



# MINUTES

## Ordinary Council Meeting

**19 December 2018**

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*orn 19 Desemba 2018*

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS  
ON WEDNESDAY, 19 DECEMBER 2018 AT 2:00PM**

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

**IN ATTENDANCE:** Lotta Jackson (General Manager), Bruce Taylor (Group Manager Services), Joy Walker (Executive Manager Governance and Human Resources), Phillip Wilson (Group Manager Corporate / CFO), Susan Prior (Minute Taker)

### **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**

#### **APOLOGY**

#### **RESOLUTION 2018/198**

Moved: Cr Lisle Snell

Seconded: Cr Rod Buffett

That the apology received from Cr David Porter be accepted and leave of absence granted.

**CARRIED**

### **CONDOLENCES**

Cr Adams recorded the passing of:

- Gerald Goudie
- James Herbert Christian.

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

**4 DISCLOSURE OF INTEREST**

Nil

**5 PUBLIC ACCESS**

Nil

**6 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE COUNCIL MEETINGS HELD ON 21 NOVEMBER 2018 AND 7 DECEMBER 2018****RESOLUTION 2018/199**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That the Minutes of the Council Meeting held on 21 November 2018 be received and confirmed.

That the Minutes of the Extraordinary Council Meeting held on 7 December 2018 be received and confirmed.

**CARRIED****7 MAYORAL MINUTES****7.1 MAYORAL MINUTE - FUNDING FOR THE NORFOLK ISLAND AIRPORT RE-SEAL****RESOLUTION 2018/200**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That Council acknowledges the Mayor has received advice from the Hon Sussan Ley MP, Assistant Minister for Regional Development and Territories that funds for the Norfolk Island Airport runway re-seal have been agreed; and requests the Mayor write to the Minister on behalf of Council and the Norfolk Island community thanking the Commonwealth for its generosity.

**CARRIED**

**7.2 MAYORAL MINUTE - ROADS TO RECOVERY FUNDING****RESOLUTION 2018/201**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That Council –

- 1) Acknowledges the Mayor has received advice from the Hon Michael McCormack MP, Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development and from the Hon Scott Buchholz MP, Assistant Minister for Roads and Transport, that the Australian Government will be including the Norfolk Island Regional Council in the new five-year funding period for the Roads to Recovery Program from 2019-20 onwards;
- 2) Notes that the Roads to Recovery life of program allocation to Norfolk Island for the period 1 July 2019 to 30 June 2024 will be \$331,715; and
- 3) Requests the Mayor write to the Commonwealth on behalf of Council acknowledging Council's eligibility for the new funding.

**CARRIED**

**8 STATUS REPORTS****8.1 QUESTION: FUNDING OPTIONS FOR SCIENTIFIC STUDIES**

Councillor Adams asked the following question at the November 2018, Ordinary Council meeting:

*Council, at its 18 July 2018 meeting, requested the General Manager in consultation with the Commonwealth to commence examination of funding options to undertake scientific work as background evidence for discussion on long-term population targets.*

*Will the General Manager please provide Council with a report on progress on sourcing funding for this critical work?*

**Answer:** The General Manager understands that the Mayor is referring to the resolution of her Notice of Motion (2018/116) at the July Ordinary Council meeting:

*In recognition of Objective 2 in the Community Strategic Plan 2016-2026 that growth of the population is linked to the long-term environmental sustainability of the Norfolk Island community, and in acknowledgement of Item 2.2 in the Delivery Program 2016-2020 that a sustainable Population Policy is to be developed, implemented and monitored in the 2018-2019 financial year, Council –*

1. *Requests the General Manager in consultation with the Commonwealth to commence examination of funding options to undertake the following scientific work as background evidence for discussion of long term population targets:*
  - a) *Assessment of the land-use capability of the Island examining land forms, their environmental suitability and the extent that existing use is consistent with*

*environmental sustainability;*

- b) Assessment of hydrology, examining the Island's surface and groundwater resources and the existing use and sustainability;*
- c) Assessment of the Island's ecosystem and biodiversity and the requirements for ecological sustainability;*
- d) Assessment of technologies and systems that have applicability on Norfolk Island that could be considered to redress existing unsustainable practices in land use, hydrology or biodiversity management.*

*2. The Council will include the scientific evidence obtained from the above assessments when engaging the community in discussion on a long term population target based on the scientific evidence and the economic/ social expectations of the community.*

*3. The Council will have a review of the Norfolk Island Plan undertaken to bring in a system of planning controls that reflects the long term population target and community economic and social expectations.*

An email was sent on 30 July 2018, to Commonwealth (DIRDC) staff and Dr Richard Bush as a starting point for discussion on how to fund this research.

A response was sent back from Dr Richards, on 2 August 2018, stating that he will get back to us.

No response was received from DIRDC staff and a reminder email was sent on 11 October 2018.

In November 2018, the General Manager met with DIRDC staff on-island and enquired as to how to progress this Council resolution. The response was that Council would need to scope the project, put a business case together and cost the project before the Commonwealth is able to assess if any funding would be available. Council does not currently have the staff resources to conduct the scoping of the project.

The General Manager will approach the University of Newcastle to see if they can assist with the scoping of the project.

#### **RESOLUTION 2018/202**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Council notes the Report.

**CARRIED**

**8.2 QUESTION: KINGSTON JETTY**

Councillor Adams asked the following questions regarding Kingston Jetty at the November 2018, Ordinary Council meeting:

**Answers:**

1. *Who is responsible for the dredging beside Kingston Jetty to ensure all fishing and pleasure boats, tenders, lighters and launches using Kingston Jetty can do so safely?*

The Commonwealth of Australia is responsible for any dredging.

2. *What approvals, if any, are required prior to dredging being undertaken?*

The waters around Kingston Pier are in a Marine Park and, therefore, it is likely that approvals will need to be sought for any such work.

3. *What plans, if any, are in place for the work to be carried out?*

Nil to Council's knowledge.

**NOTED****8.3 QUESTION: UNIVERSITY OF NEWCASTLE PROJECT**

Councillor Adams asked the following question at the November 2018, Ordinary Council meeting:

*With the adoption by Council of the Environment Strategy 2018–2023 and the synergies between the strategy and the Norfolk Island Project to be undertaken in collaboration with the University of Newcastle, please provide an update on the progression of the Norfolk Island Project.*

**Answer:**

There are three (3) distinct project areas within the Green Economy Blueprint project that was adopted by Council: Food and the Local Economy; Towards Zero Waste; and New Energy Storage.

The three areas have now been scoped together by Dr Cristelle Maurin, Project Lead, with the project title *Norfolk Island Food and Bio-economy Program V2* (see attached). The project also aligns with Council's Environmental Strategy. The draft budget required for the project is \$348,600.

To fund this project Dr Maurin is proposing to apply for an Australian Research Council (ARC) Linkage Project grant with RDA and the Norfolk Local Council as Partner Organisations.

An ARC Linkage Project requires both in-kind and cash contributions from Partner Organisations to at least match the total funding requested from the ARC. It is a requirement also that Partner Organisation(s) make a cash contribution of 25 per cent of the total amount.

It should be noted that Council has not provided a budget for this project in the Operational Plan 2018–19. Council will be able to provide in-kind support with the new positions being recruited

early in the new year: Manager Planning and Environmental Services, and Environmental Officer.

The University of Newcastle has been in contact with Kerry Grace at RDA Mid North Coast as it was understood that one of their roles would be to fund projects that contribute to local industry and economic development. Regional Development Australia (RDA) has said that they do not have direct funding for the project, however, they could commit to an in-kind contribution.

The discussion is ongoing between Council, the University of Newcastle and Regional Development Australia. Further progress will be reported at the Ordinary Council meeting in February 2019.

**NOTED**

#### **8.4 RATES REPORT – END OF INSTALMENT TWO PAYMENT PERIOD**

The purpose of this Status Report is to provide an update to Council regarding the collection of rating revenue. The content of the report reflects the status of rates at the close of the second instalment period, being 30 November 2018.

**NOTED**

#### **8.5 BUILDING BETTER REGIONS FUND - ROUND 3 APPLICATIONS**

This report provides an overview of the projects put forward for grant funding by Council under Round 3 of the Building Better Regions Fund.

**NOTED**

### **9 REPORTS FROM COMMITTEES**

#### **9.1 MINUTES OF THE HERITAGE AND CULTURE ADVISORY COMMITTEE MEETING HELD ON 23 NOVEMBER 2018**

##### **RESOLUTION 2018/203**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That

1. The Minutes of the Heritage and Culture Advisory Committee Meeting held on 23 November 2018 be received and the recommendations therein be adopted;
2. The Team Leader – Heritage Management provide to Madam Mayor a full brief around this matter, so she can contact Mr Darren Mietzel, Operations Manager – Biosecurity, Department of Agriculture and Water Resources, to request a response. Madam Mayor will report Mr Mietzel's response to Council;

3. The report by the Team Leader – Heritage Management in regards to calling for the Heritage and Culture Advisory Committee members to progress the actions dealt with at this meeting as listed in the 'Heritage and Culture Strategy 2017–2020', be received and noted;
4. The Museums and Research Centre Report November 2018 be received and noted.

**CARRIED**

## **9.2 MINUTES OF THE PUBLIC RESERVES ADVISORY COMMITTEE MEETING HELD ON 4 DECEMBER 2018**

### **RESOLUTION 2018/204**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That the Minutes of the Public Reserves Advisory Committee Meeting held on 4 December 2018 be received and noted.

**CARRIED**

## **10 REPORTS FROM GENERAL MANAGER**

### **10.1 WASTE TO ENERGY AT A LOCAL SCALE FEASIBILITY STUDY PROJECT**

The purpose of this report is to update Council on the Waste to Energy at a Local Scale Feasibility Study Project – Tenterfield Shire Council.

### **RESOLUTION 2018/205**

Moved: Cr Lisle Snell

Seconded: Cr Rod Buffett

That Council:

1. Writes to the CEO at Tenterfield Shire Council thanking him for the update on the Waste to Energy project and;
2. Continues to support the project in principle; however, Norfolk Island Regional Council is not in a position to take advantage of the outcome due to our remote location and economies of scale and will therefore not contribute financially.

**CARRIED**

### **10.2 NORFOLK ISLAND YOUTH COUNCIL TERMS OF REFERENCE**

The purpose of this report is for Council to adopt the draft Terms of Reference of the Norfolk Island Youth Advisory Council.



**MOTION**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That Council

1. Adopts the draft Norfolk Island Youth Council and Junior Youth Council Terms of Reference;
2. Approves the Community Development Officer to advertise for expressions of interest for membership of the Norfolk Island Youth Council as per the Terms of Reference;
3. Nominates the Mayor and Deputy Mayor as members of the Norfolk Island Youth Council.

**AMENDMENT**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

Amend paragraph 3 by the deletion of the words 'Nominates' and 'as members of the Norfolk Island Youth Council', and insert 'Agrees' and after 'Deputy Mayor' the words 'shall provide guidance and mentoring to the Youth Council when requested'.

Add paragraph 4.

Notwithstanding the Youth Council will be able to apply for funding through the Council's Community Grants program, Council will provide funding up to \$1000 on a one-time basis to the Norfolk Island Youth Council for Youth Week activities in April 2019.

**CARRIED.**

**RESOLUTION 2018/206**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That Council:

1. Adopts the draft Norfolk Island Youth Council and Junior Youth Council Terms of Reference;
2. Approves the Community Development Officer to advertise for expressions of interest for membership of the Norfolk Island Youth Council as per the Terms of Reference;
3. Agrees the Mayor and Deputy Mayor shall provide guidance and mentoring to the Youth Council when requested.
4. Notwithstanding the Youth Council will be able to apply for funding through the Council's Community Grants program, Council will provide funding up to \$1000 on a one-time basis to the Norfolk Island Youth Council for Youth Week activities in April 2019.

**CARRIED**

**11 REPORTS FROM EXECUTIVE MANAGER GOVERNANCE AND HUMAN RESOURCES**

Nil

**12 REPORTS FROM GROUP MANAGER CORPORATE / CHIEF FINANCIAL OFFICER****12.1 INVESTMENT REPORT – NOVEMBER 2018**

The purpose of this report is for Council to note investments held as at 30 November 2018.

**RESOLUTION 2018/207**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Council notes:

1. The Investment report for November 2018;
2. The total deposits held at 30 November 2018 was \$16,156,534; and
3. The interest accrued on investments was \$30,380 for the month of November and \$159,483 year to date.

**CARRIED****12.2 TOURIST ACCOMMODATION LEGISLATION SURVEY REPORT**

The purpose of this report is to present to Council the findings of the Tourist Accommodation Legislation Survey and to seek support to further consult with the industry and with the Department of Infrastructure, Regional Development and Cities (DIRDC) regarding the proposed changes to the legislation.

**MOTION**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Council approves for the General Manager to:

1. Circulate the results of the tourist accommodation legislation survey to the industry;
2. Undertake additional consultation with registered tourist accommodation houses;
3. Develop a proposal for legislative reform;
4. Consult with DIRDC regarding the proposed changes to the legislation.

**AMENDMENT**

Moved: Cr Robin Adam

Seconded: Cr Lisle Snell

Amend paragraph 3 by the addition of the words –

‘in accordance with the Norfolk Island Regional Council’s Legislation Consultation Framework detailed in the 2018 Community Engagement Strategy’.

**CARRIED**

**RESOLUTION 2018/208**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Council approves for the General Manager to:

1. Circulate the results of the tourist accommodation legislation survey to the industry;
2. Undertake additional consultation with registered tourist accommodation houses;
3. Develop a proposal for legislative reform in accordance with the Norfolk Island Regional Council’s Legislation Consultation Framework detailed in the 2018 Community Engagement Strategy;
4. Consult with DIRDC regarding the proposed changes to the legislation.

**CARRIED**

**13 REPORTS FROM GROUP MANAGER SERVICES****13.1 INITIAL RECOMMENDATIONS ARISING FROM THE HYDRO TASMANIA PLAN ADDRESSING NORFOLK ISLAND ENERGY CHALLENGES**

The purpose of this report is for the Norfolk Island Regional Council ('Council') to consider two (2) initial recommendations arising from a plan provided by Hydro Tasmania to assist the Council reduce diesel fuel consumption, and increase the renewable energy contribution, while maintaining the reliability and security of energy supply.

**AMENDMENT**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

Delete No 1 in the recommendation and amend No 3 to read the re-allocation of \$25,000 funding from the existing 2018–19 Electricity Capital Budget for the preparation of a Tender (Recommendation 2 \$25k).

**LOST****RESOLUTION 2018/209**

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That Council approves

1. The engagement of a qualified Energy Economist to undertake an assessment of the financial implications of implementing the Hydro Tasmania Plan;
2. The preparation of a Tender to provide and install a generator and batteries, of appropriate size, to address the current issue of solar oversupply and to reduce diesel usage;
3. The re-allocation of \$75,000 funding from the existing 2018–19 Electricity Capital Budget to provide for the engagement of an Energy Economist (Recommendation 1 \$50k), and preparation of a Tender (Recommendation 2 \$25k).

In Favour: Crs Robin Adams, Rod Buffett and Lisle Snell

Against: Cr John McCoy

**CARRIED****Time 3:32pm****RESOLUTION 2018/210**

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That the meeting be adjourned until 5pm to allow Councillors to attend a funeral.

**CARRIED**

**14 NOTICES OF MOTION****14.1 NOTICE OF MOTION – SUPPORT FOR SOUTH PACIFIC MINI GAMES 2025**

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 19 December 2018, I intend to move the following motion:

**RESOLUTION 2018/211**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That 'The Norfolk Island Amateur Sports & Commonwealth Games Association (the Association) has formally requested the support of the Norfolk Island Regional Council to put in a bid for the 12th Pacific Mini Games (the Games) to be held on Norfolk Island in 2025.

Council agrees a letter of support be provided to the Association by the Mayor for the Games to be hosted on Norfolk Island. Council notes the compliance bond of \$25,000 will be paid at the close of bids by the Association; and that the deadline for the bid application to be lodged is 14 January 2019.

**CARRIED**

**14.2 NOTICE OF MOTION – ATHLETICS NORFOLK ISLAND AND STORAGE SHED ON PORTION 44A**

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 19 December 2018, I intend to move the following motion:-

**RESOLUTION 2018/212**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That, noting:

1. the letter with sketch plan to the Mayor dated 3 September 2018 from Athletics Norfolk Island (attached) seeking Council's support for the construction of a storage shed for athletics equipment on that part of Portion 44a in the north eastern end of the Malcolm Champion oval;
2. the interim response dated 12 September 2018 from the Mayor to Athletics Norfolk Island; and

Notwithstanding that Council by resolution 2018/131 committed to allowing CESC4NI to utilise portion 44a for the purpose of construction of a convention, entertainment, emergency and sports centre provided the centre is operational by June 2023,

Council, being of the view that the proposed storage facility would not impact on the use of 44a by CESC4NI, gives in principle support to the application from Athletics Norfolk Island on the understanding that the construction of the storage facility would be fully funded by Athletics Norfolk Island.

**CARRIED**

**14.3 NOTICE OF MOTION – PROPOSED QUARRYING FOR ROCK AT HEADSTONE**

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 19 December 2018, I intend to move the following motion:

**RESOLUTION 2018/213**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

That Council encourages the General Manager to bring to Council, as soon as possible, a Significant Development Application for Council's consideration to extract rock at Headstone.

**CARRIED**

**15 URGENT BUSINESS WITHOUT NOTICE**

Nil

**16 CONFIDENTIAL MATTERS FOR CONSIDERATION****RESOLUTION 2018/214**

Moved: Cr Rod Buffett

Seconded: Cr Robin Adams

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 Staff Matter – Senior Staff Contract**

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

**NOTED**

**RESOLUTION 2018/215**

Moved: Cr Lisle Snell

Seconded: Cr Rod Buffett

That Council moves out of Closed Council into Open Council at 6:00pm.

**CARRIED**

**16.1 STAFF MATTER – SENIOR STAFF CONTRACT****SUMMARY**

The purpose of this report is for the General Manager to consult Council on the renewal of the Group Manager Services, Bruce Taylor, Standard contract for Senior Staff (other than the General Manager).

**RESOLUTION 2018/216**

Moved: Cr Lisle Snell

Seconded: Cr Rod Buffett

That Council notes that it has been consulted, as required under the *Local Government Act 1993* (NSW) (NI), for the re-appointment by the General Manager of the Group Manager Services, Mr Bruce Taylor for a further three (3) years until 30 June 2022.

**CARRIED****17 QUESTIONS FOR THE NEXT MEETING**

Nil

The next Ordinary Meeting of Council will take place on Wednesday 20 February 2019 held at the Norfolk Island Regional Council Chambers commencing at 2:00pm.

There being no further business the Mayor declared the meeting closed at 6:01pm.

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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 19 December 2018.

Submitted to the Ordinary Meeting of Council held on Wednesday 20 February 2019.

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Mayor Robin Adams

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Date