



**I hereby give notice that  
an Extraordinary Meeting of Council will be held on:**

**Date: Friday, 30 October 2020**  
**Time: 2:00PM**  
**Location: Norfolk Island Regional Council Chambers**

**BUSINESS PAPER**  
**Extraordinary Council Meeting**  
**30 October 2020**

*Besnes Piepa*  
*f daa Ekstrordeneri Kaunsl Miiten*  
*orn 30 Oktoeba 2020*

**Andrew Roach**  
**GENERAL MANAGER**

**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.*

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- 1 WELCOME
- 2 STATEMENT OF RESPECT
- 3 APOLOGIES
- 4 DISCLOSURE OF INTEREST
- 5 PUBLIC ACCESS

## 6 REPORTS FROM GENERAL MANAGER

### 6.1 REQUEST TO DELAY ELECTIONS TO BE HELD 14 NOVEMBER 2020

Author: Andrew Roach, General Manager

#### SUMMARY

#### BACKGROUND

Council in June 2020, called for an External Audit to review its Governance, Financial and Sustainability. The Draft reports were received on 23 October, nearly two months behind the original timetable. Amendments are being made to these documents following review by both Council and the Department, with final reports not being issued until the beginning of November.

These reports raised significant issues around governance and the financial capacity of Council. Councils investment reports adopted on 28 October 2020 also raise significant concerns that our cash position will become exhausted in the near future.

Council resolved through urgent business on 28 October 2020 the following:

#### 19.1 DRAFT EXTERNAL AUDIT REPORTS FOR GRASSROOTS AND NEXIA

##### RESOLUTION 2020/189

Moved: Cr Robin Adams

Seconded: Cr John McCoy

Councillors received the Draft External Audit reports on 23 October 2020. These reports were to be reviewed, and comments provided back to the Department of Infrastructure, Transport, Regional Development & Communications by 30 October 2020. The final reports are expected to be issued to the public during the first week of November 2020.

There are several concerning issues raised in these reports, hence the need to raise now in Urgent Business this afternoon.

With the impending election scheduled for 14 November 2020, Councillors feel it is demonstrably unfair to place a significant burden on an incoming Council, and believe an urgent meeting with the Assistant Minister The Hon Nola Marino, be requested. This discussion should also include the delay, or cancellation of the election.

Today, Council consider a financial report (the investment report) that alerts Councillors to the fact that we are running out of cash, and daily operations, may become difficult.

Council is a Body Politic (Section 220, LGA 1993), and in operational terms, that means Council is a body corporate. Should Council not be able to meet its commitments in the coming months, urgent support will be required from the Department.

I therefore move the following motion:

That the General Manager urgently requests the Administrator to arrange a delegation to the Assistant Minister, the Hon Nola Marino, so Norfolk Island Regional Council can discuss the outcomes of the External Audits and its financial position.

**CARRIED**

**UNANIMOUS**

The Mayor and General Manager met with the Assistant Minister, the Hon Nola Marino on 29 October 2020, and provided a briefing to her of Councils current financial situation.

Under Section 288 of the LGA (1993)(NSW)(NI):

288 Delayed elections of councillors

(1) If the Minister is of the opinion that it would be impracticable or inconvenient to hold an election as provided by section 287, the Minister may, by order published in the Gazette, appoint a subsequent Saturday for the election.

(2) The subsequent Saturday must not be more than 6 months later than the day when the election should have been held.

(3) If a day is appointed under this section for an election, the retiring councillors continue in office until the election is held and, if a retiring councillor resigns in the meantime, his or her office is vacant until the election is held.

### **CONCLUSION**

As the Minister has already delayed the elections from Council first request of two months, there is the ability for Council to request an additional 4 months. This additional four months will allow Council and the community to receive the final External Audits Reports.

### **RECOMMENDATION**

That Council requests the Assistant Minister, the Hon Nola Marino, delay the elections up to 4 months from 14 November 2020.

### **ATTACHMENTS**

Nil

- 7 URGENT BUSINESS WITHOUT NOTICE**
- 8 QUESTIONS FOR THE NEXT MEETING**
- 9 CLOSE OF COUNCIL MEETING**