

Norfolk Island Regional Council

Kingston
Norfolk Island 2899
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MINUTES

Ordinary Council Meeting

16 November 2016

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS
ON WEDNESDAY, 16 NOVEMBER 2016 AT 2:00PM**

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

IN ATTENDANCE: Lotta Jackson (General Manager), Bruce Taylor (Group Manager Services), John van Galeen (Group Manager Commercial Hub), Jocelyn Hall (Acting Executive Assistant)

1 WELCOME

The Mayor welcomed Councillors, Officers and the community to the meeting of the Norfolk Island Regional Council and declared the meeting open 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:

- Joseph Henry Christian
- Jindaporn Trakulsri

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	11. September Quarterly Budget Review	Less than Significant Non Pecuniary	Honourably Treasure of the Norfolk Island RSL Club

5 CONFIRMATION OF MINUTES**RESOLUTION 2016/101**

Moved: Cr David Porter

Seconded: Cr John McCoy

That the minutes of the Ordinary Meeting held on 19 October 2016 be confirmed as an accurate record of proceedings.

CARRIED

6 PUBLIC ACCESS

Nil

7 MAYORAL MINUTE

Nil

8 REPORTS FROM COMMITTEES**8.1 WASTE MANAGEMENT ADVISORY COMMITTEE MEETING HELD ON 07 NOVEMBER 2016****SUMMARY**

The purpose of this report is for Council to adopt the minutes from the Waste Management Advisory Committee meeting held on Monday 7 November 2016.

RESOLUTION 2016/102

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That the minutes of the Waste Management Advisory Committee meeting held on Monday 7 November 2016 be received and noted.

CARRIED

9 REPORTS FROM GENERAL MANAGER**9.1 OPERATIONAL PLAN QUARTERLY REVIEW JULY TO SEPTEMBER****SUMMARY**

The purpose of this report is to inform Council and the community of the progress of the Operational Plan 2016/17, during the first quarter July to September 2016.

RESOLUTION 2016/103

Moved: Cr John McCoy

Seconded: Cr Rod Buffett

That Council notes the progress of activities in the Operational Plan 2016/17 for the quarter July to September 2016, as can be viewed in the Attachment to this report.

CARRIED

9.2 EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN**SUMMARY**

The purpose of this report is for Council to consider the adoption of the Equal Employment Opportunity (EEO) Management Plan that is contained within the Attachment to this report.

MOTION

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That Council adopts the Equal Employment Opportunity Management Plan as can be viewed in the Attachment to this report.

AMENDMENT

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That the Equal Employment Opportunity (EEO) Management Plan item be deferred to the December Ordinary Meeting of Council to enable this item to be assessed at the Council Workshop to be held on 7 December 2016.

CARRIED

RESOLUTION 2016/104

Moved: Cr Robin Adams

Seconded: Cr Lisle Snell

That the Equal Employment Opportunity (EEO) Management Plan item be deferred to the December Ordinary Meeting of Council to enable this item to be assessed at the Council Workshop to be held on 7 December 2016.

CARRIED

9.3 MAYORS' WEEKEND SEMINAR**SUMMARY**

The purpose of this report is for Council to note the registration for the Mayor to attend the Mayors' Weekend Seminar to be held in Sydney on 3-4 December 2016, and also for the Mayor to visit the Councils of Ballina and Lismore to view their Waste Management practices.

RESOLUTION 2016/105

Moved: Cr Rod Buffett

Seconded: Cr David Porter

1. That Council notes the registration and associated costs for the Mayor to attend the Mayors' Weekend Seminar in Sydney on 3-4 December 2016;
2. That Council notes the Mayor's visits to Ballina Shire Council and Lismore City Council to be briefed on their Waste Management systems; and the associated costs.

CARRIED

9.4 SUSTAINABLE ENERGY ADVISORY COMMITTEE MEMBERSHIP**SUMMARY**

The purpose of this report is for Council to adopt the membership for the Sustainable Energy Advisory Committee following the call for expressions of interest in line with the adopted Terms of Reference.

MOTION

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That Council nominates the following three (3) community members:

Mr Fred Howe

Ms Cherri Buffett

Mr Matt Zarb

to be members of the Sustainable Energy Advisory Committee.

AMENDMENT

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

That Council nominates the following three (3) community members:

Mr Chris Gatehouse

Mr Fred Howe

Ms Cherri Buffett

to be members of the Sustainable Energy Advisory Committee.

LOST**RESOLUTION 2016/106**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That Council nominates the following three (3) community members:

Mr Fred Howe

Ms Cherri Buffett

Mr Matt Zarb

to be members of the Sustainable Energy Advisory Committee.

CARRIED

9.5 HERITAGE AND CULTURE ADVISORY COMMITTEE MEMBERSHIP**SUMMARY**

The purpose of this report is for Council to adopt members for the Heritage and Culture Advisory Committee following the call for expressions of interest in line with the adopted Terms of Reference.

MOTION

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

That Council appoints to the Heritage and Culture Advisory Committee the following members:

One (1) Representative from the Council of Elders:

Ms Gaye Evans

One (1) Representative from the Norfolk Island Central School:

Ms Jess Miller

One (1) Representative from the Norfolk Island Historical Society:

Mr Ron Edwards

Two (2) Community Members

Ms Natasha Arnold

Ms Denise Quintal and alternate member Mr Michael Monaghan

AMENDMENT

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

That Council removes Mr Michael Monaghan as the alternate member to Ms Denise Quintal on the Heritage and Culture Advisory Committee.

CARRIED

RESOLUTION 2016/107

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

1. That Council appoints to the Heritage and Culture Advisory Committee the following members:

One (1) Representative from the Council of Elders:

Ms Gaye Evans

One (1) Representative from the Norfolk Island Central School:

Ms Jess Miller

One (1) Representative from the Norfolk Island Historical Society:

Mr Ron Edwards

Two (2) Community Members

Ms Natasha Arnold

Ms Denise Quintal

CARRIED

9.6 COMMUNITY DONATIONS**SUMMARY**

The purpose of this report is for Council to consider setting up a Committee to assess the applications for the Community Donations Program as advertised in the local paper with the closing date 4 November 2016.

Council received eight (8) eligible expression of interest for the Community Donations Program.

MOTION

Moved: Cr John McCoy

Seconded: Cr David Porter

1. That a Community Donations Committee be formed to assess the Community Donations Program expressions of interest and make recommendations to Council;
2. That the committee comprises of the Mayor, Councillor and the General Manager.

AMENDMENT

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Cr Rod Buffett be nominated as the Councillor member for the Communication Donations Committee.

CARRIED

RESOLUTION 2016/108

Moved: Cr John McCoy

Seconded: Cr David Porter

1. That a Community Donations Committee be formed to assess the Community Donations Program expressions of interest and make recommendations to Council;
2. That the committee comprises of the Mayor, Councillor Rod Buffett and the General Manager.

CARRIED

9.7 WASTE MANAGEMENT STRATEGIC PLAN 2015**SUMMARY**

The purpose of this report is for Council to endorse the review of the Waste Management Strategic Plan 2015, by the Waste Management Advisory Committee, and for Council's Waste Management operation to continue to implement recommendations contained within the Plan where practical and achievable.

RESOLUTION 2016/109

Moved: Cr John McCoy

Seconded: Cr David Porter

1. That Council endorses the *Waste Management Strategic Plan 2015* (A Prince Consulting), for the Waste Management Advisory Committee to review;
2. That waste management staff continue to implement recommendations from the Plan where practical and achievable to meet the July 2018 deadline without delay;
3. That the General Manager commences investigation into the potential for grant funding for an incinerator and baling stations/equipment for recycling.
4. That the Mayor and General Manager arrange for Waste Management public meetings to inform and consult with the community at times deemed suitable.

CARRIED

9.8 COUNCILLOR TRAINING SCHEDULE**SUMMARY**

The purpose of this report is for Council to consider a training schedule for the remainder of this financial year 2016/17.

MOTION

Moved: Cr Rod Buffett

Seconded: Cr John McCoy

That the General Manager arrange for the following four (4) training sessions, pending availability and cost, to be held in-house by facilitators from the NSW Local Government Association:

- a) Good Governance
- b) Lobbying for Success
- c) Understanding Sustainability
- d) Financial Issues in Local Government

LOST**10 REPORTS FROM EXECUTIVE MANAGER GOVERNANCE & HUMAN RESOURCES****10.1 HERITAGE MANAGEMENT RESPONSIBILITIES AND FUNCTIONS****SUMMARY**

The purpose of this report is to inform Council of the responsibilities and functions of the Heritage Management section within the Norfolk Island Regional Council.

RESOLUTION 2016/110

Moved: Cr John McCoy

Seconded: Cr David Porter

That Council notes the responsibilities and functions of the Norfolk Island Regional Council's Heritage Management section.

CARRIED**11 REPORTS FROM GROUP MANAGER COMMERCIAL HUB****11.1 SEPTEMBER QUARTERLY BUDGET REVIEW****SUMMARY**

The purpose of this report is to provide financial information to Councillors in relation to the performance of Council's operations and capital program against budget, and to recommend any changes to the annual budget that are deemed appropriate.

RESOLUTION 2016/111

Moved: Cr Rod Buffett

Seconded: Cr David Porter

That the Quarterly Budget Review Statement and recommendations contained within be adopted and income and expenditure adjustments be voted.

CARRIED

11.2 INVESTMENT REPORT OCTOBER 2016**SUMMARY**

The purpose of this report is to report to Council the balance of investments held as at 31 October 2016.

RESOLUTION 2016/112

Moved: Cr Rod Buffett

Seconded: Cr John McCoy

That the investment report be received and noted.

CARRIED

12 REPORTS FROM GROUP MANAGER SERVICES

Nil

13 NOTICES OF MOTION**13.1 CR SNELL - RECORDING AND BROADCASTING OF COUNCIL MEETINGS**

I, Councillor Lisle Snell, give notice that at the next Ordinary Meeting of Council be held on 16 November 2016, I intend to move the following motion:-

RESOLUTION 2016/113

Moved: Cr Lisle Snell

Seconded: Cr John McCoy

That:

- 1) With effect from 1 December 2016 all meetings of Council, including Extraordinary meetings be recorded and a copy of the recording be available to members of the community on request to the General Manager; and
- 2) With effect from 1 February 2017 Ordinary meetings of Council be broadcast live over VL2NI and re-broadcast over VL2NI at a time to be determined by the General Manager in consultation with the Mayor.

CARRIED

13.2 CR MCCOY - QUEEN ELIZABETH AVENUE FOOTPATH AND TAYLORS ROAD RETAINING WALL PROJECT SUMMARY

I, Councillor John McCoy, give notice that at the next Ordinary Meeting of Council be held on 16 November 2016, I intend to move the following motion:-

RESOLUTION 2016/114

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That the General Manager provides a report on the recent road works carried out on Queen Elizabeth Avenue and Taylors Road, including footpath and retaining wall.

Outlining -

- 1) Cost of the works,
- 2) Metered length of reseal including Queen Elizabeth Avenue and Taylors Road and,
- 3) Issues encountered during operation.

CARRIED

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 CONFIDENTIAL MATTERS FOR CONSIDERATION**RESOLUTION 2016/115**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That Council enters into Closed Session at 3:25pm in accordance with *Section 10A(2) of the Local Government Act 1993* to consider the following confidential report:

15.1 NORFOLK TELECOM BUSINESS CASE

This matter is considered to be confidential under Section 10A(2) - di, dii and diii 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, information that would, if disclosed, confer a commercial advantage on a competitor of the council and information that would, if disclosed, reveal a trade secret.

CARRIED

The doors of the Council Chambers were closed to the public during closed session.

15.1 NORFOLK TELECOM BUSINESS CASE**SUMMARY**

The purpose of this report is to respond to Council Resolution 99/16 from the Ordinary Council Meeting on 19 October, 2016, in relation to the Council's Telecommunication business.

Council has acknowledged that the financial viability of Telecom is in serious doubt. Losses from internet operations more than outweigh profits from mobile and landline operations.

- A. Receipt of grant funding of approximately \$4.34 million to upgrade the mobile and landline switchboards to current technology will ensure the ongoing delivery of these services and maintain their income streams; and migrating to a 4G mobile system may increase revenue, however any increase cannot be accurately quantified.
- B. Norfolk Telecom is unable to become an RSP for nbn without legislative change and becoming compliant with nbn service provider requirements.
- C. There is no Council business case for the application for grant funding for a fibre optic cable for the reasons discussed in a previous report to Council in October 2016.
- D. Telecommunications is not a local government function and the NIRC is not in a position to fund shortfalls in this Commonwealth responsibility. It is recommended that Council make the fiscally responsible decision to commence discussions with the Minister for Regional Communications, Senator the Honourable Fiona Nash, with the aim of extending the Telecommunications Act 1997 (Cth) to Norfolk Island.

RESOLUTION 2016/116

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That:

1. The attached *Business Case for upgrade to 4G Mobile network and Norfolk Island Telecom Services* be noted and included in the grant funding application to the Commonwealth.
2. Senator the Hon Fiona Nash be provided with the advice provided within this report in regards to Council's potential of being a nbn provider.
3. If recommendation 1 is successful, develop a strategy to fund the anticipated losses for the remaining years of the O3b contract.
4. It is recommended that Council make the fiscally responsible decision to commence discussions with the Minister for Regional Communications, Senator the Honourable Fiona Nash, with the aim of extending the Telecommunications Act 1997 (Cth) to Norfolk Island because Telecommunications is not a local government function and the NIRC is not in a position to fund shortfalls in this Commonwealth responsibility.

CARRIED

RESOLUTION 2016/117

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council moves out of Closed Session and resumes with the Ordinary Meeting at 4:14pm.

CARRIED

16 QUESTIONS FOR THE NEXT MEETING

From	Item Details
Cr John McCoy	Rate of interest on unpaid rates.

17 CLOSE OF COUNCIL MEETING

The next Ordinary Meeting of Council will take place on Wednesday 21 December 2016 held at the Norfolk Island Regional Council Chambers commencing at 2:00pm.

There being no further business the Mayor declared the meeting closed at 4:17pm.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held on Wednesday 16 November 2016.

Submitted to the Ordinary Meeting of Council held on Wednesday 21 December 2016.

Mayor Robin Adams

Date