



MINUTES

Ordinary Council Meeting

15 November 2017

Menets

f daa Ordeneri Kaunsl Miiten

orn 15 Noewemba 2017

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS
ON WEDNESDAY, 15 NOVEMBER 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 (Councillor)

IN ATTENDANCE: Lotta Jackson (General Manager), Bruce Taylor (Group Manager Services), Rob Carlesso (Group Manager Corporate / Chief Financial Officer) Joy Walker (Executive Manager Governance and Human Resources)

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

Nil

CONDOLENCES

Cr Adams recorded the passing of:

- Ken Nobbs
- Mavis Millicent Hitch

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 John McCoy	16.2 Tanalith Plant Expression of Interest 06/17	Pecuniary Interest	Employed by Timber on the Move. Will leave the chamber.
Cr Dave Porter	16.2 Tanalith Plant Expression of Interest 06/17	Pecuniary Interest	Part time contract work for Timber on the Move. Will leave the chamber.

5 PUBLIC ACCESS

Nil

6 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE COUNCIL MEETING HELD ON 18 OCTOBER 2017****RESOLUTION 2017/181**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That the Minutes of the Council Meeting held on 18 October 2017 be confirmed.

CARRIED**7 MAYORAL MINUTE****RESOLUTION 2017/182**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That

Athletics Norfolk Island (the Association) proposes to make a bid in January 2018 that Norfolk Island host the 2020/21 Oceania Masters Athletics Championships as it did in 2000. Council agrees a letter of support be provided to the Association by the Mayor for the Championship to be hosted on Norfolk Island. Council notes that the Association has secured \$20K US to replace the spectator seating at the Malcolm Champion oval where the games will be held and has pledged \$20K US to provide sporting equipment required to successfully host the Championships.

CARRIED

RESOLUTION 2017/183

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

Noting that –

1. New education laws based on New South Wales legislation with some changes made by the Commonwealth Department of Infrastructure and Regional Development to reflect the circumstances of Norfolk Island are planned to begin in early 2018;
2. Media on the new education laws states that ‘arrangements for the teaching of the Norfolk language and Norfolk Island culture will not change’;
3. The Norfolk Island Community Strategic Plan 2016-2026 (the Plan) requires Council to advocate for the teaching of Norfolk Studies and the Norfolk Island language under LOTE at the Norfolk Island Central School (NICS);
4. The Heritage and Culture Strategy 2017-2020 proposes the Council continue discussions with the Norfolk Island Central School towards achieving the above action in the Plan for the preservation of Norfolk’s traditional language and culture into the future; and
5. The Mayor on 27 October 2016 wrote to the Principal of NICS endeavouring to commence discussion on how the Plan could fit into the three year strategic plan being developed for NICS at that time,

Council requests the Mayor to meet with the Principal of NICS to discuss and report back to Council on how the teaching of Norfolk Studies and the Norfolk Island language under LOTE at the NICS is being implemented and prioritised.

CARRIED

8 STATUS REPORTS**8.1 WASTE AND ENVIRONMENT**

Noted.

8.2 WASTE MANAGEMENT COMMUNITY MEETING - Q&A'S

Noted.

9 REPORTS FROM COMMITTEES

9.1 MINUTES OF THE COMMUNITY GRANTS COMMITTEE MEETING HELD ON 2 NOVEMBER 2017

RESOLUTION 2017/184

Moved: Cr Rod Buffett

Seconded: Cr David Porter

1. That the following Community Grant Programs funding be granted:

Organisation	Details	Amount
Banyan Park Playcentre Inc.	Professional Development for Banyan Park employees	\$5,646
JMALT HOLDINGS PTY LTD t/as GO NORFOLK ISLAND	Norfolk Island Christmas Pageant	\$350
N.I. P&C Association	Easter Carnival	\$5,646
Norfolk Island Girl Guides	Norfolk Island Girl Guide Building Maintenance and Repair	\$5,000
EcoNorfolk Foundation Inc Limited	Boomerang bags	\$8,895
Letl Salan Toy Library	Letl Salan Toy Library community resources	\$1,500
Norfolk Island Country Music Association (NICMA)	NICMA - Equipment Up Grade	\$5,000
Norfolk Island Flora & Fauna Society Inc	The Great Lily Hunt	\$1,500
Norfolk Island Rugby League Masters	Masters Rugby League Tournament 2018	\$1,000
Youth Sports Fund Trust	Encourage sport participation for youth aged 18 and under	\$5,000
Norfolk Island Wa'a Outrigger Club	Assist the 4th Norfolk Ocean Challenge (January 2018) to bring over 18 visiting outrigger teams.	\$4,004
Lions Club of Norfolk Island	Host Christmas Luncheon for 130 senior citizens. Support to Nippers for training to better prepare our youth in water awareness and safety.	\$4,980
Anniversary Bounty Day Committee	Support community celebrations and activities for Anniversary Bounty Day 2018	\$1,479
TOTAL		\$50,000

Successful and unsuccessful applicants will to be notified by letter. Unsuccessful applicants to be advised how they can improve on future applications.

CARRIED

10 REPORTS FROM GENERAL MANAGER**10.1 QUARTERLY REVIEW OF ACTIVITIES - OPERATIONAL PLAN 2017 - 2018**

The purpose of this report is for Council to note the progress in the Operational Plan 2017 - 2018 for the period July to September 2017.

RESOLUTION 2017/185

Moved: Cr Lisle Snell

Seconded: Cr David Porter

That Council notes the progress of activities in the Operational Plan 2017 – 2018 for the first quarter July to September 2017.

CARRIED

10.2 DRAFT COMMUNITY ENGAGEMENT STRATEGY

The purpose of this report is for Council to consider the draft Community Engagement Strategy and place the Strategy on public exhibition for 28 days + 28 days = 56 days. The extended exhibition period is suggested due to the timing of Christmas and there being no Council meeting in January 2018. This will in turn give the community extensive opportunity to comment on this important Strategy.

RESOLUTION 2017/186

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council adopts the draft *Community Engagement Strategy* and for the Strategy to be placed on public exhibition for 56 days, with the result being presented to Council at the February 2018 Ordinary Council Meeting.

CARRIED

10.3 WHITE RIBBON DAY

The purpose of this report is for Council to formally support White Ribbon Day, the International Day for the Elimination of Violence Against Women.

RESOLUTION 2017/187

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That

1. Council supports the activities of the White Ribbon Campaign to raise awareness of and challenge ingrained attitudes and power inequalities that give rise to men's violence against women and equality between men and women.
2. Council proposes that the male Councillors, where they are available, take the Oath on 25 November 2017, at Government House.

CARRIED

Cr Porter and Cr Snell indicated their support in taking the Oath however they will not be available on the day.

10.4 POLICY: COUNCILLOR ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY

The purpose of this report is for Council to adopt the revised Policy '*Councillor Access to Information and Interaction with Staff*'.

MOTION

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That Council adopts the revised policy *Councillor Access to Information and Interaction with Staff*.

AMENDMENT

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That the word 'adopts' is replaced with 'defers adopting' and that these words be added after '*Staff*' – 'to the Ordinary Council Meeting 20 December 2017.'

Recorded against: Cr Rod Buffett and Cr Dave Porter

CARRIED

RESOLUTION 2017/188

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That Council defers adopting the revised policy *Councillor Access to Information and Interaction with Staff* to the Ordinary Council Meeting 20 December 2017.

Recorded against: Cr Rod Buffett and Cr Dave Porter

CARRIED

10.5 ECONOMIC DEVELOPMENT PROJECTS

The purpose of this report is for Council to consider economic development projects as suggested by the Hindle Enterprise Group through their work on the island with various stakeholders.

MOTION

Moved: Cr David Porter

Seconded: Cr Lisle Snell

That

1. Council notes the KAVHA project as summarised in this report;
2. Council directs Hindle Enterprise Group to pursue and facilitate discussions between airline operators and regional airports with a focus on Newcastle and Toowoomba (Wellcamp Airport) to stimulate tourism and economic development for Norfolk Island;
3. Council is supportive of the Hindle Enterprise Group to further investigate the pilot project titled *Medicinal Cannabis* in line with the Community Ownership model, provided that there is no cost to Council;
4. Council approves for the Hindle Enterprise Group to facilitate initial discussions between the General Manager (GM) and Richard Bush of the University of Newcastle with a report back to Council on the outcome of this discussion.

AMENDMENT

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That all words in paragraph 4 are deleted after – ‘Council approves’ and insert –

- a) Hindle Enterprise Group to facilitate initial discussions between the General Manager (GM) and Richard Bush, Global Innovation Chair, International Centre for Balanced Land Use, based at the University of Newcastle’s Institute for Energy and Resources; and
- b) Authorises the GM to approve Richard Bush to visit with Hindle to consult with NIRC and the community on the possibility of establishing a project.

Recorded against: Cr John McCoy

CARRIED

RESOLUTION 2017/189

Moved: Cr David Porter

Seconded: Cr Lisle Snell

That

1. Council notes the KAVHA project as summarised in this report;
2. Council directs Hindle Enterprise Group to pursue and facilitate discussions between airline operators and regional airports with a focus on Newcastle and Toowoomba (Wellcamp Airport) to stimulate tourism and economic development for Norfolk Island;
3. Council is supportive of the Hindle Enterprise Group to further investigate the pilot project titled *Medicinal Cannabis* in line with the Community Ownership model, provided that there is no cost to Council;
4. Council approves:
 - a) Hindle Enterprise Group to facilitate initial discussions between the General Manager (GM) and Richard Bush, Global Innovation Chair, International Centre for Balanced Land Use, based at the University of Newcastle's Institute for Energy and Resources; and
 - b) Authorises the GM to approve Richard Bush to visit with Hindle to consult with NIRC and the community on the possibility of establishing a project.

Recorded against: Cr John McCoy

CARRIED

10.6 COUNCIL MEETING RESOLUTION REVIEW JULY 2017 TO SEPTEMBER 2017

The purpose of this report is to inform Council and the community of the progress of the tasks adopted by resolution of Council, during the first quarter July 2017 to September 2017.

RESOLUTION 2017/190

Moved: Cr John McCoy

Seconded: Cr Dave Porter

That Council notes the progress of tasks from resolutions adopted by Council for the first quarter July to September 2017.

CARRIED

11 REPORTS FROM EXECUTIVE MANAGER GOVERNANCE AND HUMAN RESOURCES**11.1 MEMORANDUM OF UNDERSTANDING WITH THE QUEENSLAND FIRE AND EMERGENCY SERVICES**

The purpose of this report is for Council to consider the adoption of a Memorandum of Understanding with Queensland Fire and Emergency Services (QFES) in relation to sharing of staff knowledge and services on a cost recovery basis.

RESOLUTION 2017/191

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council approves for the General Manager to sign the Memorandum of Understanding with Queensland Fire and Emergency Services as per the draft attachment.

CARRIED

11.2 MEMORANDUM OF UNDERSTANDING WITH THE NEW SOUTH WALES RURAL FIRE SERVICE

The purpose of this report is for Council to consider the adoption of a Memorandum of Understanding with the New South Wales Rural Fire Service (RFS) in relation to sharing of staff knowledge and services on a cost recovery basis.

RESOLUTION 2017/192

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council approves for the General Manager to sign the Memorandum of Understanding with the New South Wales Rural Fire Service as per the draft sample attachment.

CARRIED

12 REPORTS FROM GROUP MANAGER CORPORATE / CHIEF FINANCIAL OFFICER**12.1 2016-17 FINANCIAL STATEMENTS**

The purpose of this report is to present to Council the Draft 2016-17 Financial Statements and to subsequently refer the Statements for audit. In accordance with Section 416 of the *Local Government Act 1993 (NSW)(NI)* Council is required to pass a resolution to this effect.

RESOLUTION 2017/193

Moved: Cr Rod Buffett
Seconded: Cr David Porter

That

1. The '2016-17 Draft Annual Financial Statements' be received and noted;
2. Council delegates authority to the General Manager to refer the 2016-17 Financial Statements to audit in accordance with Section 413 of the *Local Government Act 1993 (NSW)(NI)*; and
3. Council Authorises the Mayor, Deputy Mayor, General Manager, and Responsible Accounting Officer to sign the Council statements as per Section 413(2) (c) of the *Local Government Act 1993 (NSW)(NI)*.
4. Council delegates the authority to the General Manager to finalise the date at which the auditor's report and financial statements are to be presented to the public in compliance with Section 418 (1) of the *Local Government Act 1993 (NSW) (NI)*.

Recorded against: Cr Lisle Snell

CARRIED

12.2 SCHEDULE OF FEES AND CHARGES - OPERATIONAL PLAN 2017-2018

The purpose of this report is for Council to review the Schedule of Fees and Charges component of the Operational Plan 2017-2018 to correct administrative errors, and regulatory updates as per the *Interpretation Act 1979*, Notification of Fee Increases as Gazetted by the Administrator on 11 August 2017.

RESOLUTION 2017/194

Moved: Cr David Porter
Seconded: Cr John McCoy

That

1. Council adopts the required changes in the Schedule of Fees and Charges 2017-2018 related to Gazetted regulated fees, Ordinance directives and administrative errors.
2. The Schedule of Fees and Charges section of the Operational Plan 2017-2018 will be replaced with this adopted schedule and the full revised Operational Plan 2017-2018 (V2) will be placed on Council's website and communicated to the community.

Recorded against: Cr Lisle Snell

CARRIED

12.3 QUARTERLY FINANCIAL REVIEW REPORT AS AT 30 SEPTEMBER 2017

To report on the first quarter 2017/18 financial performance of Council's operations and capital expenditure against budget with recommended changes where appropriate.

RESOLUTION 2017/195

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That

1. The Quarterly Budget Review Statement and recommendations contained within be adopted and income adjustments be accepted;
2. Council notes the deficit of \$1.128 million compared to the budgeted surplus of \$1.9 million, and this deficit is a result of the following revenue areas having reduction in the budgeted amounts:
 - Decrease in electricity income by \$410,000 as a result of charges remaining at 62 cents kWh originally budgeted for 68 cents kWh.
 - Decrease in electricity income by \$35,000 due to delay in commencing charging for solar access from 1 July to 1 Oct 2017.
 - Decrease in the amount to be collected from passenger movements of \$600,000 due to delay in charge implementation to 1 January 2018 from 1 July 2017.
 - Decrease in waste management charges which were delayed one month \$21,000.
 - Decrease in the amount received from the Financial Assistance Grant \$1,970,000.
3. Council notes the changes to the Capital Budget with a reduction of \$3.025 million from the original budget due to the unsuccessful Building Better Regions Funding Application for the Waste and Telecom business service areas.

CARRIED

12.4 INVESTMENT REPORT

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

RESOLUTION 2017/196

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 October 2017 being \$20,168 and the total deposits held being \$12,599,507.

CARRIED

13 REPORTS FROM GROUP MANAGER SERVICES

Nil

14 NOTICES OF MOTION**14.1 NOTICE OF MOTION - AUNT JEMIMA AVENUE**

I, Councillor Rod Buffett, give notice that at the next Ordinary Meeting of Council be held on 15 November 2017, I intend to move the following motion:-

RESOLUTION 2017/197

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That the Norfolk Island Regional Council consult with the Nobbs family, Administrator/Commonwealth/KAVHA and the community and propose that the Aunt Jemima Avenue of Pines Kingston be renamed as Aunt Jemima Avenue of Fame and Honour so that Norfolk Island has a dedicated area for the placing of a plaque to honour those that have achieved the age of 100 years and also for the dedication to those that have endlessly served Norfolk Island.

CARRIED

14.2 NOTICE OF MOTION - YOUTH ADVISORY BODY

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 15 November 2017, I intend to move the following motion:-

RESOLUTION 2017/198

Moved: Cr Robin Adams

Seconded: Cr John McCoy

Council at its meeting on 17 May 2017 gave its support for the formation of a Youth Advisory Body and requested the Mayor to report back to Council at the June meeting on how the initiative could be progressed.

Council notes that –

- a) With the assistance of the NSW Local Government Association the Mayor has received background information on how a range of youth advisory bodies/councils operate in NSW;
- b) The Mayor has met with Ms Rowan Petersen and Mr. Lance Miller from the Norfolk Island Central School who have indicated a willingness with Council's agreement to be 'the driver' and coordinator of a Youth Advisory Body going forward whether or not it operates in or outside of school hours;
- c) Discussion with Ms Petersen and Mr. Miller and other interested stakeholders are ongoing; and
- d) It is anticipated a report on how the formation of a Youth Advisory Body could be progressed will be available for Council at its meeting on 20 December 2017 with the goal being that a Youth Advisory Body be ready to operate in the first term of the 2018 school year.

CARRIED

15 URGENT BUSINESS WITHOUT NOTICE

Nil

16 CONFIDENTIAL MATTERS FOR CONSIDERATION**RESOLUTION 2017/199**

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 - Purchase of New Loader

This matter is considered to be confidential under Section 10A(2) - di 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.

16.2 Tanalith Plant Expression of Interest 06/17

This matter is considered to be confidential under Section 10A(2) - di 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.

16.3 Rates Abandonment

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

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

CARRIED**RESOLUTION 2017/200**

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council moves out of Closed Council into Open Council.

CARRIED

16.1 TENDER - PURCHASE OF NEW LOADER

The purpose of this report is for Council to approve the purchase of a new Volvo L50H Wheel Loader.

RESOLUTION 2017/201

Moved: Cr David Porter

Seconded: Cr John McCoy

Council approves the purchase of a new Volvo L50H Wheel Loader from CJD Equipment Pty Ltd for the price of \$207,000, using funds from the approved capital budget for plant items.

CARRIED

Cr Dave Porter and Cr John McCoy left the meeting at 4:50pm.

16.2 TANALITH PLANT EXPRESSION OF INTEREST 06/17

The purpose of this report is for Council approve the entering of a three-year lease agreement, with annual options, of the Tanalith Plant with Timber on the Move.

RESOLUTION 2017/202

Moved: Cr Rod Buffett

Seconded: Cr Lisle Snell

That

1. Council notes the Timber on the Move's Operational Plan, Site Management Plan, Environmental Plan; and
2. Council approves the entering of a three-year lease agreement, with annual options, of the Tanalith Plant with Timber on the Move.

CARRIED

Cr Dave Porter and Cr John McCoy returned to the meeting at 4:54pm.

16.3 RATES ABANDONMENT

An application has been received for financial hardship and abandonment of rates under section 582 of the *Local Government Act 1993 (NSW)(NI)*.

RESOLUTION 2017/203

Moved: Cr David Porter

Seconded: Cr John McCoy

That

1. Council approves the application for financial hardship and rates abandonment as discussed in this report.
2. Council waives the outstanding levy and interest amount of \$450.61 and any additional interest which may have accrued since the publishing of this report.

CARRIED

17 QUESTIONS FOR THE NEXT MEETING

Nil

The next Ordinary Meeting of Council will take place on Wednesday 20 December 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 5:12pm.

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 15 February 2017.

Submitted to the Ordinary Meeting of Council held on Wednesday 20 December 2017.

Mayor Robin Adams

Date