



MINUTES

Ordinary Council Meeting 1 September 2021

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*f daa Ordeneri Kaunsl Miiten
orn 1 Septemba 2021*

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL, RAWSON HALL SUPPER ROOM
ON WEDNESDAY, 1 SEPTEMBER 2021 AT 2:00PM**

PRESENT: Mike Colreavy (Interim Administrator) Online via Microsoft Teams due to COVID-19 restrictions.

IN ATTENDANCE: Andrew Roach (General Manager), Alistair Innes-Walker (Manager Corporate and Finance), Phil Reid (Manager Planning and Environment)
Meliam Plant (Media & Executive Assistant – Minute Taker)

1 WELCOME

The Interim Administrator welcomed Officers and the community to the meeting of the Norfolk Island Regional Council and opened the meeting at 2:00pm. Interim Administrator apologised for attending remotely due to COVID-19 lockdown and restrictions on travel to Norfolk Island.

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 Administrator 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

No condolences recorded for the month of August 2021.

4 DISCLOSURE OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE COUNCIL MEETING HELD ON 4 AUGUST 2021

RESOLUTION 2021/111

The Interim Administrator resolved the following:

That the Minutes of the Council Meeting held on 4 August 2021 be received, taken as read and confirmed.

CARRIED

6 PUBLIC ACCESS

Nil

7 ADMINISTRATOR'S MINUTE

Nil

8 STATUS REPORTS

Nil

9 REPORTS FROM COMMITTEES

Nil

10 REPORTS FROM GENERAL MANAGER

10.1 TRANSITION TO SUSTAINABILITY

SUMMARY

The past 18 months have provided Council with considerable challenges. As a result, Council now has a significant change program that requires resilience, focus and commitment. This report endeavours to aggregate the change programs into a positive future under a single banner.

RESOLUTION 2021/112

The Interim Administrator resolved the following:

That Council adopt the Transition to Sustainability (TtoS) platform to aggregate the change programs adopted over the past 6 months and into the future.

CARRIED

10.2 ORGANISATIONAL RESTRUCTURE - PEOPLE AND CULTURE**SUMMARY**

As part of the Interim Administrators efficiency and service reductions initiatives, the People & Culture team service provision has been reviewed, and a new structure is offered for consideration.

RESOLUTION 2021/113

The Interim Administrator resolved the following:

That Council

1. Remove the positions of Manager People & Culture & WHS Officer from the organisational structure of Council;
2. Transfer the Human Resource Officer position and the payroll function to the Manager Corporate & Finance;
3. Request the General Manager, following any further changes that may occur in the coming months as a result of the efficiency and service review, present a new Organisational Structure to Council;
4. Recognise the annual savings presented in this report of \$320K.

CARRIED

10.3 LOCAL GOVERNMENT ASSOCIATION - NSW MEMBERSHIP**SUMMARY**

Council has been an Associate member of LGNSW since its inception in July 2016. This membership organisation has provided advice, administrative support, human resource support, and a contact for other local government activities.

RESOLUTION 2021/114

The Interim Administrator resolved the following:

That Council:

1. Write to the CEO of LGNSW to cancel its Associate Membership and thank the Association for its support for the past 5 years and advise that due to the move by its Regulator, Council is applying to join the LGAQ.
2. Formally apply to join the LGAQ.

CARRIED

10.4 ELECTRICITY REVIEW AND FOCUS ON RENEWABLE TARGETS**SUMMARY**

Council in February 2020 resolved a Nine Point Strategic Plan, with one of those elements setting a target of 100% Renewable Energy by 2024. This report follows the progress of this very important item in the Council's Strategic Action Plan.

RESOLUTION 2021/115

The Interim Administrator resolved the following:

That Council:

1. Engage EPC Technologies for \$184,000 as detailed in the report, for the 6 Advisory Services
2. That Council present from Advisory Service 1 to the Department of Infrastructure, Transport, Regional Development & Communications, the business case for Capital Expenditure support for additional batteries and generation to hasten the renewable energy program adopted by Council

CARRIED

10.5 COUNCIL RESOLUTIONS REVIEW: DECEMBER 2020 - JUNE 2021**SUMMARY**

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 period 1 December 2020 to 30 June 2021. In the Council meeting held 16 December 2020, a report was tabled covering the progression of activities from July to November 2020. Attached to this report however, is a full schedule of the Resolution Task list covering the full 2020 – 2021 Financial year; 1 July 2020 – 30 June 2021.

RESOLUTION 2021/116

The Interim Administrator resolved the following:

That Council notes the progress of tasks from resolutions adopted by Council for the period the December 2020 – June 2021.

CARRIED

10.6 DEVELOPMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT) SERVICES**SUMMARY**

Norfolk Island Regional Council is currently in the process of renovating a building that will become the new council offices and requires a procurement process to be undertaken to contract for the ICT fit out. Council cannot afford to simply relocate the existing system into the renovated building.

Additionally, Council is seeking efficiencies in the ongoing management of ICT service delivery by exploring managed services arrangements, including for supply and support of end user computing devices, physical security (e.g., proximity entry card system, CCTV), network hardware, etc.

**Noting that a commitment has been made to the Assistant Minister, that the Bicentennial Complex be completed by 31 March 2021*

RESOLUTION 2021/117

The Interim Administrator resolved the following:

That Council engage a suitably qualified contractor to implement this process as a matter of priority, and in accordance with Council procurement policies.

CARRIED**10.7 ANNUAL REPORT 2019 - 2020****SUMMARY**

The purpose of this report is to table the Annual Report for 2019-2020 including the Audited Financial Statements for the year ending June 2020.

RESOLUTION 2021/118

The Interim Administrator resolved the following:

That Council receives and adopts the Annual Report 2019-2020, including the Financial Statements 30 June 2020, as tabled in a separate attachment to this report.

CARRIED

11 REPORTS FROM MANAGER PEOPLE AND CULTURE

Nil

12 REPORTS FROM MANAGER CORPORATE AND FINANCE**12.1 INVESTMENT REPORT - JULY 2021****SUMMARY**

The purpose of this report is for Council to note the investments held and to provide an overview of Council's cash position as at 31 July 2021.

RESOLUTION 2021/119

The Interim Administrator resolved the following:

That Council notes the Investment Report for July 2021.

CARRIED**12.2 REGULAR PASSENGER TRANSPORT (RPT) FEES 2021-22****SUMMARY**

This report is for Council to adopt an increase in Regular Passenger Transport (RPT) Fees commencing 1 October 2021.

RESOLUTION 2021/120

The Interim Administrator resolved the following:

That Council hereby adopts the increase in Regular Passenger Transport (RPT) Fees from 1 October 2021 as follows.

Proposed Airport Fee Increases effective 1 October 2021		Existing Fee	Proposed Fee
Regular Passenger Transport Services	per passenger in and out; Table A Item 1 of the Regs	\$50.00	\$60.00
ARFFS (fire Service) fees	per passenger, in and out Table A Item 9 of the Regs5.2	\$5.20	\$6.00
Airport Screening Services	Screening Services per departure, Table A Item 5 of the Regs	\$400	\$450.00

CARRIED

13 REPORTS FROM MANAGER ECONOMIC DEVELOPMENT**13.1 TOURISM & ECONOMIC DEVELOPMENT REPORT - JULY 2021****SUMMARY**

The purpose of this report is for the Team Leader Tourism & Heritage to provide a monthly update of tourism industry news to Council, the Tourism Advisory Committee and the Community.

RESOLUTION 2021/121

The Interim Administrator resolved the following:

That Council notes the information provided in the Tourism Report July 2021.

CARRIED**13.2 ECONOMIC DEVELOPMENT SECTION UPDATE****SUMMARY**

The following provides a summary of economic development activities for the July 2021/22 reporting period. It includes the key outputs of airport, fire services, KAVHA/museums, tourism, liquor bond, cemetery.

RESOLUTION 2021/122

The Interim Administrator resolved the following:

That Council notes the information provided in the report.

CARRIED

14 REPORTS FROM MANAGER SERVICES

Nil

15 REPORTS FROM MANAGER PLANNING AND ENVIRONMENT**15.1 PLANNING AND ENVIRONMENT UPDATE****SUMMARY**

The following provides a summary of planning and environment activities for the reporting period. This includes planning and building approvals, waste and environment, public health, and environmental protection and reserves.

**Noting a correction in the Report under the Heading of Planning and Building that the Column July 2021 to be changed to August 2021.*

RESOLUTION 2021/123

The Interim Administrator resolved the following:

That Council notes the information provided in the report.

CARRIED**15.2 WASTEWATER TREATMENT PLANT UPGRADE - BALMORAL REPORT COST ANALYSIS****Summary**

This report presents a cost analysis of the options presented in the upgrade of Norfolk Island's Sewerage Treatment Plan, Capital Works Construction Project Initial Business Case (31 October 2019), prepared by Balmoral Group Australia and Public Works Advisory, otherwise known as the Balmoral Report. An updated recommendation is provided on the preferred option based on affordability for the Council.

** Brief Note on the fundamental reasons for the recommendation for Option 2, include:*

- i. The environmental outcome for reusable treated waste water, particularly for Agriculture currently lost to outflow over Headstone.*
- ii. The added cost of \$5Million in reticulation piping infrastructure to agriculture needs to be linked to a user charge focus.*
- iii. Achieves an equitable distribution of the cost burden.*
- iv. Availability for future expansion of standpipes to other areas of the community.*

RESOLUTION 2021/124

The Interim Administrator resolved the following:

That

1. Council adopts Option 2

2. Council adopts the updated capital costs and costing model for the STP upgrade presented in this business paper.
3. The General Manager pursue external funding from both the Commonwealth and by way of loan from an appropriate financial institution based on the business paper presented above.
4. The General Manager engage a procurement consultant specialising in engineering to develop a scope of works for the design and construction of the STP upgrade, pending funding from the Commonwealth.

CARRIED

15.3 DELEGATION OF COUNCIL FUNCTIONS OR RECOMMENDATIONS ON DEVELOPMENT APPLICATIONS UNDER THE PLANNING ACT 2002 (NI)

SUMMARY

The purpose of this report is to recommend that Council makes a resolution under section 377(1) of the *Local Government Act 1993(NSW)(NI)* to delegate to the General Manager, Council's functions specified in sections 44(2) and (4) of the *Planning Act 2002 (NI)*, ('the Act') to make recommendations on a broader range of development applications for 'permissible with consent use or development'; and also Council's functions specified under section 57(2) and (4) of the Act to make recommendations on 'development approval modification applications for permissible with consent use or development'; and to refer those recommendations to the Minister in accordance with the conditions presented in this report.

RESOLUTION 2021/125

The Interim Administrator resolved the following:

That

Under section 377(1) of the *Local Government Act 1993*, Council hereby resolves to delegate to the General Manager, Council's functions specified in sections 44(2) and (4) and sections 57(2) and 57(4) of the *Planning Act 2002 (NI)*, to make recommendations on development applications for 'permissible with consent use or development'; and development approval modification applications for 'permissible with consent use or development'; and to refer those recommendations to the Minister (delegate); in accordance with the conditions and circumstances described in Tables 1 and 2 below:

Table 1 – Recommended criteria for delegating Council's functions under sections 44(2) and 44(4) and section 57(2) and (4) of the *Planning Act 2002 (NI)* to General Manager to make recommendations on development applications and development approval modification applications to the Minister's delegate

Use or development type	Recommended criteria (Noting that the DA would not be inconsistent with any criteria)
All use and development types (that also meet the	Less than five (5) objections received in response to invitation for public comment on the DA

other relevant criteria for delegation to the General Manager)	
Compliance	Compliance with requirements of Norfolk Island Plan & Development Control Plans
Variation of any condition or standard for an activity that is not prohibited in the Table of Use or Development for a Zone	Variations that comply with specified considerations for the condition or standard and that comply with the objectives of the condition or standard.
Ancillary development	New development is ancillary to <i>existing</i> dominant use or development
Alterations & additions	Alterations and additions and extensions to <i>existing</i> development that comply with other criteria for delegation
Change of Use	Change of <i>use</i> only to <i>existing</i> development. Change of <i>use</i> to <i>existing</i> development that also includes new <i>development</i> – alterations and additions and extensions that comply with other relevant criteria for delegation
Modification of development approval	Modification of an <i>existing</i> development approval - noting that 'modification' only applies where the modification results in <i>substantially the same development</i> ; otherwise a new DA requires) Applies to modification to extend lapsing date; modification of conditions of development approval, or minor change to approved plans
Residential	Change or <i>use</i> and <i>development</i> of new Dual Occupancy (two dwellings) and Multiple Dwellings up to five (5) units
Subdivision	No more than two (2) additional lots to be created
Tourist accommodation	Change of <i>use</i> of existing residences (or other existing development) to tourist accommodation 'holiday homes' / 'Airbnbs' <i>Development</i> of new tourist accommodation units up to five (5) units
Community, Council, Government development	Change of <i>use</i> and <i>development</i> of new community public buildings and works
Prescribed use or development	Prescribed use or development where the requirement for an environmental impact statement is waived
Use and development within the Heritage Overlay (except KAVHA)	General criteria applies
Change of use only to existing development at land within KAVHA	General criteria applies
Use and development in Coastal Environment Overlay and Buffer Area	General criteria applies

Table 2 - Recommended conditions and circumstances where DA's would not be subject to delegation of Council functions under section 44(2) and (4) or section 57(2) and (4) of the *Planning Act 2002 (NI)*

1. The DA does not comply with one or more of the criteria for delegating Council's functions under sections 44(2) and 44(4) or sections 57(2) or 57(4) to the General Manager to make recommendations on development applications to the Minister's delegate
2. DA's for use and development within KAVHA; other than DA's for change of use only to existing development
3. DA's for prescribed use or development where an environmental impact statement accompanies the DA.
4. DA's that are 'called in' for consideration by Council at Council's discretion <i>provided</i> the following conditions are met – <ul style="list-style-type: none"> d. The decision of Council to 'call in' the DA is made by vote and by a majority of Councillors; and e. The proposed activity is at publicly owned land; and f. The proposed activity is for a private activity, or commercial activity, or public building or public works that require consent
5. DA's that the General Manager determines to refer to the Council at his or her discretion.

CARRIED

16 REPORTS FROM MANAGER CUSTOMER SERVICE

16.1 RECORDS PROGRAM UPDATE (EAF 35)

SUMMARY

This report provides an update on the action taken in relation to the external audit findings relating to records digitisation and storage.

RESOLUTION 2021/126

The Interim Administrator resolved the following:

That Council notes the progress to date against EAF 35: Records storage and digitisation.

CARRIED

17 NOTICES OF MOTION

Nil

18 URGENT BUSINESS WITHOUT NOTICE

Nil

19 CONFIDENTIAL MATTERS FOR CONSIDERATION

Nil

20 QUESTIONS FOR THE NEXT MEETING

Nil

The next Ordinary Meeting of Council will take place on Wednesday 6 October 2021 held at the Rawson Hall Supper Room commencing at 2:00pm.

There being no further business the Interim Administrator declared the meeting closed at 3:15pm.

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 1 September 2021.

Submitted to the Ordinary Meeting of Council held on Wednesday 6 October 2021.



NIRC Interim Administrator

Mr. Mike Colreavy

6 October 2021

Date

o

NIRC General Manager

Mr. Andrew Roach

6 October 2021

Date