

Lord Howe Island Board

MINUTES OF THE MEETING OF THE LORD HOWE ISLAND BOARD

LOCATION By Teleconference. Lord Howe Island Board Members and Staff at Lord Howe Island Community Hall, corner Lagoon Road and Neds Beach Road.

DATE Tuesday 26 May 2020

BOARD MEMBERS PRESENT

- Ms A Levy (Chair – AL)
- Mr C Wilson (Deputy Chair - CW)
- Mr G Crombie (Member – GC)
- Mr D Kirk (Member - DK)
- Mr R Pallin (Member – RP)
- Mr M Retmock (Member – MR)
- Ms T Turner (Member - TT)

APOLOGIES

Nil

BOARD STAFF PRESENT

- Peter Adams (Chief Executive Officer - PA)
- John van Gaalen (Manager Business and Corporate Services - JV)
- Justin Sauvage (Manager Environment & Community Services - JS)
- David Waterhouse (Manager Infrastructure & Engineering Services - WP)

The meeting commenced at 9:39 am (9:09 am EST) at the Community Hall on Tuesday 26 May 2020 and closed at 12:17 pm. Two members of the public attended the meeting.

Unless otherwise specified, all Board decisions were unanimous.

1 CONFLICT OF INTEREST DECLARATIONS

Nil.

2 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

JV read out 3 corrections to the minutes in respect of advice provided by Board Members.

The Board noted the April 2020 Minutes.

3 OUT OF SESSION MATTERS – STATUS REPORT

The Board noted the Out of Session Matter Status Report.

4 ACTIONS FROM PREVIOUS MEETINGS - STATUS REPORT

The Board noted the information provided in the Actions from Previous Meetings Status Report.

5 CHIEF EXECUTIVE OFFICER'S REPORT

The Board noted the information provided in the Chief Executive Officer's Report.

6 MOTOR VEHICLE IMPORTATION OR TRANSFER – STATUS REPORT

The Board noted the information provided in the Motor Vehicle Importation or Transfer Status Report.

7 FINANCE AND BUSINESS MANAGEMENT

7(i) Finance Report

The Board noted the information provided in the Finance Report.

7(ii) 2020-21 Budget Process

It was moved by RP and seconded by GC that the Board approve a revised recommendation:

- 1. That the Administration quantify the Board's end-of-financial-year cash position.**
- 2. That the Administration quantify our income position taking into consideration the projected impact associated with COVID-19 for the FY 2020/21 budget.**
- 3. The Board consider options for closing the gap including cost reductions, cost deferrals and a reduction in the cash reserve position.**
- 4. Approve an Extraordinary Meeting to adopt the final 2020-21 budget to occur at 4pm by teleconference on Wednesday 24 June 2019.**

The Board adopted the motion.

8 DEVELOPMENT APPLICATIONS

8(i) Owner Consent approved under Delegated Authority

The Board noted the report as submitted for information.

8(ii) DAs Determined Under Delegated Authority

The Board noted the report as submitted for information.

8(iii) OC 2020.02 and DA 2020.05 for New Operations Centre - LHI Marine Rescue at Unidentified Crown Land Reserve No.12, Lagoon Road, Lord Howe Island

Judy Riddle spoke to her letter and petition distributed to all Board Members, raising concerns in regards to this item. Jim McFadyen, in his role as delegated authority for the LHI Marine Rescue, also answered questions and provided context.

It was moved by CW and seconded by RP that the Board approve the recommendation:

- 1. That application for 'Owner Consent' OC 2020.02 for a New Operations Centre - LHI Marine Rescue at Unidentified Crown Land Reserve No.12, Lagoon Road, Lord Howe Island, is approved.**
- 2. That Development Application DA 2020.05 for a New Operations Centre - LHI Marine Rescue at Unidentified Crown Land Reserve No.12, Lagoon Road, Lord Howe Island, be approved subject to the amended conditions and advisory notes listed at the end of the report.**

The Board adopted the motion by a vote of 4 to 3. GC, MR and TT dissented.

Judy Riddle left the meeting.

9 POLICY AND STRATEGY

9(i) Amendment to the LHIB Mooring Management Policy to allocate the public mooring NP3 to Marine Rescue NSW

It was moved by RP and seconded by DK that the Board:

- 1. Support the request to transfer the LHIB PTM situated near the North Passage (NP3) to MRNSW as a private mooring; and**
- 2. The Policy be amended to include an additional paragraph under Section 3.1.2 'Location and Condition' to state:**

"Note: This does not apply to the Marine Rescue New South Wales – Lord Howe Island Units mooring situated in the North Passage".
- 3. That Marine Rescue be charged the equivalent of the private-use Mooring Fee currently set at \$130.**

4. That Marine Rescue NSW pay \$2500 for the purchase of the existing mooring infrastructure.

The Board adopted the motion.

Jim McFadyen left the meeting.

9(ii) Gateway Determination for the Stage 1 Planning Proposal

It was moved by RP and seconded GC by that the Board adopt the recommendation:

1. The Board place the planning proposal on public exhibition for a period of 28 days in accordance with requirements outlined in the Gateway Determination.
2. The Board undertake consultation with the public authorities in accordance with Condition 2 of the Gateway Determination.

The Board adopted the motion.

10 LEASING AND LAND ADMINISTRATION

10(i) Surrender of Perpetual Lease 2015.02 and the creation of two new Perpetual leases over Lot 1 and PT2 respectively DP1261010

It was moved by GC and seconded MR by that the Board adopt the recommendation:

1. The Board recommend to the Minister to accept transfer of a portion Lot 2 in DP1261010 in Perpetual Lease 2015.02 from Dianne Ellen Owens to Fletcher Chase Owens.
2. The Board recommend to the Minister to accept application to surrender Perpetual Lease 2015.02 as requested by the current lease holder Di Owens.
3. The Board recommend to the Minister to grant a lease in perpetuity for the purpose of a residence over Lot 1 DP1261010 to Dianne Owens. The terms of the lease are to be as set out in Attachment B.
4. The Board recommend to the Minister to grant a lease in perpetuity for the purpose of a residence over Lot 2 DP1261010 to Fletcher Owens the terms of the lease are to be set out in Attachment C.
5. Prior to the submission of the above recommendations to the Minister the prospective lease holders of Lot 1 and Lot 2 Applicants must evidence to the satisfaction of the Board Administration of a letter of agreement between Lot 1 and Lot 2 detailing obligations and liabilities for the maintenance of the joint waste water and treatment system.

The Board adopted the motion.

11 GOVERNANCE

11(i) Options for Organisational and Cost Review

It was moved by GC and seconded by TT that:

1. A review of the organisational and financial sustainability opportunities be undertaken and presented to the Board with recommendations prior to the preparation of the draft budget for 2021-22 Financial Year.
2. The review include investigation of previous reviews including recommendations, status of implementation and reasons (if available) for any recommendations that were not adopted.
3. A request be made to the Department of Planning, Industry and Environment (DPIE) Support Team for an independent facilitator/project manager and project support staff to assist in the review.
4. Board Member, Mr David Kirk be requested to steer the review process.

The Board adopted the motion.

12 OPERATIONS AND SERVICES

Nil.

13 WH&S AND PUBLIC RISK MANAGEMENT

13(i) Workplace Health and Safety and Public Risk Management Update

The Board noted the information provided on Public Risk and WHS matters.

14 INTERVIEWS

CLOSED SESSION

Nil.

15 GENERAL BUSINESS & QUESTIONS ON NOTICE

15(i) Questions on Notice

Two Questions on Notice were received and were answered by the Chief Executive Officer as follows:

GC left the meeting at 11.50am citing a potential conflict of interest.

Q 1 – submitted by Mrs Vivienne Crombie in relation to the Boat Ramp Area:

We have a long term storage area near the Aquatic Club for the storage of boats/trailers with the permission of the board. This was created to facilitate over winter storage of larger vessels that could not access the owners lease. Bearing

this in mind why are the vessels that this area was intended for, and several others, being stored on a long term bases at the boat ramp?

The area available for parking at the boat ramp has been regularly reduced in recent years by the decision to store Marine Park vessels, waterways vessels, and two larger trailers that are incapable of registration (one of which has since left the island). In addition to that the requirements for space in this area for shipping stevedores has increased by at least 50% in the past 5 years. To compound the problem the Board and various other importers have been regularly using this area for mid term storage for gravel/road base, large tanks, slipway equipment and various other large objects.

The net result of all this is that on a shipping weekend in summer with good weather for boating and a few larger boats out for maintenance the ramp area is becoming almost unusable due to a lack of suitable trailer parking space.

The board has a parking policy for trailer and boat storage from the NW edge of the Marine park shed through to the ramp itself. This plan sets out what, where, and for how long things can be parked in that area. For many years this plan has been ignored and a clear bias has been exhibited to larger commercial boats and Government uses to the detriment of the smaller boats that comprise of the majority of the islands vessels and for which the boat ramp was built.

I request that the Board enforce it's existing policy rigorously in the short term future, and in the longer term review the policy to fairly represent the needs of all interests in this precinct.

The question regarding the boat ramp area was discussed and included; one-off approvals that have been requested because of the extended period of 'shut-down' due to COVID-19 and the winter off-season; other vessels; and enforcement. The policy was examined and it was noted that larger vessels are allowed temporary permission to undertake maintenance. Concerns were raised regarding the impacts on stevedoring space and safety of a large vessel currently located adjacent the boat ramp.

The matters are to be discussed at a CEO/ Elected Board Members' meeting to seek an appropriate and practical outcome.

Q 2 – submitted by Mrs Vivienne Crombie in relation to Gravel at the New Power House:

Can you please advise that the storage of road base gravel at this site is still fit for the purpose of purchase?

The road base gravel at the powerhouse is still fit for use and was originally purchased for the wind turbine site. Some of the gravel contains fabric from the bulker bags where the bags have broken, and there is also weed growth in some of the gravel. This gravel can be cleaned so it is fit for use.

The Board is not selling this gravel to the public. It is being retained for Board projects and road works.

Enquiries regarding the purchase of Board assets or goods are best directed to the Administration office (rather than the Board meeting) so that they can be directed to the relevant officer.

GC returned to the meeting at 12:07pm

15(ii) General Business

The Board discussed a priority list for grant applications.

It was moved by GC and seconded RP that:

Administration staff prepare a list of priority projects that could be used for any grant opportunities as they arise and provide the list to the Board for consideration and confirmation.

The Board adopted the motion.

Discussion held in relation to Board elections in February 2021.

Acknowledgement of the Chair's work as part of the Board over the last year.

The meeting closed at 12:17pm on Tuesday 26 May 2020.

NEXT MEETING

24 June 2020 – Extraordinary Meeting

7 September 2020 – Closed Session

8 September 2020 – Open Session

Further Board meetings for the 2020 Calendar year have been confirmed as:

7-8 December 2020