POLICY**

Additional disclosures about significant transactions between Council and key management personnel and their related parties are now required to be included as part of the Annual Financial Statements.

RESOLUTION 2017/151

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council adopts the Related Party Disclosures Policy.

CARRIED

12.2 POLICY: UNREASONABLE CONTACT POLICY REPORT

The purpose of this report is to provide Council with information relating to the Unreasonable Contact Policy which is presented for review and adoption.

RESOLUTION 2017/152

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That Council adopts the Unreasonable Contact Policy.

Recorded Against: Cr Lisle Snell

CARRIED

12.3 POLICY: ASSET ACCOUNTING POLICY AMENDMENTS

The asset recognition thresholds for the identification of new non-current assets is to be increased to between \$10,000 and \$20,000.

MOTION

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council adopts the amended Asset Accounting Policy.

AMENDMENT

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That these words be added to motion after 'Policy' – 'that increases in the asset thresholds for the identification of new non-current assets be increased to between \$10,000 and \$20,000.'

CARRIED

RESOLUTION 2017/153

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council adopts the amended Asset Accounting Policy that increases in the asset thresholds for the identification of new non-current assets be increased to between \$10,000 and \$20,000.

CARRIED

12.4 INVESTMENT REPORT

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

RESOLUTION 2017/154

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That the investment report be received and noted, with the Interest accrued on investments during the month of August 2017 being \$22,185 and the total deposits held being \$12,892,307.

CARRIED

12.5 CAPITAL WORKS TENDERING - COMPOSTING SYSTEM

As part of the implementation of the improved Waste Management system, the need for the installation of a composting system to dispose of Council's organic and biodegradable waste has been investigated. There is currently no fully funded internal budget allocation. Given the estimated costs involved the purchase would be required to be put out to tender.

Approval is sought for the tendering process to commence with a budget allocation to be committed in the quarterly review based on final approval of the project.

RESOLUTION 2017/155

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That Council approve for the General Manager to commence a tender process for the installation on Norfolk Island of an aeration composting system, as recommended by the 2015 Norfolk Island Waste Management Strategy report, and that a budget allocation be provided in the 1st quarterly budget review 2017.

CARRIED

13 REPORTS FROM GROUP MANAGER SERVICES

Nil

14 NOTICES OF MOTION**14.1 NOTICE OF MOTION - SUBMISSION ON NORFOLK MARINE PARK (DRAFT TEMPERATE EAST NETWORK MANAGEMENT PLAN 2017)**

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 20 September 2017, I intend to move the following motion:-

RESOLUTION 2017/156

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That Council make the following submission:

That Parks Australia agree that the area known as 'The Box' around Norfolk Island is zoned a 'multiple use zone' and that 'The Box' and the Norfolk Island partnership with the Australian Fisheries Management Authority (AFMA) be identified and clearly marked on all Maps of the Norfolk Island Marine Park Plan and in the final Temperate East Commonwealth Marine Reserves Network Management Plan 2017.

CARRIED

15 URGENT BUSINESS WITHOUT NOTICE

Nil

16 CONFIDENTIAL MATTERS FOR CONSIDERATION**RESOLUTION 2017/157**

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

16.1 Tender process for Multit-purpose Baler and mini-sort line for Waste Management Centre

This matter is considered to be confidential under Section 10A(2) - di and dii of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

16.2 Airport Regulations 1992

This matter is considered to be confidential under Section 10A(2) - g of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The meeting was closed to the public at 4:44pm with members of the Gallery vacating the Chamber and Broadcasting being suspended.

CARRIED**16.1 TENDER PROCESS FOR MULTIPURPOSE BALER AND MINISORT LINE FOR WASTE MANAGEMENT CENTRE**

The purpose of this report is to seek Council approval to purchase, transport and install a high density, multi-purpose baler and mini-sort line at the Waste Management Centre.

RESOLUTION 2017/158

Moved: Cr David Porter

Seconded: Cr John McCoy

That

1. Council approves the purchase, delivery and installation of high density, multi-purpose baler and mini-sort line, from Waste Initiatives at a total cost of \$413,945.

CARRIED

16.2 AIRPORT REGULATIONS 1992

The purpose of this report is for Council to consider asking the Commonwealth for a change in the *Airport Regulation 1992* to enable Council to process any regular airline from any destination through the regulations.

RESOLUTION 2017/159

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That

1. Council requests that, as soon as practicable, the Commonwealth amends the Norfolk Island airport legislation so that the relevant airport fees and charges apply to all flights to and from Norfolk Island.
2. Council requests that, in the near future, the Commonwealth implement the necessary legislative changes which would allow Council the discretion to set airport fees and charges itself, pursuant to the fee making mechanism established under the *Local Government Act 1993 (NSW)(NI)*, so as to allow the airport to operate sustainably and in the broader interests of the Norfolk Island tourism industry. Council authorises the General Manager to work collaboratively with the Commonwealth to secure this outcome.
3. Council seeks legal advice as to the current situation with the *Airport Regulations 1992*.

CARRIED

RESOLUTION 2017/160

Moved: Cr David Porter

Seconded: Cr Lisle Snell

That Council moves out of Closed Session at 5:38pm and resumes the Ordinary Council meeting. The Gallery was opened to the public with Broadcasting continuing.

CARRIED

17 QUESTIONS FOR THE NEXT MEETING

Nil

The next Ordinary Meeting of Council will take place on Wednesday 18 October 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 5:39pm.

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 20 September 2017.

Submitted to the Ordinary Meeting of Council held on Wednesday 18 October 2017.

Mayor Robin Adams

Date