



# MINUTES

## Ordinary Council Meeting 17 October 2018

*Menets*

*f daa Ordeneri Kaunsl Miiten  
orn 17 Oktoeba 2018*

**MINUTES OF NORFOLK ISLAND REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE NORFOLK ISLAND REGIONAL COUNCIL CHAMBERS  
ON WEDNESDAY, 17 OCTOBER 2018 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), 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

Nil

## CONDOLENCES

Cr Adams recorded the passing of:

- Amelia Gleeson née Quintal

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

## 4 DISCLOSURE OF INTEREST

Officer	Agenda Item	Type	Nature of Interest
General Manager Lotta Jackson	16.2 General Manager's Performance Review and Contract	Pecuniary Interest	Performance review and potential renewal of contract.

**5 PUBLIC ACCESS**

Nil

**6 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE COUNCIL MEETING HELD ON 19 SEPTEMBER 2018****RESOLUTION 2018/160**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

1. That the Minutes of the Council Meeting held on 19 September 2018 be received and confirmed.

**CARRIED****7 MAYORAL MINUTE**

Nil

**8 STATUS REPORTS****8.1 QUESTIONS: RESPONSE TO SEPTEMBER 2018 QUESTIONS FOR THE NEXT MEETING**

The purpose of this report is to provide a further update on three matters tabled in 'Questions for the next Meeting' at the Ordinary Council Meeting of 19 September 2018.

1. *Progress with the transfer to Norfolk Island of all outstanding roads and reserves including but not limited to Queen Elizabeth Avenue, Cascade Reserve, Selwyn Reserve and Nepean Island including detail of whether there are changes being proposed to the current Proclamation for the Cascade Reserve prior to transfer.*

**Response**

The original Transfer of Land Ordinance dated 28 June 2018 is actively being worked on by Council officers and the Department of Infrastructure, Regional Development and Cities (DIRDC). This ordinance includes the transfer of roads and reserves, but specifically excludes the transfer of Queen Elizabeth Avenue, Cascade Reserve, Selwyn Reserve and Nepean Island. In order for this ordinance to progress, the Minister is required to reissue the certificates to include land information that is required under Norfolk Island legislation to enable a transfer to occur. Certificates are unable to be re-issued until the land area calculation of roads is complete.

2. *When a draft future port management plan for Norfolk Island will come before Council for its consideration.*

**Response**

The Department of Infrastructure, Regional Development and Cities is working towards a Ports Management Plan for Norfolk Island. Completion of a Port Management Case Study and a Ports Traffic Management Plan are components of the work towards a Port Management Strategy, and

ultimately a Ports Management Plan. No timeframe for completion is available at this time.

3. *Whether the Surveyor-General has ruled on whether a survey of all roads will need to be conducted and submitted to the Survey-General for approval before the title to roads can be transferred.*

#### **Response**

The Surveyor General has approved (in principle) the use of the official survey to calculate road area in instances where a) there is sufficient information on the existing plan and b) there is no conflicting data. To establish the number of roads that could be calculated using this methodology, the Surveyor General has requested a trial be conducted with the Island's registered surveyor and member of the Surveyor General's team. This trial is in progress. We anticipate that there will be some instances where a ground survey is required, but hope that this will be in few cases.

**NOTED**

#### **8.2 44A ROCK EXPLORATION/ REMOVAL AND REHABILITATION TO AN ATHLETIC OVAL STANDARD**

The purpose of this report is to provide Council with an update of progress on the development of the abovementioned project as per Resolution 2018/156 notice from Ordinary Meeting of Council held on 19 September 2018.

**NOTED**

#### **8.3 QUARTERLY UPDATE ON FIRE SERVICE ACTIVITIES JULY TO SEPTEMBER 2018**

The purpose of this report is for Council and the community to be provided with a status report from Fire Services on their activities undertaken during the quarter July to September 2018.

**NOTED**

#### **8.4 ENERGY SOLUTION HYDRO TASMANIA**

The purpose of this report is to provide an update of the progress on the development of energy policy and technical design solutions for power generation on Norfolk Island by Hydro Tasmania.

**NOTED**

#### **8.5 FUTURE PROOFING TELECOMMUNICATIONS ON NORFOLK ISLAND**

The purpose of this report is to provide an update of the progress on the 'Future Proofing Telecommunications in Norfolk Island' Project.

**NOTED**

**8.6 NORFOLK ISLAND INTERNATIONAL AIRPORT MAINTENANCE AND REHABILITATION PROJECT 2019**

The purpose of this report is to provide Council with an update of the progress on the development of the Airport Maintenance and Rehabilitation Project on Norfolk Island (NI). The project is to reseal both runways, the taxiway and the apron, and to replace runway lighting.

**NOTED**

**8.7 WASTE MANAGEMENT CENTRE PROJECTS**

The purpose of this report is to provide Council with an update of the progress on the development of the Waste Management Centre's (WMC) major projects in compliance with Resolution 2016/109, *Waste Management Strategic Plan 2015*.

**NOTED**

**8.8 NORFOLK ISLAND CONTINUED LAWS AMENDMENT (STATUTORY APPOINTMENTS AND OTHER MATTERS) ORDINANCE 2018**

On 28 September 2018, the Norfolk Island Continued Laws Amendment (Statutory Appointments and Other Matters) Ordinance 2018 was enacted by the Governor General. The purpose of this report is to outline to Councillors the changes within this ordinance.

The ordinance deals with internal administrative aspects of the Norfolk Island Regional Council, including an increase to the waste and fuel levies, changes to the functions of some boards, and the appointment of statutory officers.

The Ordinance was developed in consultation with Council officers to ensure the proposed administrative changes would work effectively and appropriately within the scope of the Council's responsibilities.

**NOTED**

**9 REPORTS FROM COMMITTEES****9.1 MINUTES OF THE HERITAGE AND CULTURE ADVISORY COMMITTEE MEETING HELD ON 28 SEPTEMBER 2018****RESOLUTION 2018/161**

Moved: Cr Lisle Snell

Seconded: Cr Rod Buffett

1. That the Minutes of the Heritage and Culture Advisory Committee Meeting held on 28 September 2018 be received and noted.
2. That the report by the Team Leader – Heritage Management in regards to how other regions in the world acknowledge their volunteers be received and noted.
3. The Heritage and Culture Advisory Committee recommends that Council agrees to recognise

International Volunteers Day on 5 December each year, and that the activities to commemorate the day be delegated to the Heritage and Culture Advisory Committee.

4. That the Team Leader – Heritage Management follow up with Darren Mitzel regarding the letter, so the answers can be submitted prior to the November meeting.
5. The Heritage and Culture Advisory Committee wishes Council to formally acknowledge the value and contributions, and involvement in the Norfolk Island community, of visiting Auckland-based *Te Toki Waka Hourua* in helping to reignite value in youth and community, in their Polynesian heritage and ancestry. The Heritage and Culture Advisory Committee hopes more Norfolk Island youth will be encouraged to participate in future voyages.
6. That 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.

**CARRIED**

## 9.2 MINUTES OF THE TOURISM ADVISORY COMMITTEE MEETING HELD ON 4 OCTOBER 2018

### RESOLUTION 2018/162

Moved: Cr Lisle Snell

Seconded: Cr David Porter

1. That the Minutes of the Tourism Advisory Committee Meeting held on 4 October 2018 be received and noted.
2. That the Tourism Report September 2018 be noted.

**CARRIED**

## 9.3 MINUTES OF THE PUBLIC RESERVES ADVISORY COMMITTEE MEETING HELD ON 2 OCTOBER 2018

### RESOLUTION 2018/163

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

1. That the Minutes of the Public Reserves Advisory Committee Meeting held on 2 October 2018 be received and noted.
2. The Committee recommends Council trial the spraying of salt water on the salvinia molesta in Watermill Dam as a first control trial.

**CARRIED**

**10 REPORTS FROM GENERAL MANAGER****10.1 DISCLOSURE OF INTEREST RETURNS****SUMMARY**

This report has been prepared to allow the tabling of the Disclosure of Interest Returns lodged by 30 September 2018.

**RESOLUTION 2018/164**

Moved: Cr David Porter

Seconded: Cr John McCoy

That

1. The General Manager's Report 'Disclosure of Interest Returns' be received and noted; and further
2. Council notes the tabling of the Disclosure of Interest Returns lodged by 30 September 2018.

**CARRIED**

**10.2 COUNCILLOR PROFESSIONAL DEVELOPMENT****SUMMARY**

The purpose of this report is for Council to consider approving for the professional training as per Council resolution 2018/145.

**RESOLUTION 2018/165**

Moved: Cr John McCoy

Seconded: Cr Lisle Snell

That Council approves for the General Manager to arrange the two-day workshop relating to the *Councillor Handbook and Financial Issues*, for a total sum of \$7,900.00, to be held in the first week of December 2018, on Monday 3rd and Tuesday 4th.

**CARRIED**

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

Nil

**12 REPORTS FROM GROUP MANAGER CORPORATE / CHIEF FINANCIAL OFFICER****12.1 INVESTMENT REPORT - SEPTEMBER 2018**

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

**RESOLUTION 2018/166**

Moved: Cr Lisle Snell

Seconded: Cr David Porter

That Council notes:

- The investment report for September 2018;
- The total deposits held at 30 September 2018 was \$17,350,252; and
- The interest accrued on investments for the month of September was \$34,927 and Year to Date (YTD) was \$94,253.

**CARRIED**

**13 REPORTS FROM GROUP MANAGER SERVICES**

Nil

**14 NOTICES OF MOTION****14.1 NOTICE OF MOTION - UNDERSEA CABLE CONNECTIVITY TO NORFOLK ISLAND**

I, Councillor Robin Adams, give notice that at the next Ordinary Meeting of Council be held on 17 October 2018, I intend to move the following motion:

**RESOLUTION 2018/167**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

Council at its June 2018 meeting requested the Mayor to write to Minister McVeigh requesting the Australian government consider the feasibility of Norfolk Island being connected to the undersea cables currently under discussion with Pacific Island nations. This request is made on the understanding that securing cable connectivity for Norfolk Telecom and integration with the Australian Mobile and Fixed-Line network would satisfy all resident, government, and business needs and the expectations of the 30,000+ tourists that will visit Norfolk Island each year. The letter to the Minister from the Mayor dated 6 August 2018 is attached.

Council notes the attached response dated 24 August 2018 received from Dr John McVeigh.

**CARRIED**

**15 URGENT BUSINESS WITHOUT NOTICE**

Nil



**16 CONFIDENTIAL MATTERS FOR CONSIDERATION****RESOLUTION 2018/168**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

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 Future Proofing Telecommunications on Norfolk Island**

This matter is considered to be confidential under Section 10A(2) - c, 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, 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 General Manager's Performance Review and 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).

**CARRIED**

**RESOLUTION 2018/169**

Moved: Cr David Porter

Seconded: Cr John McCoy

That Council moves out of Closed Session at 5:47pm and resumes the Ordinary Council meeting. The Gallery was opened to the public with Broadcasting continuing.

**CARRIED**

**16.1 FUTURE PROOFING TELECOMMUNICATIONS ON NORFOLK ISLAND**

The purpose of this report is for Council to approve the preparation of a Tender to upgrade the existing 2G mobile platform to 4G, including other components of the 'Future Proofing Telecommunications on Norfolk Island' funding agreement, and as a consequence, to make null and void the approval (2018/82) made prior to the receipt of Building Better Regions Funding.

**RESOLUTION 2018/170**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

That

1. Council, to meet Building Better Regions Fund (BBRF) funding obligations, approves the preparation of a Tender to upgrade the existing 2G mobile platform to 4G, including other components of the 'Future Proofing Telecommunications on Norfolk Island' project.
2. Council makes null and void the existing resolution 2018/82 approving the awarding of the contract to Blue Arcus Technologies to provide 3G/4G services.

**CARRIED**

## **16.2 GENERAL MANAGER'S PERFORMANCE REVIEW AND CONTRACT**

The purpose of this report is for Council's Performance Review Committee, comprising of Mayor Cr Robin Adams and the full Council, to formally endorse the outcome of the General Manager's Annual Performance Review that was rated as 'more than satisfactory' (3.66) for the period 1 July 2017 to 30 June 2018, and for Council to consider the application for extension of the General Manager's Contract.

### **RESOLUTION 2018/171**

Moved: Cr David Porter

Seconded: Cr Rod Buffett

1. Council's Performance Review Committee comprising of Mayor Cr Robin Adams and the full Council conducted the annual review of the General Manager's performance on Thursday 20 September 2018 at the Council Chambers. The review was facilitated by Mark Anderson, Manager - Management Solutions from the Local Government Association in NSW.

The Performance Review Committee assessed the General Manager's 2017-18 Annual Review as 'More than satisfactory' (3.66). The scores out of a total of 28 Key Performance Objectives were as follows: 'Outstanding' 3, 'Exceeds Expectations' 11, 'Meets Expectations' 14. There were no Key Performance Objectives that were scored 'Improvements Required' or 'Unsatisfactory'.

Accordingly, the Performance Review Committee recommends that Council agrees with the offer of the General Manager that in lieu of any increase in remuneration, to which she is eligible, that she be provided with one week extra annual leave.

2. The General Manager's application for the renewal of her Contract be decided at the November 2018 Ordinary Council Meeting.

**CARRIED**

17 Questions for the next meeting

Nil

The next Ordinary Meeting of Council will take place on Wednesday 21 November 2018 held at the Norfolk Island Regional Council Chambers commencing at 2:00pm.

There being no further business the Mayor declared the meeting closed at 5:51pm.

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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 17 October 2018.

Submitted to the Ordinary Meeting of Council held on Wednesday 21 November 2018.

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Mayor Robin Adams

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Date