

LORD HOWE ISLAND BOARD

BOARD MEETING AGENDA

MEETING DATE:	MEETING LOCATION:	MEETING TIME:
Monday 9 December 2019	Public Hall, Lord Howe Island	Planning Session 9:00 am to 11:00 am
Monday 9 December 2019	Public Hall, Lord Howe Island	Closed Session: 11:00 am to 4:30 pm
Tuesday 10 December 2019	Public Hall, Lord Howe Island	Open Session: 9:00 am to 12:30 pm

Preparer	Presenter	ITEM		OPEN (O)	CLOSED (C)	ACTION Note/Decide
na	AL	1	CONFLICT OF INTEREST DECLARATIONS			
CH	PA	2	MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION	O	C	Note
CH	PA	3	OUT OF SESSION MATTERS – STATUS REPORT	O		Note
JvG	PA	4	ACTIONS FROM PREVIOUS MEETINGS – STATUS REPORT	O		Note
PA	PA	5	CHIEF EXECUTIVE OFFICER’S REPORT	O		Note
CH	PA	6	MOTOR VEHICLE IMPORTATION OR TRANSFER – STATUS REPORT	O		Note
		7	FINANCE AND BUSINESS MANAGEMENT			
JvG	JvG	(i)	Finance Report	O	C	Decide
		8	DEVELOPMENT APPLICATIONS			
CH	JS	(i)	Owner Consent approved under Delegated Authority	O		Note
CH	JS	(ii)	DAs Determined Under Delegated Authority	O		Note
AAP	AAP	(iii)	Lord Howe Island Board - Install Ground Mounted Solar Panels and Associated Infrastructure MC2020.01	O		Decide
AAP	AAP	(iv)	DA – Lord Howe Island Board – Demolish existing garage structure, build new garage to house ambulance vehicle – DA2020.01	O		Decide
		9	POLICY & STRATEGY			
JS	JS	(i)	Biosecurity Operations Plan Strategy	O		Decide
JS	JS	(ii)	Petition to join “Cities Power Partnership”	O		Decide
AW	PA/AW	(iii)	Captive Management Facility	O		Note

Preparer	Presenter	ITEM		OPEN (O)	CLOSED (C)	ACTION Note/Decide
JS	JS	(iv)	Policy Review – Community Grants Policy	O		Decide
PA	PA	(v)	Aged Care	O		Note
		10	LEASING & LAND ADMINISTRATION			
JS	JS	(i)	Lord Howe Island Land Allocation Review – Implementation Update	O		Note
JS	JS	(ii)	Closed Session		C	Decide
JS	JS	(iii)	Renewal of Special Lease 2011.08	O		Decide
JS	JS	(iv)	Modification and Extension of term for Special Lease 2011.	O		Decide
		11	GOVERNANCE			
JvG	JvG	(i)	Audit and Risk Committee Report	O		Note
PA	PA	(ii)	Operations Plan 2020 Status Report	O		Note
JvG	PA	(iii)	Board Meeting Code of Practice Policy	O		Decide
		12	OPERATIONS & SERVICES			
AW	AW	(i)	Rodent Eradication Project Update	O		Note
		13	WH&S and PUBLIC RISK MANAGEMENT			
JSp	JvG	(i)	WH&S and Public Risk Management Update	O		Note
		14	INTERVIEWS			
		15	GENERAL BUSINESS AND QUESTIONS ON NOTICE			

Board Meeting: December 2019	Agenda Number: 2	Record: ED19/11111
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Adoption of Minutes of Previous Meeting.

RECOMMENDATION

Submitted for the Board's information.

BACKGROUND

The adopted process for distributing Board minutes from the previous meeting is:

- Draft minutes will be produced within five working days of a Board meeting, and posted to Board members on the sixth working day, unless delayed for a valid reason agreed to between the Chief Executive Officer and the Chairperson.
- Board members are to return their endorsement, or otherwise, of minutes on a pro forma document provided by the Administration no later than seven working days after date of posting.
- Seven working days after date of posting, the Board will deem the minutes of the meeting to be endorsed, subject to any amendments which were received prior to that date, and agreed for inclusion by the Chairperson.

CURRENT POSITION

Minutes of the September 2019 meeting were distributed to each Board member and have been endorsed through the above process with amendments.

A copy of the endorsed Minutes is attached.

RECOMMENDATION

Submitted for the Board's information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Peter Adams, Chief Executive Officer

Attachments: Attachment A: Minutes - Board Meeting – September 2019 – **Closed Session**

Board Meeting: December 2019	Agenda Number: 3	Record: ED19/11115
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Out of Session Matters Status Report

RECOMMENDATION

Submitted for the Board's information.

CURRENT POSITION

Since the last Board Meeting in September 2019, one matter was considered at an out of session meeting and is shown in result summary.

OPEN SESSION				
No.	Date	Application	Vote	Comment
September 2019				
	Nil			
October 2019				
	22/10/2019	Request to transfer Perpetual Lease 1954.37 to Jessica Owens and associated Mortgage transfer	Approved - GC, RP, CW, TT, MR, DK	No response – AL
November 2019				
	Nil			

RECOMMENDATION

Submitted for the Board's information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Peter Adams, Chief Executive Officer

Board Meeting: December 2019	Agenda Item: 4	Record Number: ED19/9262
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Actions from Previous Meeting – Status Report

RECOMMENDATION

Submitted for the Board's information.

BACKGROUND

As a matter of process and procedure, a list of actions is prepared after each Board meeting to ensure that the Board's resolutions are systematically carried out by staff. Those actions reported as complete are deleted from the Action List at the subsequent Board meeting.

CURRENT POSITION

A list of actions from decisions of the September 2019 Board meeting, and previous meetings, is attached for the Board's information.

RECOMMENDATION

Submitted for the Board's information.

Prepared: John van Gaalen, Manager Business and Corporate Services

Endorsed: Peter Adams, Chief Executive Officer

Attachments:

Attachment A (included): Action Sheet from the September 2019 Board Meeting and Previous Meetings

LORD HOWE ISLAND BOARD

Action Sheet from September 2019 Board Meeting and Previous Meetings

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date#
12(vii) November 2016	Commercial Tour Operator Licensing System	Investigate opportunities to align with Ecotourism Australia accreditation program.	October 2018	MECS	Bridging permits issued. Draft Eco-pass information pack being prepared. However, due to other major projects, has been deferred.	
7 (iii) March 2017	OC2017-07 Shearwater Cottage (Owens)	Complete a market demand study on staff and residential accommodation on behalf of the Board.	December 2019	MECS	Proposed to form part of greater LEP Phase 2	
10 (iv) March 2017	Review of Boatshed Foreshore Encroachments	<ol style="list-style-type: none"> Review and adjust rentals where there has been, or will be, an approved increase in the footprint area of fixed improvements. Follow up anomalies identified in the assessment. 	Ongoing	MECS/MBCS	Ongoing	
8 (i) May 2018	Development of a 10-Year Community Strategic Plan	Plan to be completed in April 2019 in order to inform the FY 2019/20 budget.	April 2019	MECS	Consultation undertaken informed the 2019/20 budget adopted by the LHIB in May 2019. Survey undertaken. School consultation held. Two workshops held with additional planned. Officer undertaking CSP required on REP and will return to CSP in Dec 2019.	
3 September 2018	Actions from Previous Meetings	Prepare an out of session paper on funding options and reprioritisation options after PA has met with the planning consultants.	October 2018	CEO	Funding not available from LEP planning review fund. Stage 1 Planning Proposal prepared and submitted	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date#
					for Gateway consideration. Stage 2 LEP review is a major exercise requiring significant funds. Funding requirement included in Estimates briefing note for Sept 2019. Not yet funded.	
10 (iii) September 2018	Cat B Land Restitution	Provide a progress report for the November 2018 Board meeting.	October 2018	MECS	Ongoing, letters to be sent to lease holders in December 2019.	
10 (iv) September 2018	Review of Compliance with Residency Conditions	<ol style="list-style-type: none"> Write letters as per the decisions captured in the minutes. Prepare out of session paper to capture the Board's discussion on direction and advise on options to change the Policy and the Act to reflect the agreed direction. 	November 2018 October 2018	MECS MECS	Letters sent, some replies received, follow up letters and actions underway with individuals. Update report provided in September 2019 Ongoing	
12 (iii) September 2018	Airport Runway Feasibility Study	Form a high level working group, comprised of all relevant stakeholders.	Nov 2019	CEO	Meetings with Transport for NSW held. Review of Feasibility Study with TfNSW and multi-agency Working Group being reinstated. Urgent focus on recent ground agent issue being facilitated.	
12 (iv) September 2018	Location of Public Fuel Sales	<ol style="list-style-type: none"> Rezone the land so that it can be operated by a private entity. Submit a DA. 	February 2019 February 2019	MECS MIES	DA plans to be prepared. Re-zoning request being considered by planning. Deferred for recruitment of MIES	
3 November 2018	Out of Session Matters	Administration to advise of a Master Plan for the Old Post Office site regarding the utility and amenity of the civic precinct and resolve to consider the original conditions of the lease. We agree to have an open		MIES MECS	Completed initial internal discussions of what is required on this site which have been included into the	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date#
		meeting of the Board to consider the revised DA.			construction plan. Grant funding applied for.	
15 November 2018	Aged Care	Administration to provide advice at the next Board meeting about options to provide Aged Care Services on the island.		CEO/ MECS	Strategy to be mapped for presentation to LHIB in Dec meeting.	
13 iii) November 2018	Old Powerhouse site remediation	Suggestions for name of park at a later stage.		MIES	To be addressed on completion of old powerhouse remediation	
7 (ii) March 2019	Application for Liquor Licence	1. Approve the investigation of an Alcohol Management Strategy for LHI with an aim for implementation from 1 July 2020 following a Public Consultation process across the commercial and domestic sectors of the island.	April 2019	MBCS	Planned to commence in late 2019/ early 2020	March 2020
5 May 2019	CEO Report – IES	Draft a letter to Rod Staples – RMS	May 2019	MIES/ CEO	Letter sent to seek reassurance funding will not be lost.	
9 (ii) May 2019	Amendments to the LHI Local Environment Plan	<ul style="list-style-type: none"> Submit Planning Proposal & Gateway Determination Report on outcomes of Gateway Determination 		MECS MECS	Planning Proposal submitted. Waiting for Gateway Determination	
11 (i) May 2019	Audit & Risk Committee Minutes	To be tabled in the Open Session.	November 2019	MBCS/ CEO	Implemented	December 2019
15 May 2019	Aged Care	To look at availability of nurse's flat – post REP	Dec 2019	CEO/ MECS	Options being included in draft strategy.	
23 September 2019	Aged Care	Issues Paper to establish Taskforce, urgent communications with our Aged Care Provider (Australian Unity)	December 2019	CHAIR	Options being included in draft strategy. Chair	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date#
					initiating high level working group.	
23 September 2019	Liquor Store	Complete analysis of margins as part of Liquor Store Business Plan and effect of changes	November 2019	MBCS	Business Plan updated and LS staff directed to set maximum gross profit margins	November 2019
24 September 2019	Motor Vehicle	Review Motor Vehicle Policy – Preferred vehicles	March 2020	CEO	Not yet commenced	
24 September 2019	Lease Fees	Provide information to the community on the revised rate schedule	December 2019	MBCS	Advice provided in report to Meeting. Householder to be sent out end of November.	November 2019
24 September 2019	Policy & Strategy	Prepare a more detailed report on Biosecurity Operations Plan Resourcing	November 2019	MECS/ MWH	Report to December meeting	
24 September 2019	Policy & Strategy	Timber from Camphor Laurel trees be auctioned to Islanders	January 2020	MECS/ MWH	After camphors removed	
24 September 2019	Land Administration	Seek Minister's approval for extension of Special Leases	November 2019	MECS	Request sent	November 2019
24 September 2019	Land Administration	Recommend to the Minister a new Permissive Occupancy P2020.1 be granted with conditions	November 2019	MECS	In progress	
24 September 2019	Land Administration	Review of Suspension of Residency Policy	November 2019	MECS	In progress	
24 September 2019	General Business	Interpretive Sign be considered for erection at entrance to Stephen's Reserve	March 2020	MIES	In progress	
24 September 2019	General Business	Inspection and assessment of lifesaving equipment at various sites including Neds and Blinky beaches	November 2019	MECS	Complete	November 2019

Note: Action Items submitted to a Board meeting showing an 'Actual Completion Date' entered, are removed from the following Board Meeting Action List to be concise and ensure clarity for ease of review.

OPEN SESSION

BUSINESS AND CORPORATE SERVICES UNIT

ISSUE	STATUS	ACTION REQUIRED BY THE BOARD AT THIS MEETING
Actions from Previous Meetings – Status Report	In progress	For the information of the Board. Agenda item 4
CEO Report - BCS	Complete	For the consideration of the Board. Agenda item 5 (i)
Financial Report	Complete	For the consideration of the Board. Agenda Item 7 (i)
Audit and Risk Committee Report	Complete	For the information of the Board. Agenda item 11 (i)
Board Meeting Code of Practice – Policy review	Complete	For the consideration of the Board. Agenda item 11 (iii)
WH&S and Public Risk Management Update	Complete	For the information of the Board Agenda item 13 (i)

Liquor Store

Liquor Store revenue for the financial year to September 2019 was \$0.381m which is \$97,000 (20%) under budget. However, the budget has not been cash-flowed to recognise seasonal changes and is in fact slightly above last year's income. Expenses were \$0.410m, being above budget by \$32,000 (8%). The net result is un-favourable to budget, year-to-date. For last financial year (2018/19), the figures were \$0.359m in revenue and \$0.253m in expenses.

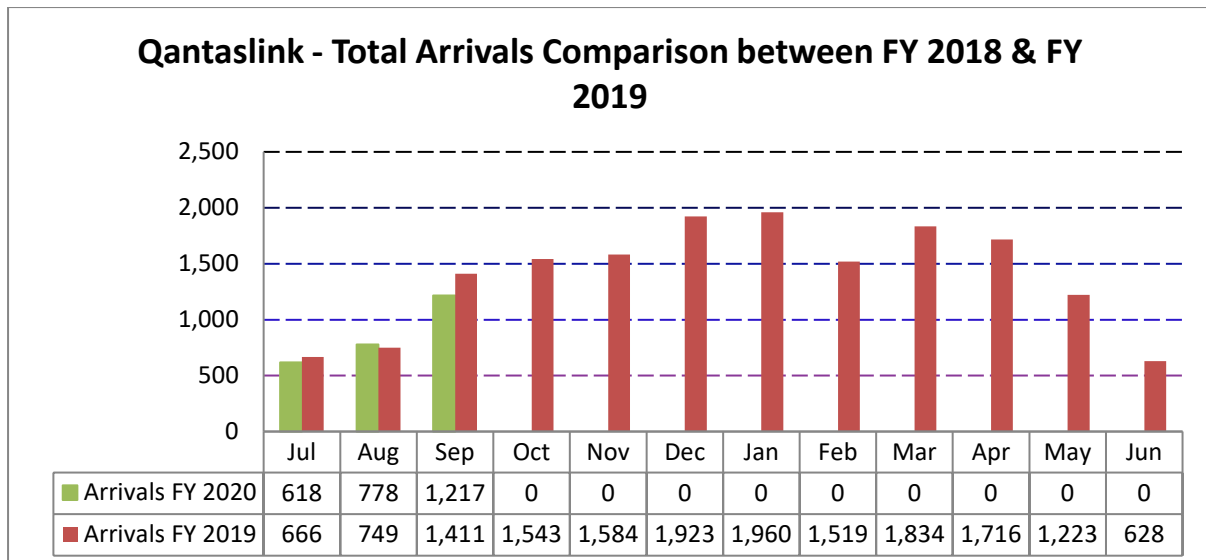
There have been considerable changes to the Liquor Store set-up. New staff and a review of procedures, systems review, record keeping and training is currently occurring. Identification of shortfalls in processes have occurred and as a result, the current data reported does not reflect the actual position. It is expected that this will be resolved and a more accurate and productive situation will be in place by the end of the summer.

A review of prices has resulted in an update to % mark-ups on products with a maximum dollar mark-up now in place. This will ensure high-end products are not price-gouged, to the detriment of the market. The Business Plan will be a commercial-in-confidence document on completion.

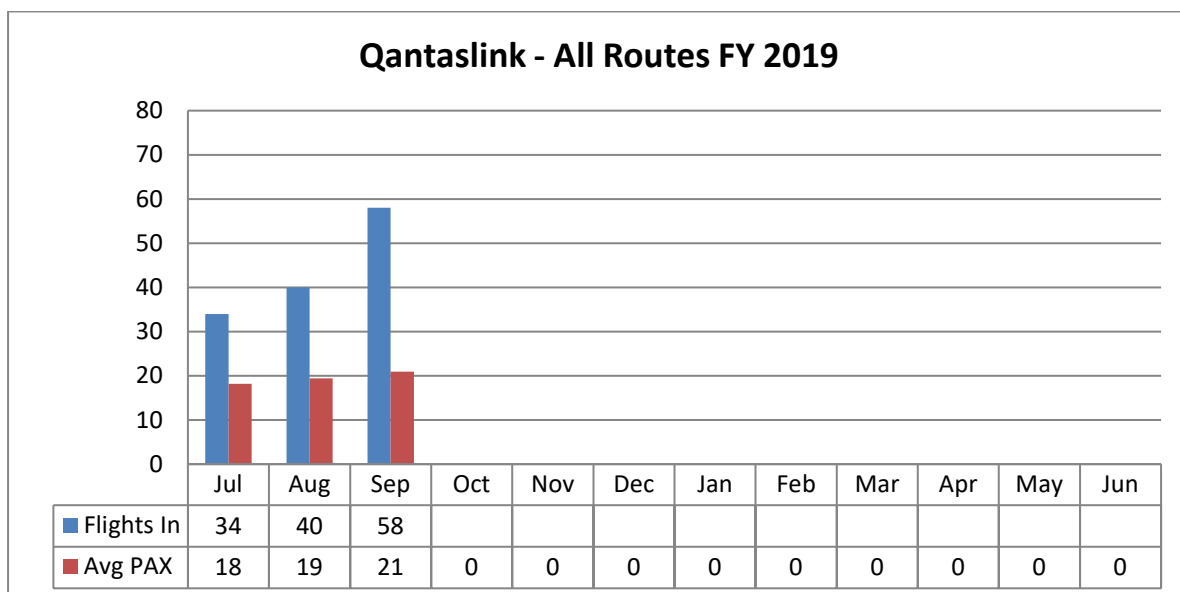
Tourism Management

The number of passengers arriving by air between 1 July 2019 and 30 September 2019 was 2,670, down from 2,832 arrivals for the corresponding period last year (September 2018) and 2,836 to September 2017. This figure includes non-Qantaslink arrivals.

The chart below compares total year-to-date arrivals for Qantaslink only, to the end of September 2019 with the corresponding period last year.



The following chart provides information regarding the number of QantasLink flights per month and average passenger loadings per flight, per month from 1 July 2019 to 30 September 2019. Compared to last year, the number of flights has decreased in the period – from 141 to 132, whilst the average number of passengers per flight has decreased for the financial year to date – 20.0 to 19.8.



RECOMMENDATION

It is recommended that the Board note the information provided.

Prepared: John van Gaalen, Manager Business & Corporate Services

Endorsed: Peter Adams, Chief Executive Officer

ENVIRONMENT AND COMMUNITY SERVICES UNIT OPEN SESSION

ENVIRONMENT & COMMUNITY SERVICES UNIT

11 September – 22 November 2019/2019

Biodiversity Management

- Nil detections of ABhA during routine inspections of REP rodent stations. Ongoing monitoring of all former infestation areas scheduled for Spring/Summer 2019/2020.
- Masked Owl surveys and hunting underway. Two visits by contractor Pestlures since August with one owl shot at Blinky (predating Little Shearwater) and owls confirmed alive at North Bay, Kims Lookout and two at the Saddle. Owl kills of birds are assisting to determine location where remaining Masked Owls are persisting/hunting. Board staff with firearms licenses to target Masked Owl between visits by Pestlures and respond to reports by community.

Research & Volunteers

- The Research Station has been occupied by OEH working for the REP and contract weed team staff from September till present.

Rodent Eradication

- See Agenda Item - Rodent Eradication progress report.

Biosecurity

- Ongoing inspections using detection dogs of freight brought in on Island Trader and freight planes as well as inspections of luggage from passenger planes. Increased surveillance both pre border and post border.
- Pre border inspections at Birdon wharf facility, Port Macquarie for each loading of LH Seafreight with LHIB Biosecurity Dog Handler and detection dog. This includes servicing bait stations and other detection devices, prophylactic treatments for invertebrates, training of stevedores, suppliers and carriers.
- Birdon have provided photographic evidence that they have sealed the shed to reduce potential access by pests such as rodents, snakes, lizards, frogs and invertebrates (confirmed by LHIB Biosecurity Dog Handlers during inspections).
- Birdon designing suitable pallet storage to keep large freight items (eg building materials) off the ground.
- Purchasing two rapid response kits (one for Port Macquarie and one for LHI) to enable treatment of pests/incursions as soon as possible after detection.
- External audit by New Zealand biosecurity audit contractor used to determine resource requirements for improved biosecurity.
- Continual improvements in development of Biosecurity Operational Plans for biosecurity inspections at LHI wharf, LHI aerodrome, Port Macquarie wharf and aerodrome.
- Draft Biosecurity Operations Plan developed.
- Commenced installation of monitoring devices at LHI jetty, aerodrome and other identified areas to implement the Biosecurity Monitoring Plan approved under EPBC approval.
- Reviewed staff and resource requirements to undertake biosecurity inspections, monitoring and capacity to respond to incursions.

Weed Management and Threatened Species Habitat Protection

- The LHIB weed team is starting to regroup with a slight increase in the availability of labour as the REP nears completion, however staff post REP have had a well-earned break.

- Contract weed teams have been engaged to keep base momentum on weeds, continuing the focus on priority blocks with Bridal Creeper in the Northern Hills and extending effort into the Southern Mountains for Cherry Guava. Contract teams have included Footprint Ecological Services, JDC Environmental Restorations and Bushland Restoration Services. These teams have been valuable providing prior experience and knowledge of LHI program methodology.
- The LHIB has been awarded a continuation of funding under the National Landcare Program Protecting World Heritage and the Little Mountain Palm (and Cloud Forest Habitat), administered by the North Coast Local Land Services (NCLLS). This is a four year extension on the current project grant, with funds subject to successful yearly reporting.
- Researchers recently visited LHI to continue monitoring of the Little Mountain Palm post REP, the reporting of species and ecosystem response post REP is required for the NCLLS.
- Between the 11th and 18th November Helitreck provided helicopter winching of teams into the Southern Mountains with a focus on Gower north face to continue effort on Cherry Guava. The intent of this operation is to saturate hard to access terrain with weeding labour effort over a short period of time. At least 80 person days were applied across 5 days giving repeat treatment of Cherry Guava prone habitats. Summary of hectares searched and weed removed will be provided in future.
The teams were also required to waypoint the location of threatened plant species, with reporting of the threatened plant LHI Broom observed holding large sprays of flower which hasn't been observed for some time. The timing of this winch operation was scheduled to coincide with the release of the Woodhens back to the Southern Mountains. The helicopter program has been a success on many levels.
- Under the Saving Our Species program monitoring of key threatened plant locations is continuing. Good news to report *Calystegia affinis* LHI Morning Glory from Old Settlement has flowered for the first time in decades, with numerous flowers observed. Effort in weeding, thatching, bug management and the REP has assisted this species recovery.

Revegetation

- Maintenance of revegetation sites has been undertaken in accordance with the Revegetation Work Schedule.
- Propagation of seedlings during rain days for planting at LHIB revegetation sites.
- Obtained NSW Environmental Trust grant for \$99,000 to revegetate Sallywood Swamp Forest (Endangered Ecological Community) behind Pinetrees lodge. .

Incident Management

- Nil

Compliance and Enforcement

- Two potential breaches of Building and Development conditions are currently under investigation.
- One serious dangerous dog incident is currently being investigated. It is anticipated that the dog will be removed off the island by the start of December.

Community Programs & Education

- Contribute to Signal and Community Information Bulletin.

Visitor Infrastructure

- In flight biosecurity and REP information sheet provided for incoming LHI QantasLink flights.
- The Environment crew have been working on the REP effectively full time. Work on track maintenance has been restricted to essential tasks to manage the safety of the track network. Regular track maintenance is expected to resume in December, although it will take some months before the tracks are restored to their usual standard.
- Brief for the renewal of Middle Beach Stairs has been provided to MIES and may be incorporated in the Stevens Reserve walking track upgrade.

- Track safety and condition audits will commence in October.

Marine Management / Moorings

- 15 yachts visited the Island and attached to LHIB public moorings during the reporting period.

Human Resource Management

- Recruitment for a part time Land and Compliance Officer will commence shortly.
- Environment team and weed team have been working effectively full time on the REP since April.
- Project Officer – Community Strategic Plan has been seconded full time to the REP. Will recommence work on the CSP in December 4 days per week.
- The LHIB weed eradication program has grant targets to address by December 15 2019. Suitability tests have been applied to engage short term labour needs. Recruitment for the permanent Bush Regeneration positions will commence in the New Year.

Training

- . Nil.

Environmental Assessment

- Ecological assessments for all OC / DAs referred completed
- Tree risk assessments completed.

Land Administration

- Review of expired Permissive Occupancies planned when resources become available. Reallocation of these permissive occupancies will be undertaken as per the Board's Permissive Occupancy policy.
- Where and when resources are available, actions being pursued following resolutions by the Board (Sept 2018) for compliance with Residency condition of Perpetual Leases. A revised list of potentially non complying leaseholders is being prepared and "show cause" letters will be sent to the relevant leaseholders.
- Work is about to commence on a revised Suspension of Residency Policy.
- Development assessment is ongoing. Staff are progressing the procurement of Planning and Assessment Services as the current contract has expired.

RECOMMENDATION

It is recommended that the Board note the information provided.

Prepared: Justin Sauvage – Manger Environment and Community Services

Endorsed: Peter Adams, Chief Executive Officer

CEO BOARD REPORT
Infrastructure and Engineering Services
6 September to 25 November 2019

Airport

- A major renewal of the linemarking on the Aerodrome runway and taxiway was undertaken in November.
- Minor intrusions into the OLS were removed to allow higher takeoff weights on the Qantas flights.
- The Special Event Zone (SEZ) declared at the Aerodrome to facilitate the REP aerial operations and equipment storage without the need for the usual security requirements entering the airside of the aerodrome, has now been rescinded.
- Aerodrome weed spraying plus extensive runway maintenance was completed in November.
- Blinky dune bunting was installed in October for the Sooty Tern season.

Emergency Management

- The Local Emergency Management Committee (LEMC) meeting has had to be postponed to December due to non-availability of some members.
- Testing of emergency siren at 10:00 hrs first Wednesday of month continues without incident. The most recent test was conducted on 04/11/2019. All three locations were confirmed as operational.
- Local Rescue Committee (LRC) met on September 25 and gave unanimous support to the proposed Marine Rescue Unit formation on LHI. Marine Rescue proposal has passed 'Pre Accreditation' stage. Representatives from Marine Rescue visited the island first week November to conduct further face-to face arrangements for the installation of a VHF marine band radio repeater on Intermediate Hill. Planning continues re repeater mast, Unit building and vessel mooring etc.

Building Construction Maintenance and Management

- The Old Post Office access ramp and railings have been repaired in conjunction with the lessee's upgrading works. The building has been painted by the Board in sympathy with the colour pallet used on the Community Hall and the new Post Office.
- New notice boards were installed at community hall, post office and outside LHIB administration office.
- Building inspections completed at North Bay in October.

- Works Unit commenced turfing of old powerhouse site development. Scheduled for completion week ending 29/11. Turf sourced from private land on north side of Blinky entrance. (700m²)
- The LHIB carpenter has
 - replaced the front southern deck area of the Hospital due to deteriorating timber flooring.
 - Undertaken urgent repair works to board housing to address safety issues.
 - Is currently installing new weights in the Community Hall windows to allow the windows to stay in position when opened.

Maritime Facilities and Coastal Activities

- Jetty stairs were high temperature /pressure gurneyed in Oct/Nov.
- A contractor has been engaged for emergency repair to the jetty landing area/steps, scheduled for December 2019. The works have been planned to ensure there is minimal inconvenience or delays for commercial operators during repairs.
- The one remaining LHIB lighter was shipped off island to Birdon for refurbishment assessment and quote. Birdon were originally prepared to share cost, however RMS will no longer allow dangerous goods to be carried in the lighter and therefore Birdon have no further use for the lighter. Quote of approx. \$12K has to be funded by LHIB if lighter is to be retained. Birdon will cover costs of freight for both voyages off and on island. It is intended to have further discussions on cost sharing with Birdon. The lighter has some historical relevance to the Island.
- Lagoon pontoon removed from water, cleaned and serviced, returned to water same day in October
- Sand has continued to be pushed up at Windy Point to protect the area from beach erosion

Roads, Parks and Visitor Facilities

- Road and pothole repairs were carried out during the period, again hampered by breakdown of critical machinery and limited resources.
- Island's road system was investigated in conjunction with a specialist road consultant to obtain information for preparation of a major road repair program planned to be undertaken in May/June/July 2020.
- Bollards installed across link road at the War Memorial, in October, to improve road safety.
- Felled pine trees logs removed from playground area last week of Nov.
- Meeting with Kinder house parents conducted regarding progress of playground equipment replacement. Parents to be consulted prior to equipment selection in the new year.

- An extensive mowing and public area maintenance program was undertaken in response to the spring growth and to present the island at its best for the main tourist season.
- New Toro 96 inch ride on mower purchased and commissioned late October. Very successful introduction to island mowing increasing speed and efficiency whilst offering increased operator/public safety
- Rectification works have been completed to repair the wave damage to the Little Island access road.

Waste Management Facility (WMF)

- The EPA conducted their annual inspection of the WMF site and operations in November. Intensive discussions were held in relation to compost reuse, recycling of glass, asbestos removal, excessive waste stockpiles and intended reduction methods, overall environmental performance and planned improvements to the facility. Their report received in December.
- Removal of significant quantities of stockpile material at the WMF that still needs to be removed from the island remains a challenge due to shipping restrictions. Ongoing discussions are being held with the HREP contractor to determine whether their activities may be an opportunity to backload material to the mainland.
- New full time Grade 2 position attached to WMF commenced November 2019. Increased surveillance of incoming material is expected to improve waste type separation, improve environmental operation of the facility and improve licence condition compliance.
- Further testing of compost material is being conducted to allow beneficial use on the island. The composting unit is now working reasonably well. The compost trommel remains problematic. A new feeder arrangement is being quoted to overcome the trommel issues.
- A program of testing the crushed glass produced at the WMF is being investigated that, if successful, should allow some of the crushed glass to be reused on the island, rather than sent to landfill.
- The WMF supervisor is to commence a regular 'column' in the Signal starting in December. This column will allow a free flow of WMF information to the community along with tips on how to improve waste disposal.

General Items/Other

- Funerals of Shirley Simpson and Tasman Douglass senior administered by LHIB Works Unit.
- LHIB staff continue to monitor and treat the Board's drinking water quality for NSW Health compliance.
- LHIB staff continue to monitor wastewater discharge at the WMF with reporting for EPA licence compliance.

- LHIB staff continue to assist residents and businesses with their on-site wastewater management system installations and/or upgrades.
- In late September the Board was advised by its cleaning contractor that they would be terminating their services at the end of October. An interim 4 month cleaning contract was quickly developed, advertised and implemented. This was done to ensure continuance of cleaning works while a more detailed and long term contract could be put in place. It is intended that the frequency of cleaning in the new contract will be seasonalised to provide increased service in peak tourism times.
- Christmas IES Works Unit shutdown period roster finalised with particular emphasis on maintaining efficient garbage collection to meet increased demand along with supply and cleanliness of all BBQ areas.

IES UNIT - MAJOR PROJECTS - BOARD SUMMARY REPORT
as at 22 November 2019

PROJECT	DESCRIPTION	CURRENT STATUS	EST. COMPLETE DATE	PRIORITY	BUDGET	EXPEND TO DATE	ACTUAL % COMPLETE
GRANT FUNDED PROJECTS							
HREP	Construction of a solar panels array, battery storage and control systems to supply 67% plus of the island's electricity demands.	Modified Development Application in progress. Construction contractor (Photon) well advanced in planning for project start in January 2020. Photon and Project Manager contractor (Jacobs) representatives have been on island in late November conducting community forums, information sessions and construction planning sessions with Board staff. Photon are liaising with on-island contractors for subcontract work. Photon and Board staff are liaising in relation to shipping, availability of construction equipment, activity timing, community impact, accommodation etc. Board staff are looking at opportunities for backloading material on the dedicated Island Trader voyages.	Jun-20	1	\$11,120,000	\$5,177,810	47.00%
Community Hall Renewal	Revitalisation of the community hall.	Works largely completed with the hall now open for use. External painting of public toilets not able to be done in a timely fashion by the contractor. Painting variation removed from the contract and will be undertaken under LHIB direction.	Dec-19	1	\$460,000		95.00%
Old Powerhouse Site Renewal	Construction of a public amphitheatre style entertainment and function space.	Project continues to be impacted by contractor delays and rework of non-conformances. Landscaping variation removed from the contract and work is being undertaken by LHIB staff to ensure timely completion of the project.	Dec-19	1	\$535,000		90.00%
Lagoon Foreshore Fitness Equipment	Provision of public exercise equipment on the lagoon foreshore adjacent to the playground.		Dec-19	1	\$93,660		60%
Stevens Reserve Walking track Upgrade	Provide an all ability track from Lagoon Rd to Middle Beach Rd through Stevens Reserve to Nursery Rd, using a combination of raised boardwalk and onground path.	Lower section of the existing trail has been surveyed to allow development of detailed concept design options. Land boundary issues investigated. Further discussions with landowners required. Project planned for implementation in 2020	Aug-20	3	\$594,705		10%
Skatepark	Provision of a transitional skatepark on the lagoon foreshore	DA completed. Site survey completed. Geotechnical investigation required. Investigating resources for detail design at minimal cost.	Aug-20	2	\$231,000		20%
Bowling Club Amenities Upgrade	Upgrade of kitchen and toilet facilities at the Bowling Club	DA approved. Bowling Club representative is developing detailed specification. Planned construction commencement in May 2020 to minimise loss of income to the Club.	Jul-20	3	\$345,253		20%
Roads to Recovery (R2R) 2014-19 Program. - Lagoon Rd - Smoking Tree Ridge Rd to Kings Beach - Cemetery Rd - Neds Beach Rd to Anderson Rd - Anderson Rd - Multiple Locations - Bowling Club Rd - Magees Rd - Anderson to Skyline Dr - Middle Beach Rd - Multiple Locations - Smoking Tree Ridge Rd - Lagoon Rd to Gile's Gate - Lagoon Rd - Neds Beach Rd to OV Drive	Repair and/or reseal of deteriorated sections of Island roads	Successful discussions have been conducted with the funding body to identify a mechanism whereby the remaining 2014-19 program funds of \$133,378 are not forfeited. Non completed projects from the 2014-19 program are to be transferred to the current 2019-24 round of funding. It is intended to aggregate the projects into one major contract tender with works to be undertaken in the quieter tourism season May/June/ July 2020.	Dec-20	1			10%

IES UNIT - MAJOR PROJECTS - BOARD SUMMARY REPORT
as at 22 November 2019

PROJECT	DESCRIPTION	CURRENT STATUS	EST. COMPLETE DATE	PRIORITY	BUDGET	EXPEND TO DATE	ACTUAL % COMPLETE
Private Fuel Supply	Construction of a public fuel supply point containing two 20,000 litre containerised fuel tanks for diesel and unleaded housed in a shed on a bunded concrete slab with bowsers providing 24hr self-serve and payment by credit card	Intending to seek Expressions of Interest to better inform a Concept Design and a Development Application. Insufficient resources to progress at this time.	Jun-20	4	\$0	\$0	0%
Foreshore Beach Nourishment at Windy Point	Erosion mitigation works and Seebee wall investigation	Off road dump truck to move sand from north end of Lagoon Beach to the erosion zone at Windy Point is expected to arrive on-island end of November. Lagoon Beach was drone surveyed in early November to establish a beach profile baseline. A detailed beach scraping and nourishment works plan is to be developed. Discussions held with Pinetrees Permissive Occupancy owner. They are proposing to remove the boatshed structure in May 2020, therefore the sandbag protective structure cannot be removed, and major sand renourishment cannot occur until that time. Consultant has been engaged to assess condition of the Seebee wall, onsite investigation completed, report being prepared.	Dec-20	1	\$715,000		10%
Multipurpose Boatramp – (Community Emergency Resilience Program)	Grant application for design and construction of a multipurpose concrete ramp to the south of the existing wharf	Total estimated cost now \$2.5 million plus. Current remaining grant funding from the Boating Now program is \$570,000. Community Resilience Grant applied for in the order of \$1.0 million. Additional funds being sought. Potential change in supply ship operation is being investigated to determine if the ramp design needs to be revisited.		3	\$0		5%
RECURRENT FUNDED PROJECTS							
Onsite Wastewater System at Research Facility	Replace the existing damaged system with a new treatment and irrigation system	Resourcing issues - project delayed, waiting on quote.	Jun-20	3	\$20,000		0%
Onsite Wastewater System at Marine Parks / Post Office Site	Install new wastewater treatment system. In the interim the waste is being pumped to the Hall treatment unit.	Design investigations have indicated that the proposed effluent disposal area is inadequate. Working on solutions.	Jun-20	3	\$35,000		5%
Onsite Wastewater System at Admin Centre	Completion and commissioning of new treatment facility servicing the Admin building, school, Bowling Club and future preschool. Treated effluent to be pumped to a disposal area on the foreshore.	Treatment system in place, facilities need to be connected to it. Treated effluent line to be constructed across Lagoon Dr and a new irrigation system installed in a timbered section of the foreshore area opposite the Oval. Project delayed due to resourcing limits.	Jun-20	3	\$20,000		0%
Water Tank Admin	LHIB Depot rainwater storage tanks (??)	Site prepared. Tanks to be installed in December	Dec-19	2	\$10,000		0%
Water Tank - Old Post Office		Completed			\$30,000		100%
Gower Wilson Hospital Garage	Construct a garage addition to the existing hospital building to house the patient transport vehicle	DA lodged and being evaluated. REF to be completed.	Jun-20	5	\$80,000		15%
Admin Office Upgrade	Roofing, walkway, lunch room, skylights	Re-evaluating scope and priority		4	\$100,000		0%
Met House 1 Renovations		Reassessing project - Asset not owned by LHIB - Funding to be applied to urgent repairs to Board owned infrastructure.		3	\$50,000		0%
Playground Equipment	Replace worn out playground equipment	Funding to be combined with SCCF Round 3 potential funding to provide a new facility.	Jun-20	3	\$50,000		0%

IES UNIT - MAJOR PROJECTS - BOARD SUMMARY REPORT
as at 22 November 2019

PROJECT	DESCRIPTION	CURRENT STATUS	EST. COMPLETE DATE	PRIORITY	BUDGET	EXPEND TO DATE	ACTUAL % COMPLETE
Plant Storage Shed (at WMF)	Construct a new shed near the WMF to house and protect the Boards construction equipment currently stored on the foreshore area	Planned for 2020.	Jun-20	4	\$200,000		0%
Airport Fuel Shed Replacement	Demolition of the existing shed and the construction of a new compliant building on the existing slab.	Existing DA does not match proposal. Revised DA has been submitted. Project delayed.	Mar-20	1	\$130,000		10%
Airport Terminal Shade Structure		Project scope being clarified			\$8,000		
Design of Multipurpose shed at Waste Management Facility	Construct a new shed at the WMF to cover the Recycle centre, waste oils storage and sludge processor	Reassessing design with input from EPA	Jun-20		\$50,000		0%
WMF - Compost Exemption Order	Produce compost to a quality level approved by the EPA where it can be beneficially used on the Island	Composter now working reasonably well. Sizing trommel not functional. Trommel feeder being investigated to overcome issues. Testing Plan for EPA being developed for approval	Dec-19	1			10%
WMF - Glass Exemption Order	Gain EPA approval for the crushed glass product so that it can be beneficially used on the Island	Testing Plan being developed for EPA approval. Improved glass storage area required.	Mar-20	3			20%
WMF - Recycled Glass Storage Bunkers	Construct a three (3) bay crushed glass storage area	Required to address EPA licence non-compliance issues and to gain approval for crushed glass reuse.	Mar-20	2			0%
WMF - Asbestos Removal	Treatment and disposal of legacy friable asbestos from WMF	Scope of work for specialist asbestos removal contractor to be prepared and quotes sought. Project to be done in 2020.	May-20		\$70,000		0%
WMF - Skip Bins Replacement	Purchase replacement skip bins for shipping of waste	Completed.	Sep-20		\$10,000		100%
Jetty Upgrade	Repair and/or replacement of deteriorating piles, buffers, deck and kerb, steps and landing	Combined project to be rolled into one main contract. Major reconstruction works during peak tourist season likely to cause unacceptable disruption to boat operators. Emergency works to be done to jetty landing in December 2019.	Jun-20	2	\$445,000		0%
Jetty Building Roof		Project scope being clarified.	Jun-20	3	\$5,000		0%
Roads Program	TC Douglass Dr Neds Beach Rd Lagoon to Anderson Jetty hardstand	To be done in conjunction with Roads to Recovery projects.	Jun-20				0%
Underground Drainage Airport	Install Tideflex valves and replace steel grate	Tideflex units and installation requirements being investigated.	Jun-20	4	\$80,000		
HV Communications and Load Control System	Provision for monitoring and possibly control of high voltage electrical system at remote locations	Project to be scoped in detail when solar array system installed.	Jun-20		\$100,000		
Plant Room 2 Ventilator Fan	Replace fan	Not required this FY. Look at using budget to fund engine rebuild cost over-run.			\$15,000		
Generator 3 Engine Rebuild	Rebuild engine	Completed. Cost overrun, additional funds to be sourced from electrical projects not required this FY.	Sep-19	1	\$55,000		100%
Refurbishment Substation 8 (Airport)	Refurbish substation	Not required this FY. Look at using budget to fund engine rebuild cost over-run.			\$20,000		
CBM Acoustic Radiator Replacement	Replace radiator	Completed.	Aug-19		\$10,000		100%

**IES UNIT - MAJOR PROJECTS - BOARD SUMMARY REPORT
as at 22 November 2019**

PROJECT	DESCRIPTION	CURRENT STATUS	EST. COMPLETE DATE	PRIORITY	BUDGET	EXPEND TO DATE	ACTUAL % COMPLETE
Plant Replacement	Plant reviewed and treplacement priorities established	Purchased new mower to improve grass cutting efficiency. Remaining budget \$15,000.	Jun-20		\$60,000		80%
Vermeer Vacuum Excavator	Purchase of a machine to excavate without damaging tree roots and underground services	Unit purchased and training completed.	Aug-19		\$45,000		100%
Mini Bitumen Spray Tanker	Purchase of Bitumen Sprayer	Reviewing need for this item in the short term.	Jun-20	2	\$50,000		20%
Concrete Minimix Truck	Purchase 2nd hand concrete truck to batch and deliver concrete	Completed	Sep-19		\$10,000		100%
PFAS Investigation	Investigate PFAS contamination on the Island	Report received identifying three (3) areas of possible concern					
Flood Study	Review and Update of the Lord Howe Island Flood Study	Flood Study consultants information requirements have been provided. Program revised to reflect reality. Discussed and approved by funding authority.	Jun-20	1			20%

Board Meeting: December 2019	Agenda Number: 5	Record Number: ED19/11555
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

Chief Executive Officer's Report to the December 2019 Meeting of the Board

The following briefing provides an overview of key issues managed by the Board during the reporting period, and their status. It is intended that this document be available to the public as part of the minutes of the meeting. Matters which are subject to confidentiality, business in confidence or legal action are shaded and are not included in the public copy of the report.

Number of items excluded from this public edition: 1
 Business & Corporate Service Report
 Reason: Business in Confidence

MATTER	STATUS	ACTION REQUIRED BY BOARD AT THIS MEETING
Community Strategic Plan	Officer will be available to continue with this project following December when REP moves beyond packdown and monitoring phase..	Note
Runway Feasibility Study	Full reports being reviewed by TfNSW and working group scheduled to meet following review. New membership following changes to Machinery of Government. Close liaison with TfNSW and Qantas to address urgent issue of finding a ground agent before start of 2020.	Note
Rodent Eradication Program	Detailed status report in this business paper. Project baiting completed. No sign of fresh rodent for over 2 months. Packdown and divestment underway. Monitoring and biosecurity underway.	See agenda item 12 (i)
Renewable Energy Project	Equipment manufacture largely completed. Equipment arrives on LHI in Jan/Feb on special voyages of Island Trader. Further site visits undertaken by contractors, liaison with community and businesses undertaken. Modification to DA being determined at this meeting..	See agenda item 8 (iii)
Boat retrieval system (slipway)	As reported at last meeting, available funding will not deliver revised design. Discussions with Birdon to be continued. Grant application to assist budget submitted.	Note
Marine Rescue	Marine Rescue Unit at LHI and marine radio installation continues to progress. Design and DA issues underway. Telecommunications upgrade at Intermediate Hill being designed and approval process. Approval received for establishment of LHI unit achieved. Vessel earmarked for island.	Note

Prepared: Peter Adams, Chief Executive Officer

Attachments:

- Attachment A: Chief Executive Officer Report – BCS Unit – December 2019 - Open
- Attachment B: Chief Executive Officer Report – ECS Unit – December 2019 - Open
- Attachment C: Chief Executive Officer Report – IES Unit – December 2019 - Open
- Attachment D: Chief Executive Officer Report – IES Unit Major Projects Summary Report – December 2019 - Open

Board Meeting: December 2019

Agenda Number: 6

Record: ED19/11121

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Motor vehicle importation or transfer status report.

RECOMMENDATION

The report is submitted to the Board for information.

BACKGROUND

Since the last Board meeting 12 applications to import or transfer vehicles were determined by the Chief Executive Officer under the 'Vehicle Importation, Transfer and Use Policy':

CURRENT POSITION

There will be an increase of five vehicles (two being temporary plant and equipment for Roads to Recovery Project) to the island since the last Board meeting.

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Chris Murray	MIEV Electric Hatch	Yes	Private	1	Approved 08/10/19
Tasman Douglas	Toyota Hilux	No	Private	0	Approved 19/09/2019 Replacement
Emma Crombie	Honda Motorbike	No	Private	0	Approved 06/11/2019 Replacement
Lord Howe Island Board	Tandem Roller	No	Plant & Equipment	1	Approved 24/09/2019 *Temporary approval until Roads to Recovery Project is complete
Lord Howe Island Board	Hino Bitumen Spray Unit	No	Plant & Equipment	1	Approved 24/09/2019 *Temporary approval until Roads to Recovery Project is complete
Cameron Kirkpatrick	Ford Ranger	No	Private	0	Approved 06/11/2019 Replacement
Issac Bennett and Rebecca Harvey	Toyota Hiace Van	No	Commercial	1	Approved 05/11/2019
Clive & Beth Wilson	Nissan X Trail	No	Private	0	Approved 24/10/2019 Replacement

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Lord Howe Island Board	Hydrema Dump Truck	No	Essential	1	Approved 25/10/2019
Craig Wrigley	Toyota Hiace Minibus	No	Commercial	0	Approved 07/11/2019 Replacement
Michael Maxwell	Toyota Hiace	No	Commercial	0	Approved 13/11/2019 Replacement
Michael Maxwell	Toyota Hiux	No	Commercial	0	Approved 13/11/2019 Replacement
Bill Shead	Nissan ENV Wagon	Yes	Private	0	Approved 22/11/2019 Replacement

As at December 2019

Registered Road Vehicles						
Essential	Commercial	Private	Hire	Plant & Equipment	Imported prior to Approval Policy	Total
33	98	155	8	29	66	389

At the May 2010 meeting it was requested that further differentiation in the vehicle statistics to identify motor vehicles and motor cycles / scooters and trucks separately be presented. This information is presented below.

Registered Road Vehicles						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
189	21	48	10	36	85	389

At the June 2016 meeting it was requested that future reports include trends in regards to vehicles imported without approval and clarification that these are vehicles which pre-date the Board approval and monitoring process. There remains a total of 66 vehicles imported without approval prior to the current policy:

- 54 vehicles were imported without approval prior to 2014. The majority of these vehicles were trailers.
- 1 vehicle, a boat trailer, was imported without approval in 2015.
- 3 vehicles, all boat trailers, were imported without approval in 2016.
- 8 vehicles have been replaced and are awaiting removal.

The following table shows further differentiation in the vehicle statistics to identify the types of vehicles that have been imported without written approval.

Vehicles Imported Without Approval – By Type						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
6	0	11	1	3	45	66

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Peter Adams, Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Finance Report

RECOMMENDATION

It is recommended that the Board

1. Note the information provided in this paper.
2. Approve the proposed budget adjustment.

BACKGROUND

The following reports for the quarter ending 30 September 2019 are attached:

- Income Statement by Reporting Centre,
- Capital Expense Report, and
- Budget Variations

CURRENT POSITION

Income Statement – by Reporting Centre

Changes have been made to the reporting process for the Board meetings. The Income Statement (Attachment A) highlights income against expenditure for the first quarter ended 30 September 2019 against the previous year and then compares it against the full year budget. The Electricity Budget now includes the Government subsidy.

General Funded Operations

The first quarter financial position of the Board is favourable at \$732,000. This is a little misleading as much of the Government appropriation monies were received at the beginning of the year. Comparisons to last year highlight differences in the Liquor Store expenses and the delayed recognition of some quarterly charges, specifically airport and electricity.

Specific details against reporting centres for recurrent budgets (Continuing Operations) are included in Attachment A.

Grant Funded Projects

The grant funded projects are predominantly associated with Weed Management and the Rodent Eradication Projects. These items have been separated from the other general funded operations of the business of the Board.

- **Rodent Eradication Project.** \$2,630,113 spent in the financial year to date across all expenditure areas
- **Environment Management Grants.** Received \$118,079 this year and spent \$264,703 again mainly in salaries and in contractors.

A key issue when approving budget variations to the original adopted budget, is that grant monies held in our bank help to offset the expenses against those grants during the coming year. They are generally recognised in the Annual financial Statements as restricted funds. A Cash Flow forecast and Income Statement – by Account is proposed to be included for the half-year review at the March 2020 Board Meeting.

Capital Expenditure

Attachment B is a summary of capital expenditure as at 30 September 2019. It includes Work in Progress carried forward from the previous financial year.

Debtors

A summary of sundry debtors as at 30 September 2019 was as follows:

Accounts Receivable

30 Days	60 Days	90 Days	90+ Days
\$485,052	\$90,491	\$3,774	\$159,746

All but a very small amount of these accounts relate to six debtors, including internal (Liquor Store) and other government departments. Specific discussion in regards to these debts is to be held in closed session in accordance with Board policy.

Perpetual & Special Lease Fees

In accordance with the approval of the Board at the September 2019 meeting, a Householder was sent out last week detailing increased fees up to the maximum allowable under the Act with increases apportioned across the following three years. The householder also gave an understanding of the legislation behind the increase and the effect on both quarterly and yearly charges across the coming three years, commencing 1 January 2020.

Budget Variations

In June 2019 the Board approved the budget for the 2019/20 financial year. Proposed adjustments to the approved budget are presented to the Board for consideration on a quarterly basis.

The following adjustments are proposed:

1. Increase in depreciation expense of \$32,400, above what was estimated last April.
2. Reduction in interest expense of \$80,000 against the loan for the Solar project due to delays on the original timelines

3. Updates of both major projects (Rodent & Solar) to match in with current projections and funding expectations
4. Reduction of \$180,000 against Capital Works against items approved in the original budget in June 2019.

There is quite a large list of budget adjustments, both in operating and capital works. Please refer to Attachment C for further detail.

RECOMMENDATION

It is recommended that the Board:

1. Note the information provided in this paper.
2. Approve the proposed budget adjustment.

Prepared: John van Gaalen Manager Business and Corporate Services

Endorsed: Peter Adams Chief Executive Officer

Attachments:

Attachment A: Income Statement as at 30 September 2019 - Open

Attachment B: Capital Expense Report as at 30 September 2019 - Open

Attachment C: Budget Adjustments December 2019 - **Closed**

2020 Capital Projects Transactions and Budgets September 2019

WO	Description	Funding Source	WIP	2020 Revenue		2020 Expense		
				Actual	Budget	Actual	Budget	
25	ESRMP Solar PV 2014 - ARENA Grant Funded from 2015	ARENA	801,402.40			2,200.00	5,959,411.00	
46	Closed - Preparation of Business Case - LHI Renewable Energy Capital Proposal AN431/432/433	ARENA	57,882.00					
52	Hybrid Renewable Energy Knowledge Sharing Plan AN431/432/433 2015	ARENA	551.12				250,000.00	
53	Hybrid Renewable Energy Project Management AN431/432/433 2015	ARENA	728,661.21			1,383,309.44		
32	Closed - Boat Ramp and Launch/Retrieval Project	CAPITAL GRANT	41,634.59					
92	Slipway 2016	CAPITAL GRANT	97,318.79					
155	Composting Unit 2017 - Upgrade of LHIB WMF - all costs after 2018 FY to be expensed	CAPITAL GRANT						
159	Feasibility study into extension of the LHI airport runway - all costs to be expensed ED18/7227	CAPITAL GRANT						
179	Stronger Communities Fund Public Hall Improvements 2018	CAPITAL GRANT	438,973.51			22,164.17		
180	Stronger Communities Fund Old Powerhouse Site Remediation 2018	CAPITAL GRANT	26,561.06			296,488.49		
200	SCCF 2 - 0165 - Stevens Reserve Boardwalk 2019	CAPITAL GRANT				625.84		
201	SCCF 2 - 0536 - Skate Park 2019	CAPITAL GRANT						
202	SCCF 2 - 0537 - Lagoon Foreshore Fitness Trail 2019	CAPITAL GRANT				41,649.85		
211	P&E - Red Roo Chipper C100-B16 2019	CAPITAL GRANT						
214	DPC Design for a Skate Park for Lord Howe Island	CAPITAL GRANT						
219	Erosion Mitigation Works and Seabee Wall Investigation	CAPITAL GRANT				2,200.00		
83	Roads To Recovery 2015-2019	R2R						
64	Road Upgrade - Lagoon Road - Neds Beach Rd to OV Drive 2018 WIP	R2R/TREASURY						
126	Road - Smoking Tree Ridge Road - Lagoon Road to Giles's Gate 2018 WIP	R2R/TREASURY						
127	Road - Thompson's Rd - Neds beach Rd to B&T Thompson Corner 2017 WIP	R2R/TREASURY				1,815.10		
129	Road - Lagoon Rd Neds Neach Road to OV Drive 2018	R2R/TREASURY						
130	Road - Lagoon Rd - Kings Beach to Smoking Tree Ridge Road 2017 WIP	R2R/TREASURY						
131	Road - TC Douglass Drive 2018	R2R/TREASURY						
160	Road - Cemetery Rd - Neds Beach Road to Anderson Road 2018	R2R/TREASURY						
166	Road - Ned's Beach Rd - Lagoon to Anderson 2018	R2R/TREASURY						
23	Waste Management Facility Electrical Mains Upgrade 2013	TREASURY						
40	Office Equipment and Software 2019 (Expensed) WIP	TREASURY						
41	OWWS Upgrade Community Hall 2014	TREASURY	46,042.60					
61	Jetty Upgrade (replacement of deteriorating piles) 2015	TREASURY	55,866.64					
101	WMF Compost Hardstand 2016	TREASURY						
103	HV Switch Replacements 2016 (split over assets when complete)	TREASURY	16,482.89					
112	Servers 2019	TREASURY						
114	WMF Skip Bins 2018 WIP	TREASURY				8,525.00	10,000.00	
118	WMF Belt Press for Sludge 2017	TREASURY						
120	OWWS Research Facility 2018	TREASURY						
122	OWWS Admin/Depot 2017	TREASURY	65,197.56					
125	Road - Andersdon Rd to Cow Bale 2019	TREASURY						
145	Water Tank Admin/Depot 2018	TREASURY						
149	Aviation Fuel Shed Upgrade 2017	TREASURY	1,820.22			38,433.63		
150	Hospital Garage/Morgue Shed 2018	TREASURY	7,382.37					
151	Research Facility Extension 2017	TREASURY						
152	Depot Workshop Extension 2017	TREASURY	105,248.19					
164	New Baler for WMF 2018	TREASURY						
168	Powerhouse CBM Acoustic Radiator 2018	TREASURY						
169	Plant Room No. 1 Ventilator Fan Unit 2018	TREASURY						
170	HV Communications & Load Control System 2018	TREASURY						
171	Public Hall - External Painting 2018	TREASURY						
185	TRAX Shed Mezzanine 2019	TREASURY	350.27					
186	Nurses Quarters Flooring 2019	TREASURY						
187	Met House 4 Upgrade 2019	TREASURY						
188	Road - Bowling Club Reseal 2019	TREASURY						
189	Road - McGee's Parade Reseal 2019	TREASURY						
190	Road - Middle Beach (Nursery Road to Anderson Rd) Reseal 2019	TREASURY						
191	Playground Equipment 2019	TREASURY					50,000.00	
192	UHF Radio Handsets 2019	TREASURY						
193	Plant Room No. 2 Ventilator Fan Unit 2019	TREASURY						
194	Airport Terminal Shade Structure 2019	TREASURY	37,547.67					
196	Concrete Minimix Truck 2019	TREASURY	4,529.00			9,090.91		
197	Administration Office Upgrade 2019	TREASURY				3,709.06	100,000.00	
204	Merlo Telehandler TF42.7-100 2019	TREASURY						
207	Hot Rot Discharge Bunker 2019	TREASURY						
208	KDS Sludge Dewatering System Shed 2019	TREASURY						
209	WMF Asbestos Removal 2019	TREASURY						
215	Vermeer Mini Hydro Vac System V100D 2019	TREASURY	3,305.10			32,415.06		
216	Mini Bitumen Spray Tanker 2019	TREASURY						
220	NSW Treasury Minor Works Funding Expensed - Corporate	TREASURY					198,000.00	
221	NSW Treasury Minor Works Funding Expensed - Airport	TREASURY						
223	Plant Storage Shed WMF 2020	TREASURY					200,000.00	
224	New holland Tractor or other P&E 2020	TREASURY					60,000.00	
225	Vehicle - Toyota Hilux (replace BF24VWK) 2020	TREASURY					40,000.00	
226	Shed - Revolve/Waste Oils/Sludge WMF (Design) 2020	TREASURY					50,000.00	
227	Airport Underground Drainage - Install Tideflex valves and replace steel grate 2020	TREASURY					80,000.00	
228	Generator 3 - Engine Rebuild 2020	TREASURY				68,547.66	55,000.00	
229	Refurbishment - Substation No.8 Airport 2020	TREASURY					20,000.00	
230	Neds Beach Road - Lagoon Road/Anderson Road 2020	TREASURY					5,000.00	
231	Cemetery Road - Neds Beach Road/Anderson Road Reseal	TREASURY					2,000.00	
232	Hospital Garage 2020	TREASURY					50,000.00	
233	Water Tank Old Post Office 2020	TREASURY					30,000.00	
234	Jetty Building Roofing 2020	TREASURY					5,000.00	
235	Jetty Walkway and Platform - Support Beams Replacement	TREASURY					80,000.00	
236	Jetty Deck and Kerb Replacement 2020	TREASURY					120,000.00	
				2,536,757.19	0.00	0.00	1,911,174.21	7,364,411.00

LHIB Financial Report	Financial Year 2018-2019			Financial Year 2019-20						Proportion 25 % of FY Budget	
	Year-to-Date Actual: Sep'18 Q1			Year-to-Date Actual: Sep'19 Q1			Full Year Budget				
Reporting Centre	Income	Expense	Result	Income	Expense	Result	Income	Expense	Result	Inc	Exp
CEO	\$0	\$50,561	-\$50,561	\$0	\$179,986	-\$179,986	\$0	\$267,700	-\$267,700	0%	67%
Governance Management	\$0	\$19,870	-\$19,870	\$0	\$6,938	-\$6,938	\$0	\$124,000	-\$124,000	0%	6%
Liquor Store	\$359,245	\$252,616	\$106,629	\$381,407	\$410,919	-\$29,512	\$1,915,000	\$1,507,400	\$407,600	20%	27%
Corporate Administration	\$2,648,321	\$423,082	\$2,225,239	\$1,770,630	\$367,335	\$1,403,295	\$2,644,500	\$1,673,600	\$970,900	67%	22%
Tourism	\$0	\$0	\$0	\$0	\$27,500	-\$27,500	\$0	\$112,000	-\$112,000	0%	25%
Electricity	\$299,052	\$353,565	-\$54,513	\$839,187	\$368,984	\$470,203	\$1,877,500	\$1,468,900	\$408,600	45%	25%
General Services	\$216,332	\$837,522	-\$621,190	\$171,439	\$858,668	-\$687,229	\$1,379,600	\$3,488,700	-\$2,109,100	12%	25%
Airport	\$152,138	\$146,001	\$6,137	\$96,048	\$170,190	-\$74,142	\$1,190,400	\$706,900	\$483,500	8%	24%
Community Services & Development	\$0	\$2,125	-\$2,125	\$0	\$25,647	-\$25,647	\$7,000	\$221,000	-\$214,000	0%	12%
Land Administration	\$69,145	\$51,526	\$17,619	\$64,877	\$74,036	-\$9,159	\$291,000	\$440,200	-\$149,200	22%	17%
Environment	\$881	\$249,426	-\$248,545	\$66,050	\$166,990	-\$100,940	\$841,000	\$1,319,000	-\$478,000	8%	13%
LHIB - General Funded only	\$3,745,114	\$2,386,294	\$1,358,820	\$3,389,638	\$2,657,193	\$732,445	\$10,146,000	\$11,329,400	-\$1,183,400	33%	23%

REP Grants	\$ -	\$ 181,000
Enviro Man Grants	\$ 66,018	\$ 40,878
Biosecurity Grants	\$ -	\$ -
Vegetation Man Grants	\$ -	\$ 14,055
	\$ 66,018	\$ 235,933

	\$ -	\$ 2,630,113
	\$ 118,079	\$ 59,417
	\$ -	\$ 21,466
	\$ -	\$ 183,820
	\$ 118,079	\$ 2,894,816

	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -

refer to Budget Variations (Attach C)

Reporting Centres - details of services included:

CEO	Recognition of LHIB incurred costs for REP (\$104,581) & higher salary CEO than budgeted
Governance	Board members & Internal Audit (not charged yet)
Liquor Store	All liquor store - Error in calculating Landed Unit Cost (LUC) - to be corrected, Income ahead of Budget
Corporate Administration	Licences, interest income, S&W, IT, communications, insurance, external audit, training, travel, relocation
General Services	All building infrastructure and amenities, fleet, waste facility, water & wastewater, , roads, wharf, emergency services, private works, management
Airport	Airport - 2 mths income normally 8%
Community Services	Community liaison, health facilities and advocacy
Land Administration	Leases (PL, SL,PO), small grants, planning, & other contractors,
Environment	Weeding, trails, biosecurity, environmental management

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

List of Owner's Consents dealt with under Delegated Authority.

RECOMMENDATION

The report is submitted to the Board for information.

BACKGROUND

The Minister for the Environment has approved delegated authority regarding the issuing of owners consents by the CEO providing:

1. The development value is not more than \$2 million,
2. Does not relate to development for the purpose of a new dwelling, and
3. Complies with any planning instrument in force relating to the Island.

CURRENT POSITION

Since the last Board meeting no Owner's Consent applications have been processed by the CEO.

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Peter Adams, Chief Executive Officer

Board Meeting: December 2019	Agenda Number: 8 (ii)	Record Number: ED19/11116
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

List of Development Applications dealt with under Delegated Authority.

RECOMMENDATION

The report is submitted to the Board for information.

BACKGROUND

The Minister for the Environment, under section 80(1) of the Environmental Planning & Assessment Act, issued authority to the CEO to determine development applications providing:

1. The development value is not more than \$150,000
2. No more than 3 written objections are received within the exhibition period; and
3. The application has not been called up for full Board determination by any Board Member. (All Lord Howe Island Board development applications are to be determined by the full Board)

CURRENT POSITION

Since the last Board meeting no development applications complied with the above requirements and have been determined by the CEO.

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Peter Adams, Chief Executive Officer

Board Meeting. December 2019	Agenda Item 8(iii)	File Reference: MDC 2020.01
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LORD HOWE ISLAND BOARD

Business Paper

Planning Assessment Report

Item: MDC 2020.01 – Modification of Development Consent (DA 2016-02 dated: 11 December 2015) to modify the Lord Howe Island Solar Photovoltaic Project to permit an increased system capacity up to 2MW, use higher capacity inverters, and refine project proposal at Lot 230, DP 47747 and Unincorporated Road Reserve, Anderson Road, Lord Howe Island.

1.0 Summary Assessment Report

Assessment Officer	Peter Chapman – Consultant Planner All About Planning Pty Ltd
Address/Property Description	Lot 230, DP 47747 and Unincorporated Road Reserve, Anderson Road, Lord Howe Island
Proposal	<p>Amendments to the LHI Solar Photovoltaic Project as follows:</p> <ul style="list-style-type: none"> • Increase the overall project solar capacity up to 2 Megawatts from the originally approved 1 Megawatt; • Delete previously approved internal road Options 1 & 2 • Delete approved 'Solar Area C' formally proposed (within Lot 101 DP 757515) to accommodate a wind turbine; • Consolidation of approved 'Solar Areas A & B' (both within Lot 230) and relocation of this combined solar array area to the north east past the Powerhouse & away from the Air Services Australia facilities on site; • Relocation of the battery storage to the south of the Powerhouse; • Include use of higher capacity 50kw inverters; and • Provision of legacy infrastructure in the form of a composting toilet for public use upon project completion and equipment storage shed. • Some existing tree removal including Kentia Palms, Sallywoods, Oleanders and an established Norfolk Island Pine (in the very north eastern corner of the site)
MDC Application No.	MC 2020-01
Applicant	Lord Howe Island Board (LHIB)
Owner Consent Granted	Not required by virtue of the proposal being a LHIB application
Estimated Cost of Development	Original Development: \$7,200,000
Site Inspections	A site inspection was undertaken by AAP.
Zone	Zone 1 Rural and Zone 7 Environment Protection. The proposed development continues to be permissible with consent of the LHI Board within these zones.
Significant Native Vegetation Map	Both lots contain areas of Significant Native Vegetation (SNV). The proposal will not result in the damage or removal of any SNV.
Notification	The subject MDC application was originally placed on public exhibition from 05/07/2019 to 19/07/2019. Amended/additional information was

	provided by the LHIB and the application was re-exhibited from 25/10/2019 until 08/11/2019.
Submissions Received	Four submissions were received (2 in support and 2 objecting) and are discussed later in this report.
Recommendation	That MDC 2020.01 to modify the Lord Howe Island Solar Photovoltaic Project to permit an increased system capacity up to 2MW, use higher capacity inverters, and refine project proposal at Lot 230, DP 47747 and Unincorporated Road Reserve, Anderson Road, Lord Howe Island, be approved subject to the existing conditions of approval of Development Application No. 2016-02, (dated: 11 December 2015) as amended by the modified and new conditions listed at the end of the report.

2.0 Consent Authority

The subject modification of development consent (MDC) seeks approval to modify the 2015 approval of DA2016.02 for the Lord Howe Island Solar Photovoltaic Project.

The Lord Howe Island Board (LHIB) CEO and Chairperson have delegation to grant consent to Development Applications (DAs) subject to the following conditions:

- The value of the development must not total \$150,000 or more (as calculated by the Board).
- The DA must not relate to the subdivision of land or the erection of new dwellings.
- No more than 3 written submissions received within 14 days of the public exhibition period.

The proposed MDC exceeds the value of development for which the CEO and Chairperson has delegation, in addition it is a Lord Howe Island Board proposal, and 4 submissions have been received to the applications notification - hence the application is being reported to the LHIB for determination.

3.0 Site Description

The subject site is now proposed to comprise Lot 230 DP 47747 and Unincorporated Road Reserve, Anderson Road, Lord Howe Island (refer *Figure 1*). Lot 101 DP 757515, that was previously approved as part of the site is now to be deleted from the project.

The Unincorporated Road Reserve is an existing 'paper road' that runs north south just east of the Air Services Australia facilities through the middle of Lot 230. This paper road is proposed to be deleted.

The site is located to the south-west of Middle Beach and is surrounded by rural and environmental land uses. Some residential land uses are located further north of the subject site.

Lot 230, DP 47747 is irregular in shape and has vehicular access from Anderson Road. This allotment and the adjoining allotments (Lot 291 and 292, DP 48692 and Lot 101, DP 77515) are held under special lease, and are primarily for cattle grazing, dairy farming and cropping. Lot 230 also has infrastructure related uses including the Island Powerhouse, located at the north-eastern part of that portion (refer *Figure 2*); and air traffic control facilities owned by Air Services Australia, including a radio and earth grid, (*Figures 1 & 3*). This part of the Lot includes the area of a proposed Commonwealth lease to Air Services Australia.

The subject site is partially Zone 1 Rural and Zone 7 Environmental Protection (refer to *Figure 4*). Land to the south and east of the site is Zone 8 Permanent Park Preserve, extending to the coastline, Middle Beach and Blinky Beach. Surrounding the site to the north is Zone 2 Settlement land.

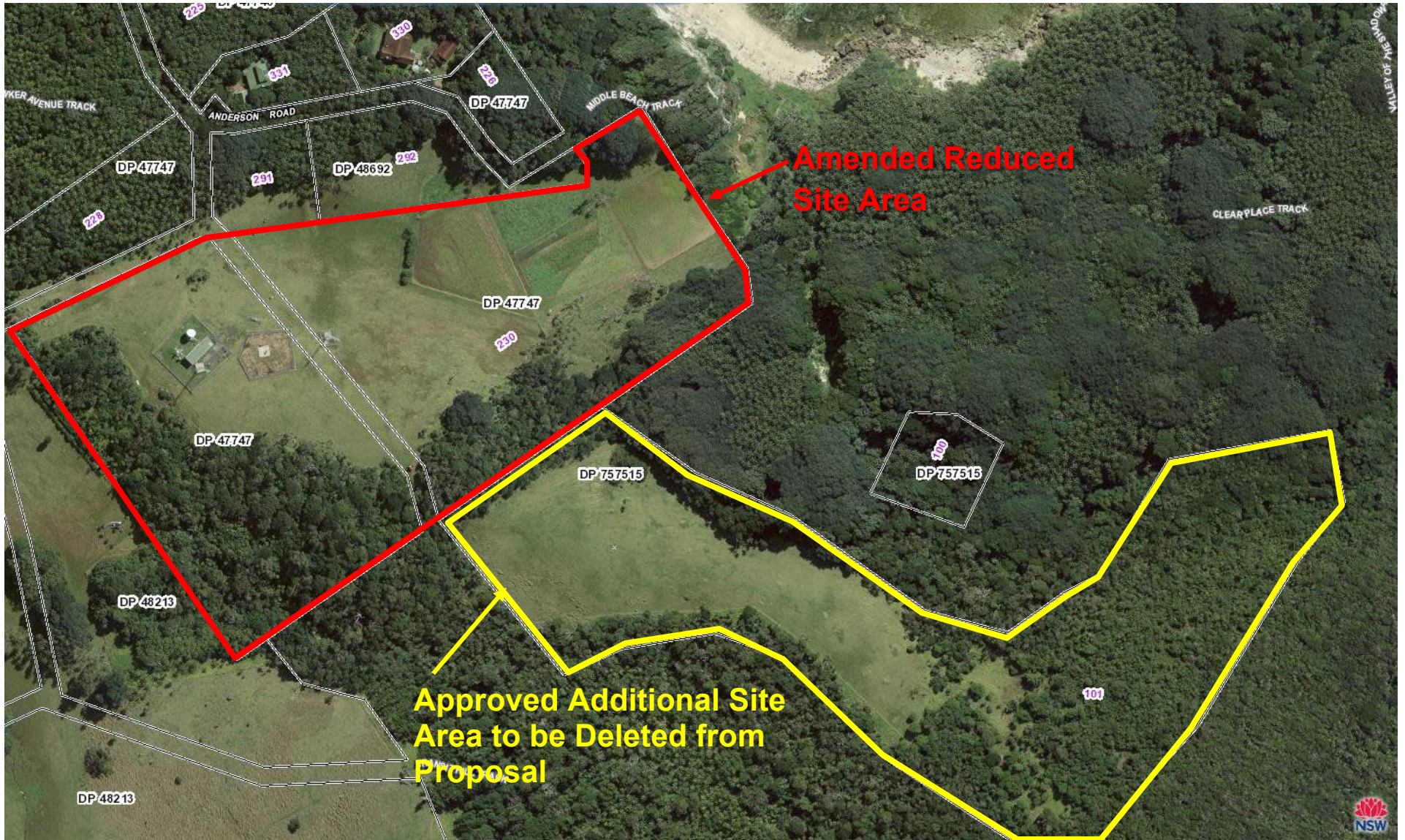


Figure 1: Amended MDC Site Area & Surrounds



Figure 2: LHI Powerhouse & Location of Proposed Battery Storage and Eastern Component of Solar Array Area



Figure 3: South Westerly & Westerly View from Powerhouse of Location for Proposed Western Component of Solar Array Area & Existing Air Services Australia Telecommunication Facilities

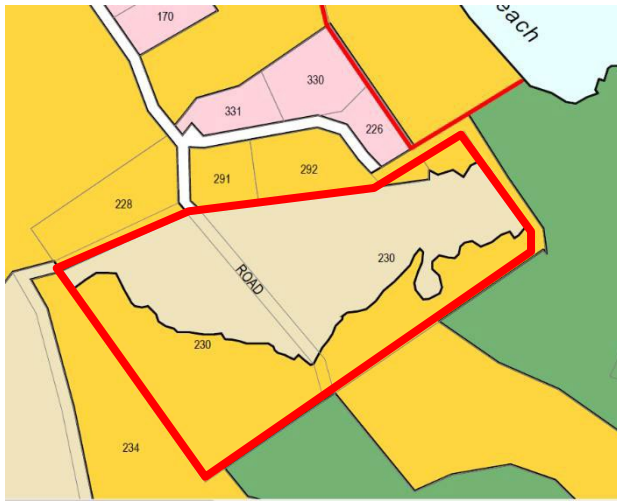


Figure 4: LEP 2010 Zoning Map. Zone 1 Rural, & Zone 7 Environment Protection



Figure 5: LEP 2010 Extract - Significant Native Vegetation Map. SNV coloured green.

The site contains areas of Significant Native Vegetation (SNV) (ref figure 5). The proposed development is located within existing clearings, within the 1 Rural zoned area of the site and therefore will not impact on this SNV.

There are no heritage items located on the subject site under the LEP 2010. The locally listed heritage item 'Palmhaven (Garton House)' is located to the north on Lot 330, DP 46194.

The northern lower lying component of Lot 230, adjacent to the road reserve is mapped as a flood prone area. The mapped flooding area falls within a dip in the topography of the land and is not proposed for any development.

The proposed site location is visible from the Powerhouse, and Air Services facilities in the immediate vicinity of the project and from some public viewpoints on higher ground across the Island including Kim's Lookout. The proposal would also be visible from the air during clear weather, along certain flight paths, specifically when approaching the Island from the west.

The site has historically been used for cattle grazing and some horticulture but it is understood that no cattle dips were included.

4.0 Background & History

Previous DA CONSENT 2016-02

DA 2016-02 was granted conditional consent dated 16 December 2015, enabling the LHI Solar Photovoltaic Project consisting of the installation of ground mounted solar photovoltaic panels, buried cabling, construction of a sealed road, new services building and associated ancillary works.

The assessment report on DA 2016-02 prepared on behalf of the LHIB, details and assess the project's impacts and compliance with statutory requirements. The proposed solar photovoltaic panels formed part of the Lord Howe Island Hybrid Renewable Energy Project (HREP) to reduce the Island's reliance on imported diesel for electricity generation, and its consumption by 67%. The project included the panels proposed under DA 2016-02 and two wind turbine generators (but these subsequently did not get the required Federal Government approval). *Figure 6* shows the approved site plan, and options for the approved development.

It is noted that the original assessment assessed the solar panel design including the ground mounted fixed plate solar photovoltaic arrays, the type of panels, vehicular access, excavation including cut and fill,

construction including ancillary structures to support the operations of the solar panels, and the proposal's operation.

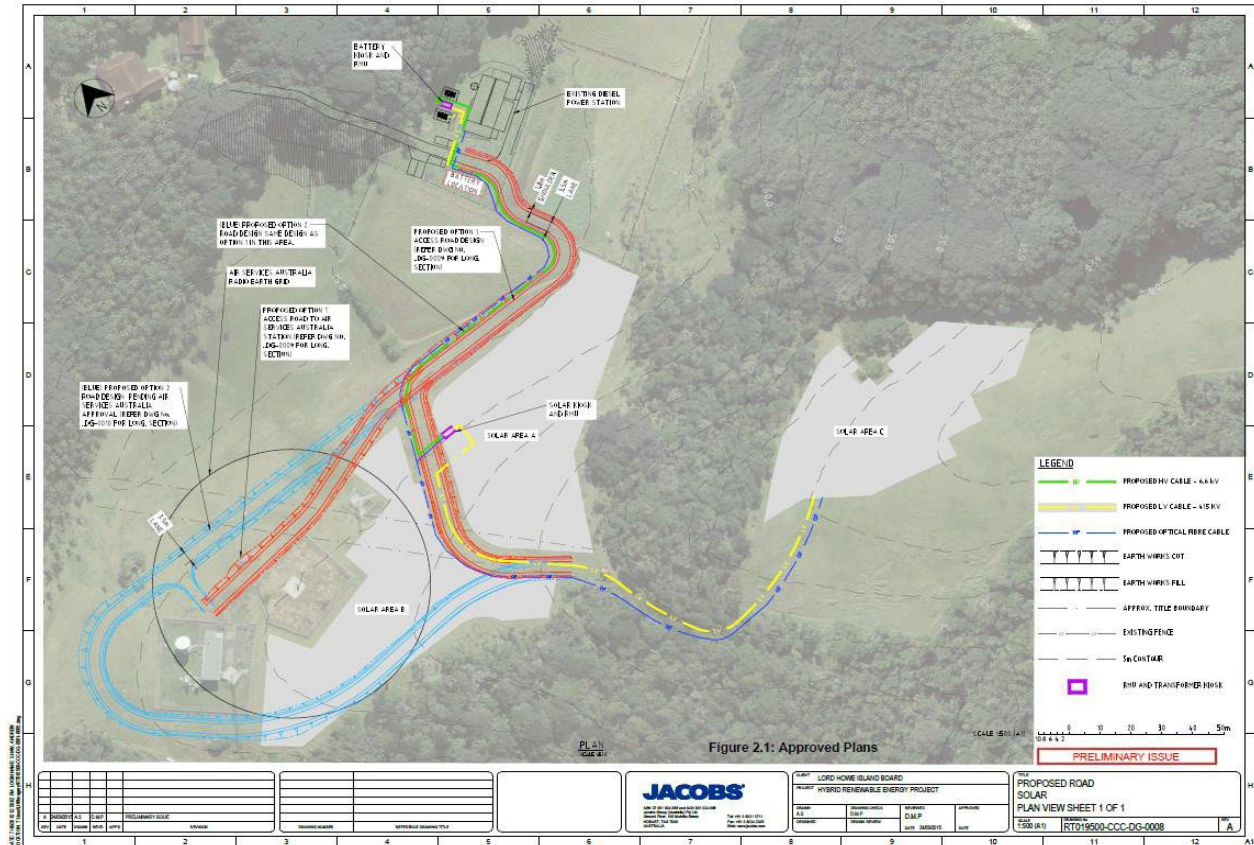


Figure 6: DA 2016-02 Approved Site Plan and proposed facilities for use during the Solar Photovoltaic Project.

5.0 Proposed Development

The subject MDC 2020-01 relates to the LHI Solar Photovoltaic Project and is the result of project refinements based on detailed design analysis, and the LHIB exploring the potential for increasing the capacity of the solar component of the proposal due to changing circumstances and technology. Due to Federal Government and environmental decisions, the wind farm component of the plan has been discontinued.

The subject MDC has been remained undetermined to date as the project has been through a couple of different revisions during this period reflecting more detailed design work and the rapidly developing technology surrounding renewable energy. Consequently part way through the assessment of the MDC a second set of revised plans and details were submitted which necessitated renotification and reassessment of the MDC.

The Jacob's Statement of Environmental Effects and the LHIB Proposal Overview report prepared as part of MDC 2020-01 identifies the following modification/refinements to the LHI Solar Photovoltaic Project:

- Increase the overall project solar capacity up to 2 Megawatts from the originally approved 1 Megawatt;
- Delete previously approved internal road Options 1 & 2 as the original wind turbine area and alternative third solar array area are now not part of the project.
- Delete approved 'Solar Area C' formally proposed (within Lot 101 DP 757515) to accommodate the (earlier deleted) wind turbines;

- Consolidation of approved 'Solar Areas A & B' (both within Lot 230) and relocation of this combined solar array area to the north east past the Powerhouse & away from the Air Services Australia facilities on site;
- Relocation of the battery storage to the south of the Powerhouse;
- Include use of higher capacity 50kw inverters including a photovoltaic array with capacity around 1328 kWp / 1000 kVA made up of approximately 3,240 photovoltaic modules attached to 20 inverters each with 50kW capacity (subject to final design); and
- A battery energy storage system with a capacity of 3712 kWh / 1088 kVA consisting of 16 Tesla Powerpack batteries each with 232 kWh capacity and two Tesla Inverters with 544 kVA capacity (subject to final design).
- Provision within the Anderson Road reserve at the Powerhouse of legacy infrastructure in the form of a composting toilet for public use upon project completion.
- Some existing tree removal including Kentia Palms, Sallywoods, Oleanders and an established Norfolk Island Pine (in the very north eastern corner of the site)

As wind generation can no longer be included in the project, the use of the DA approved 'Solar Area C' is unnecessary as the Solar Array area adjoining the Powerhouse can be expanded somewhat and improved technological efficiencies employed. Overall these changes will reduce the overall land area required for the arrays from approximately 1.6ha to 1.4ha without reducing the overall generation capacity of the system. The proposal also notes that the modified site area will be less visible from the key landmark viewing positions including Kim's lookout.

The LHIB has determined to also provide legacy infrastructure in the form of a composting toilet to remain for public use upon project completion.

The proposed amendments to the layout of the LHI Solar Photovoltaic Project are shown in *Figures 7 & 8*.

Also accompanying the subject MDC is an acoustic assessment which includes background noise monitoring, noise modelling, predictions of the revised inverter and battery storage noise levels on sensitive receivers, assessment of potential impacts, cumulative impact including the existing power station, and examined recommendations for appropriate management. Acoustic matters are further addressed later in Section 8: Environmental Effects.

Also submitted was a revised Flora and Fauna Assessment to accompany the subject Modification application. This report assesses the potential impacts on LHI flora and fauna in terms of application to the *Biodiversity Conservation Act 2016* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. Flora and fauna matters are further assessed below in Sections 7.1 and 7.2 of this report.

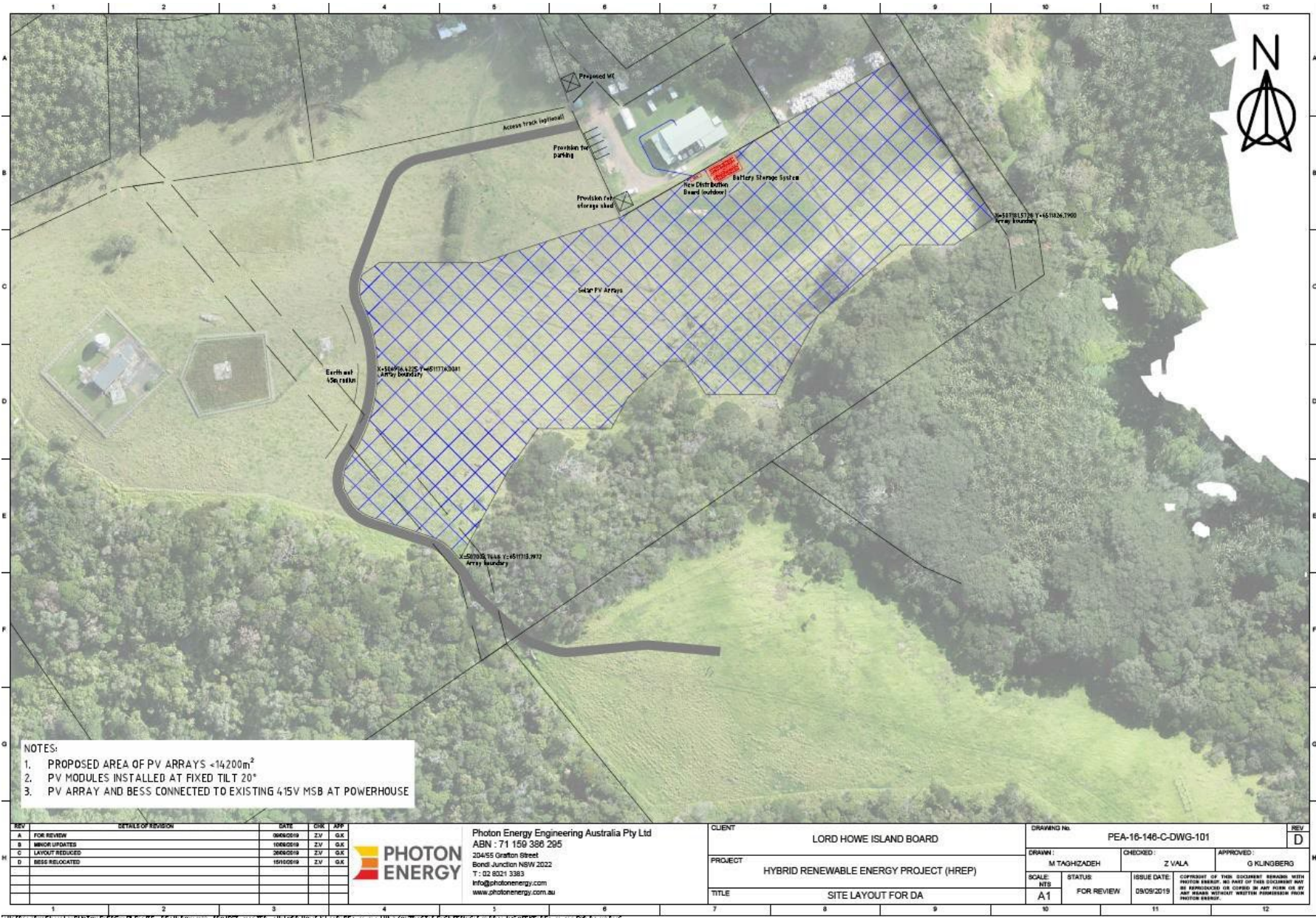


Figure 7: Proposed amended site layout of project with the solar array area in blue hatching, the battery storage area in red immediately south of the Powerhouse & the public toilet at the end of Anderson Rd.

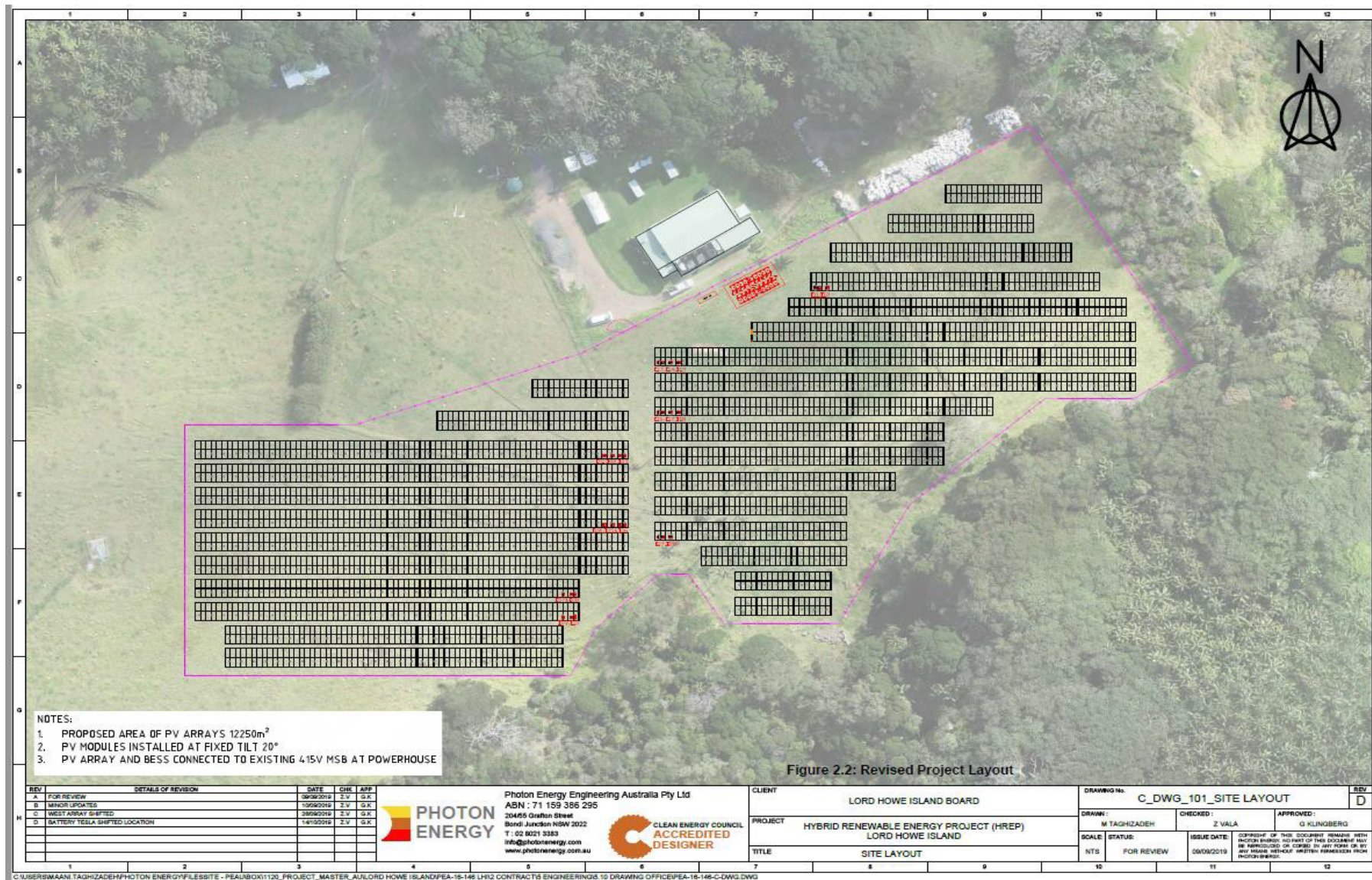


Figure 8: Revised LHI Solar Photovoltaic Project Site Plan with System and Generator layout

6.0 Referrals

6.1 Internal referrals

The LHIB distributed the original DA 2016.02 to the relevant internal specialists for review. The subject MDC 2020.01 was again referred to the following internal specialists, no objections to the proposal were raised as outlined in the following Table 1:

Table 1 Comments received from internal specialists

Internal specialist	Issue	Planner's Comment
<p>Hank Bower - Manager Environment /World Heritage</p>	<p>Comment The cleared paddocks of the property are zoned Zone No. 1 – Rural whilst areas supporting native vegetation are zoned Zone No. 7 Environmental Protection according to the Lord Howe Island Local Environmental Plan 2010.</p> <p>The proposal will remove up to 30 native paddock trees including 25 Kentia Palms <i>Howea forsteriana</i>, 1 Sallywood <i>Lagunaria patersonia</i> ssp. <i>patersonia</i>, 1 Greybark <i>Drypetes deplanchei</i>, 1 Juniper <i>Myoporum insulare</i> and prune branches of 1 Banyan <i>Ficus macrophylla columnaris</i> hanging over the paddock, which is considered an established garden.</p> <p>The proposal will not result in the removal or damage of any Significant Native Vegetation (SNV). The Study area contains vegetation mapped as SNV, which is located outside the development footprint.</p> <p>The proposal will not result in any significant impacts on any Threatened species, populations or ecological communities, or their habitats as it only involves the construction on cleared land.</p> <p>There is native vegetation in the Subject site, which is mapped by Sherringham <i>et al</i> 2016 as community 17a Greybark – Blackbutt rainforest and 12b Banyan and Kentia Palm forest on coral sand and calcarenite. The proposal will not result in any removal of native vegetation or threatened species habitat.</p> <p>The vegetation at the Subject site is mapped by Pickard (1983) as vegetation association Hf <i>Howea forsteriana</i> and Da-Ct <i>Drypetes australasica</i> – <i>Cryptocarya triplinervis</i>. The Sherringham <i>et al</i> 2016 mapping is considered more accurate. No vegetation will be removed for this proposal.</p> <p>The subject site provides known or potential habitat for at least 9 threatened species being; LHI Placostylus <i>bivaricosus</i>, LHI Gecko <i>Christinus guentheri</i>, LHI Currawong <i>Strepera graculina crissalis</i>, LHI Golden Whistler <i>Pachycephala pectoralis contempta</i>, LHI Silvereeye <i>Zosterops lateralis tephroleura</i>, Lord Howe Woodhen <i>Gallirallus sylvestris</i>, Flesh-footed Shearwater <i>Ardenna carneipes</i>, Little Shearwater <i>Puffinis assimilis</i> and Black-winged Petrel <i>Pterodroma nigripennis</i>.</p> <p>The LHI Currawong, LHI Golden Whistler, LHI Silvereeye and</p>	<p>Noted & actioned via recommended conditions.</p>

Internal specialist	Issue	Planner's Comment
	<p>LH Woodhen are all widely distributed across the Island and regularly occupy forests and gardens within the settlement. They are commonly found co-habiting with human infrastructure within the settlement area and in the case of the LHI Currawong, LHI Golden Whistler, LHI Silvereye and LH Woodhen will forage and roost around dwellings and associated infrastructure. However, the core habitat resources for all these species is dense native vegetation. The native vegetation adjacent to the Subject site provides core nesting habitat for the Flesh-footed Shearwater and potential nesting habitat for Little Shearwater and Black-winged Petrel. The proposal will not remove any habitat for any of these species. There is potential that light from any associated infrastructure could impact these species. The proposal has recommended using yellow tinted shades to negate this issue. Any access to the site at night could result in birds being run over. To mitigate this any night time access must have a person on foot in front of the vehicle to clear the access of any birds.</p> <p>The LHI Gecko is known to occur throughout the settlement of LHI where it can utilise human made structures and stock piled building materials (e.g. sheets of corrugated iron etc) as sheltering habitat. It can be found within cavities of dwellings that exclude rodents and shelters within cracks and cavities in trees and rocks. It is possible that LHI Gecko could be present within the existing building and could be detected during renovations. Any animals detected during works must be moved to similar habitat structures in the adjacent area (e.g. fallen timber within dense native vegetation, old dwellings/structures) away from the development site.</p> <p>The proposal is located in nesting habitat for Flesh-footed Shearwater and could impact some nest burrows that are located in open paddock. The proposal is scheduled to be constructed during winter when Flesh-footed Shearwater are not present. It is proposed to revegetate the area which is currently used for stockpiling road base, which will offset the losses of removal of up to 30 native plants and improve nesting habitat in the general vicinity.</p> <p>The Subject site includes areas mapped as modeled High Quality Habitat (A) and (B) for LHI Placostylus. This mapping is considered accurate where there is intact native vegetation (which is outside the proposed development footprint). The LHI Placostylus favours forested habitats on calcarenite soils with a dense shaded canopy, continuity with large areas of vegetation and a thick moist leaf layer in which they can burrow during dry times. This habitat is not present at the Subject site, which is clear of any native vegetation.</p> <p>A 5 Part Test of significance was submitted with the DA and determined that the proposal will not impact on any threatened species or their habitat. This assessment concludes that the proposed development will not result in any significant impacts on any Threatened species, populations or ecological communities, or their habitats providing the recommendations below are adhered to.</p>	

Internal specialist	Issue	Planner's Comment
	<p>Recommendations</p> <p>That the development be approved subject to.</p> <ul style="list-style-type: none"> • If any live LHI Gecko or LHI Placostylus are detected during works they must be moved to similar habitat structures in the adjacent area (e.g. fallen timber within dense native vegetation, old dwellings/structures) away from the development site so they can escape predation by predators such as LHI Currawong, LH Woodhen and rodents. • All lighting for any associated infrastructure must be tinted either yellow, orange or red to reduce attractiveness by nesting seabirds. • Access to the site at night during seabird nesting season (mid September – end of May annually) is to be restricted and if necessary any night time access must have a person on foot in front of the vehicle to clear the access of any birds. • The area currently used for storing road base is revegetated with native plants the winter following construction of the solar array to offset the loss of 30 native paddock trees and to improve nesting habitat for Flesh-footed Shearwater. <ul style="list-style-type: none"> ○ The revegetation area must be cleared of grass and weed species prior to planting and must only use a mix of trees and shrubs native to LHI and must be planted at no more than 1.5 m spacings, and watered and fertilized at time of planting; ○ Any dead plants must be replaced annually during the winter rain season; ○ During periods of drought the planting must be watered; • The felled vegetation is to be placed within adjacent native vegetation as course mulch and woody debris to form micro habitats for invertebrates; • All building materials and building activity are restricted to being stock piled on cleared open areas. 	
<p>Kate Dignam – Team Leader Compliance & Projects</p>	<p>Building Class Solar Array – Class 10b Battery Building – Class 7 Composting Toilet – Class 10a Storage Shed – Class 10a</p> <p>The increased inverter size will require amendment of approval condition no. 6 (Acoustic) of DA2016.02.</p> <p>Notes relating to issuing of Construction Certificate</p>	<p>Noted and recommended accordingly</p>

Internal specialist	Issue	Planner's Comment
	<ul style="list-style-type: none"> • If the Development Application is approved the applicant is required to apply for a Construction Certificate for the proposed works. No works can commence until a valid Construction Certificate for the works has been issued. • If the applicant is proposing a Performance Solution for any requirements of the BCA/NCC, the relevant Performance Requirements must be determined in accordance with A0.7 of the BCA/NCC. A report outlining any proposed Performance Solutions must be compiled by an appropriate person and submitted with the application for a Construction Certificate. • In the application for a Construction Certificate the applicant is to provide detailed structural engineering plans for the works. Structural plans are to address all actions including construction in Wind Zone A, and are to be certified by an appropriately qualified Structural Engineer in accordance with AS1170.2. • The applicant is to ensure the Construction Certificate plans align with the approved Development Application plans. • In the application for a Construction Certificate the applicant is to provide evidence of payment of a Long Service Levy as per section 34 of the Building and Construction Industry Long Service Payments Act 1986. • Prior to the issuing of a Construction Certificate the applicant is to ensure compliance with any/all related conditions imposed by the Board as part the Development Application approval process. <p>Fire Safety</p> <ul style="list-style-type: none"> • As batteries have the potential for explosion the proposed building to house the new battery storage and other equipment must have elements, which will, to the degree necessary, avoid the spread of fire resulting from such an explosion. • If the development is approved the applicant is to ensure that fire-fighting equipment is installed as per the requirements of the NCC for a Class 7 building and the intended use. • All required Portable Fire Extinguishers are to be located in a conspicuous and readily accessible position with their location indicated by placement of a fire extinguisher location sign as per AS2444-2001. <p>Construction and Demolition</p> <ul style="list-style-type: none"> • No excavation to be carried out until the site is inspected by the LHIB Senior Electrical Officer, i.e. 'dial before you dig'. 	

Internal specialist	Issue	Planner's Comment
	<ul style="list-style-type: none"> • All construction is to be carried out and completed in accordance with the National Construction Code (NCC). • All electrical work must be carried out by a licensed electrician and an Electrical Compliance Certificate issued. The certification must be provided to the Board before any Occupancy Certificate for the building can be issued. • All works are to be undertaken in accordance with approved Construction Certificate documentation. • Pre-Commencement meeting to be arranged with the Owner, Builder and Board Personnel prior to any work commencing on site. If the applicant is nominating the Lord Howe Island Board as the Principal Certifying Authority, this meeting will constitute the pre-commencement and site set out inspection. • The applicant is to ensure all Mandatory Inspections are undertaken. <p>Mandatory Inspections</p> <p>Battery Building:</p> <p>As a Class 7 building the Principal Certifying Authority (PCA) will require the following Mandatory Inspections to be undertaken during construction:</p> <ol style="list-style-type: none"> a) Pre commencement/set out b) After the commencement of the excavation for, and before the placement of, the first footing c) Stormwater connections d) Inspection of framework and bracing, and e) Final Inspection, including fire related elements, prior to any Occupation Certificate being issued <p>Solar Array:</p> <p>As a Class 10b structure the Principal Certifying Authority (PCA) will require the following Mandatory Inspections to be undertaken during construction:</p> <ol style="list-style-type: none"> a) Precommencement/set out b) After excavation for, and prior to the placement of, any footings c) Prior to pouring any in-situ reinforced concrete element d) Final inspection, after the work has been completed and prior to any Occupancy Certificate being issued <p>Composting Toilet and Storage (Equipment) Shed:</p> <p>As Class 10a buildings the Principal Certifying Authority (PCA) will require the following Mandatory Inspections to be undertaken during construction:</p> <ol style="list-style-type: none"> a) Precommencement/ set out b) After excavation for, and prior to the placement of, any footings c) Prior to pouring any in-situ reinforced concrete element 	

Internal specialist	Issue	Planner's Comment
	d) Prior to covering of the framework for any floor, wall, roof or other building element, and e) Prior to covering waterproofing in any wet areas, and f) Final inspection, after the work has been completed and prior to any Occupancy Certificate being issued	

6.2 External Referrals

The LHIB referred the amended proposal to Air Services Australia for their assessment. Air Services provided a response to the LHIB via email on 17 July 2019 which raised several matters to be addressed:

Air Space Procedures

Airservices identifies that the amended proposal will not impact on their airspace procedures for approach or departure procedures, including any sector or circling altitude at Lord Howe Island Airport.

Communication, Navigation, Surveillance

It was stated that the inverters will generate radio frequency (RF) noises that can cause a reduction in the Lord Howe Island VHF (very high frequency) reception range, and the infrastructure around the solar panel (metal stands, screws, fences) may cause passive intermodulation which can generate interfering signals and RF noise. To mitigate any potential interference, it was recommended that installation implements mechanisms such as –

- *Twisting of all power cabling,*
- *Fitting of RF filters to power cabling*
- *Installation of RF shielding around inverters*
- *Earthing of all equipment (including fences)*
- *Use of 36 SS whenever possible*
- *Avoiding use of dissimilar metals in fixing and fastening*

Airservices requires that the proponent also undertake RF spectrum monitoring of the site before and after installation of the proposal, and consult with Airservices staff to measure the VHF receiver desensitisation before and after installation.

Underground Services

The civil works will potentially impact and crossover existing Airservices or Telstra cables (and provided a figure for potential crossover locations). The following was recommended:

- *A service audit to confirm cable routes/depths using non-destructive digging eg. Hydro excavate and or Ground Penetrating Radar (GDR).*
- *All excavation works must not be no closer than 2m to Airservices operational control cables.*
- *Any civil works crossing over the cable will require a cable protection method using a design approved by Airservices such as concrete easement.*

Other CNS Facilities

It was also noted that the proposal will not impact the Airservices ADS-B, Precision/Non-Precision Navigational Aids, HF/VHF Communications, A-SMGCS, Radar, PRM, WAM or Satellite/Links at Lord Howe Island.

Property Management

The Airservices responses identifies that the LHIB approved DA 2007-18 in April 2008 to construct new navigational facilities on part of Lot 230, and would require a formal lease document regarding the Airservices occupation and operation. Airservices identified that the amended plan also encroaches on part of their future identified leasable land area with part of Lot 1 (still to be formalised).

Subsequently, the LHIB, Air Services Australia and Photon Energy have been liaising on the various components of the project including design, construction and testing arrangements. Air Services Australia have agreed to undertake pre and post construction testing of the project so that their design requirements can be incorporated into the project and any issues arising post completion of the development can be resolved.

A modified version of existing condition (No. 3) on the DA approval will ensure that this is followed through to the satisfaction of Air Services Australia.

7.0 Planning Assessment

The following planning assessment has been undertaken for the proposed development taking into account the relevant statutory controls, and other relevant matters as detailed below in this report.

7.1 Commonwealth legislation

7.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) provides for the protection of certain matters of national environmental significance (NES) listed under the Act, which include:

- World Heritage Areas
- National Heritage Places
- Ramsar wetlands of international importance
- Commonwealth listed threatened species and ecological communities
- Listed migratory species
- Commonwealth marine areas
- Great Barrier Reef Marine Park
- Nuclear actions.

Under the EPBC Act, Commonwealth approval is required from the Minister of Sustainability, Environment, Water, Population and Communities (Minister) for any action that will have or is likely to have a significant impact on a NES, or on the environment of Commonwealth land or on the environment if the action is proposed to be taken by a Commonwealth agency (known as a 'controlled action').

A person proposing to take a controlled action must refer the proposal to the Minister for determination. A person proposing to take an action that the person thinks is not a controlled action may refer the proposal to the Minister for the Minister's decision whether or not the action is a controlled action.

Lord Howe Island is a declared World Heritage Property. Section 12 of the EPBC Act 1999 requires approval of actions that involve a significant impact on a declared World Heritage Property.

Please refer to the assessment and referral comments from the LHIB's Manager Environment /World Heritage (ref section 6.1 of this report), who concluded that "a 5 Part Test of significance was submitted with the DA and determined that the proposal will not impact on any threatened species or their habitat. This assessment concludes that 'the proposed development will not result in any significant impacts on any Threatened species,

populations or ecological communities, or their habitats providing the recommendations below are adhered to.” These specifications have been included in the recommendation to this report.

It should also be noted that during the original assessment of DA 2016-02, the LHIB contacted the Commonwealth Department of Environment to ascertain whether referral of the application was desired. The response was that the proposal is not a controlled action under section 75 of the EPBC Act 1999, and referral is not required. Consequently, no additional referral of the subject MDC has been sought.

7.2 NSW legislation

7.2.1 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (NSW) (BC Act) sets the framework for the listing of threatened species, populations and ecological communities, and key threatening processes in NSW, and the preparation and implementation of recovery plans and threat abatement plans.

The BC Act also provides the mechanism for applying for and obtaining licences to take actions, which could result in harm to a threatened species, population or ecological community, or their habitat, or damage to critical habitat.

Comment: Jacobs ‘Flora and Fauna Assessment Memorandum’ (June 2019) identifies that the original DA 2016-02 for the LHI Solar Photovoltaic Project was assessed under the now repealed *Threatened Species Conservation Act 1995* and the 7-part test assessment of significance provisions that were removed from the *Environmental Planning and Assessment Act 1979*.

Since the original assessment, the *Biodiversity Conservation Act 2016* has come into effect, (along with the Biodiversity Offsets Scheme). Jacobs Flora and Fauna Assessment report identifies that ‘*under clause 7.1(2) of the Biodiversity Conservation Regulations 2017, clearing of native vegetation on LHI does not trigger entry into the BOS as it does not exceed the biodiversity scheme threshold*’.

An updated ‘Flora and Fauna Assessment Memorandum’ (October 2019) assessed the modified LHI Solar Photovoltaic Project location for the expanded ‘Solar Area A’ and identifies in Table 4.2 a summary of the 5-part test undertaken for the proposal.

The report assessment states that the proposal is ‘*unlikely to have an adverse effect on the life cycle of the species such that a viable local population is likely to be placed at risk of extinction*’, ‘*fragmentation of habitat for these species would not occur*’, and ‘*mitigation measures*’ recommended in the Development Conditions of Consent ‘*will ensure that the risk of contributing to Key Threatening Processes is minimised to the greatest extent possible*’.

Section 6 of the Jacobs report concludes that:

‘Flesh-footed Shearwaters and Little Shearwater may occur around the edges of the proposed modification though are unlikely to be directly impacted. The Black-winged Petrel, Pied Currawong (Lord Howe IS. Subsp.), Golden Whistler (Lord Howe Is. Subsp.) and Silvereye (Lord Howe Is. Subsp.) are known to fly over the cleared area and may occasionally forage in the scattered paddock trees and stags, however vegetation that will be impacted is unlikely to represent important foraging habitat. The Golden Whistler (Lord Howe Is. Subsp.) and Silvereye (Lord Howe IS, subsp.) are known to forage around island homes throughout the settlement area and may build nests in the paddock trees, however these species are widespread across the island and the removal of some marginal nesting habitat is likely to have minimal impacts on breeding. Overall, the modification is unlikely to result in a significant impact to these species.’

Based on the Assessment of Significance of the EPBC Act Significant Impact Guidelines 1.1, the Jacobs Flora and Fauna assessment concludes that ‘*the impacts of the project on threatened species are considered to remain relatively the same as that originally assessed from a biodiversity perspective.*’

As stated earlier, the LHIB Manager Environment World Heritage has also examined the proposal and submitted ecological reports, and states that ‘*the proposal will not remove or damage any native vegetation*’, and ‘*will not result in any significant impacts on threatened species, populations in ecological communities, or*

their habitats as it only involves construction of cleared land. The recommendation of this report includes additional conditions of consent recommended by the LHIB Manager Environment World Heritage.

7.2.2 NSW Heritage Act 1977

The main objective of the *Heritage Act 1977* (Heritage Act) is to encourage the conservation of the heritage of NSW. Pursuant to Section 4.46 (previously Section 91) of the EP&A Act 1979, Section 58 and Section 57(1) of the Heritage Act are triggered by this application.

The Lord Howe Island Group is listed on the State Heritage Register. Section 57 (1) of the Heritage Act requires that all applications to carry out development on Lord Howe Island, be referred to and granted concurrence by the NSW Heritage Division. This provision is overridden however by the operation of Section 57 (2), in the circumstance of the Minister issuing a Heritage Exemption Order.

On 9 January 2015, the NSW Minister for Heritage published an order providing for an exemption to refer, instead requiring referral of only those applications requiring consent under Clause 39 of the LHI LEP 2010. The site does not require consent under Clause 39 as it is not a listed heritage item within the LEP 2010. Therefore, referral to the NSW Heritage Division of this application is not required.

Additionally the site is within vicinity of a locally listed heritage item 'Palmhaven (Garton House)' located on Lot 330, DP 46194 approximately 60m to the north of the subject site. The original assessment report on DA 2016-02 stated that Palmhaven has historical significance at a local level as a fine example of a well-designed and crafted bungalow erected on LHI during the 1920s.

The original DA assessment also noted that the above nearby heritage item is surrounded by vegetation and the works on the subject site will not be in view of the building or impact the heritage significance of the item. The report also considered the subject site's archaeological potential, identifying it was likely low given the historical use of the site for grazing. Existing condition 17 of DA 2016-02 recommends appropriate management if any relics are discovered during the works. The proposed modification remains substantially the same as the original development, therefore no additional impacts on heritage significance are envisaged.

7.3 Local Statutory Plans and Policies

7.3.1 Lord Howe Island Local Environmental Plan 2010

The LHI LEP 2010 and its amendments are the principal environmental planning instrument applying to the proposal.

The following summary table details the various LEP provisions relevant to the subject proposal with assessment and/or comment included as required.

Table 2 LEP 2010 compliance summary table

LEP 2010 Clause		Complies Y/N	Comment
Part 1 Preliminary			
2.	Commencement and Aims of Plan	Y	Each of the aims of the LEP 2010 has been considered in the assessment of this application. The proposed works will enhance the wellbeing and welfare of the current and future community, providing public utilities with minimal environmental impacts. The proposal is therefore consistent with the aims of the plan.

LEP 2010 Clause		Complies Y/N	Comment
3.	Land to which plan applies	Y	The LEP 2010 applies to the subject site which is part of Lord Howe Island, as defined in Section 3 of the <i>Lord Howe Island Act 1953</i> .
4.	Definitions	Y	The construction of the LHI Solar Photovoltaic Project is defined as a public utility undertaking and a public utility installation.
6.	Who is the consent authority for this Plan?	Y	The Lord Howe Island Board (LHIB) is the relevant consent authority.
7.	Maps	Y	Noted.
9.	Exempt Development	NA	The proposal is not listed as exempt development in the LHI LEP 2010.
11.	Matters that must be satisfied before development consent granted	Y	All relevant matters are satisfied. Refer to Section 7.3.1.2 below.
Part 2 General Provisions applying in particular zones			
12.	Land Use Zones	Y	The land is Zone 1 Rural and Zone 7 Environment Protection.
13	Zone 1 Rural	Y	<p>A large portion of Lot 230, DP 47747 is zoned 1 Rural. The proposal is for a public utility undertaking and public utility installation within the Rural zoned area of the site which are both permitted with consent of the LHIB.</p> <p>The assessment of the original DA 2016-02 included an analysis of the reduced agricultural land availability from the subject development. This was determined as being reasonable in the approval on the basis of the availability of agricultural land in the locality (and the Island generally), and due to the wider environmental and community benefits from the proposed essential infrastructure.</p> <p>Subsequently, as part of MDC 2020.01 consultation with the special leaseholder has been undertaken. To address any loss of agricultural land, an area (of clay-loam soil) adjacent to the low-point of water storage on site has been identified as the most practical area for continued harvesting crops which is outside the array location. This site also provides close range supply of water as well as access by machinery.</p> <p>On the basis of the overall assessment of the development (as modified) in this report, there is no substantial change to the above considerations.</p>
17	Zone 7 Environment Protection	Y	<p>The uncleared area of Lot 230 is zoned Zone 7 Environment Protection. Whilst the amended project works are not proposed within the zone 7 area of the site, the development as a public utility undertaking and a public utility installation is also permitted with consent of the LHIB in this zone.</p> <p>The land (as assessed in this report) is capable of supporting the amended development, and does not result in the loss of significant native vegetation or any habitat for animals native to the island.</p>
Part 3 Special Provisions			
Division 2 Provisions that apply to particular land			
29.	Maximum Height of Buildings	Y	Compliance with the maximum 7.5m building height will be maintained.
32	Setback of buildings in Zone 1, 2 or 5	Y	The proposal complies with minimum setback requirements.
34.	Land adjoining Zone 7 or 8	Y	The site includes and adjoins Zone 7 land. DA 2016-02 considered the relevance of the proposal to the LHI community in comparison to

LEP 2010 Clause		Complies Y/N	Comment
			restoring the land back to its original natural state, and determined to approve the project. Existing condition 7 of DA 2016-02 requires that silt and sediment controls must be established prior to any disturbance of the land surface, and a new condition has been recommended to ensure building material and building activity are restricted to being stock piled on cleared open areas. Additionally, Condition 14 of DA 2016-02 Consent requires a Construction Management Plan to ensure the adjoining land is not affected by construction or construction access.
Division 3 Heritage conservation			
39.	Development affecting heritage items	N/A	Refer to discussion earlier in this report under section 7.2.2 NSW Heritage Act.
Division 4 Miscellaneous			
42.	Requirement for environmental report	Y	An Environment Report was provided by Jacobs with DA 2016-02 prepared in accordance with Schedule 3 of the LEP 2010 and this clause. MDC 2020-01 included additional updated environmental reports including a Statement of Environmental Effects, Operational Noise Impact Assessment and Flora and Fauna Assessment.

7.3.1.2 Clause 11 Matters that must be satisfied before development consent granted

Clause 11 provides that the consent authority must not consent to the carrying out of development unless it is satisfied of the following matters (to the extent that they are of relevance to the proposed development):

Table 3 Clause 11 Compliance summary table

CLAUSE 11 REQUIREMENT	COMPLIES Y/N	DISCUSSION
a) <i>The proposed development is consistent with the aims of this plan and the objectives of any zone, as set out in the plan, within which the development is proposed to be carried out,</i>	Y	The subject site is zoned 1 Rural and Zone 7 Environmental Protection under the LHI LEP 2010. As demonstrated in this assessment the proposed development as amended will continue to be consistent with both the overall LEP objectives and the specific zone objectives.
b) <i>There is an adequate area available for the disposal or treatment of any effluent treatment or disposal system and any such system will not have any adverse impact on groundwater quality,</i>	Y	A composting public toilet is now proposed in the subject MDC. Being of a composting waterless design a separate wastewater disposal system is not required for this to operate and no environmental impacts will be generated. Appropriate conditions have been added to the recommendation of this report.
c) <i>No part of the proposed development:</i> i. <i>will result in any damage to, or removal of, significant native vegetation, or</i> ii. <i>will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,</i>	Y	The proposed amended development does not involve any predicted damage to, or removal of SNV. Condition 9 of the DA 2016-02 Consent prohibits any damage to or removal of any SNV. Any SNV is to be protected during access to, construction and operation of the solar array and any associated infrastructure or services.
d) <i>Access is, or will be, available to the site of the proposed development and the provision of any such access will not:</i> i. <i>result in any damage to, or the removal of, significant native vegetation, or</i>	Y	As the now proposed modified development is located adjoining the powerhouse and the end of Anderson Road, direct street access is available without the previously required internal road construction.

CLAUSE 11 REQUIREMENT	COMPLIES Y/N	DISCUSSION
<i>ii. have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,</i>		
<i>e) Any proposed landscaping will provide various species of plants that are native to the Island and common in the locality to enhance any significant native vegetation,</i>	NA	No additional landscaping areas are proposed or required.
<i>f) The proposed development will not be adversely affected by any landform limitations, including flooding, landslip, unstable soils and steep slopes,</i>	Y	DA 2016-02 identified that the proposed solar panel will be designed to respond to the slope of the land. The proposed development will not be adversely impacted by landform limitations. As an additional mitigation measure Condition 7 of DA 2016-02 consent requires silt and sediment controls prior to disturbance of the land surface. Regarding flooding (and as stated earlier in this report) and in the previous assessment on the project, the proposal will be outside of the site area affected by flooding.
<i>g) Adequate services in respect of the proposed development can be provided without significant additional cost to the Board or the community of the Island,</i>	Y	As a LHIB proposal it is for community infrastructure to support sustainable local energy supply. The LHIB has advised all necessary services can be provided for the project
<i>h) The appearance of the proposed development (when considered by itself or in conjunction with existing buildings and works) will not have any significantly adverse impact on the locality,</i>	Y	The assessment of the original layout and design of DA 2016-02 considered that the appearance of the proposed development would not have a significant adverse impact on the locality. With the deletion of the approved (more elevated) solar array area C, and reduction in the total array area, the visual impact of the amended project is only reduced and improved. It will continue to be in keeping with the character, and nature of the its landscape setting, whilst avoiding a detrimental impact on the Island's overall scenic quality. Condition 4 of DA 2016-02 Consent also provides design requirements to reduce reflectivity and visual prominence in the locality and it is appropriate that this remains in place.
<i>i) The proposed development will not cause any significant overshadowing of adjoining land,</i>	Y	No overshadowing impacts will continue to result from the proposal on the adjoining land.
<i>j) The proposed development will not cause any significant reduction in the privacy of occupants of adjoining land</i>	Y	The closest dwellings to the project are located approximately 118m and 122m to the north at 330 and 331 Anderson Road. Each of these are located on the north of Anderson Road and are also separated from the project by other undeveloped properties and significant areas of established mapped SNV. Due to the nature of the project and the above natural characteristics including the significant vegetative screening existing to the north of the site on Anderson Road, the proposed development will not create any visual privacy impacts on the above properties. Regarding potential acoustic impacts (and as mentioned elsewhere in this report), an Operational Noise Impact Assessment has been prepared for the modified development. This assessment has confirmed that the operational noise of the electrical systems in the development will not be audible at the above properties. The proponents have committed to achieving this and

CLAUSE 11 REQUIREMENT	COMPLIES Y/N	DISCUSSION
		an appropriate amended condition of approval is included in the recommendation of this report. Refer also to the discussion of acoustic impacts below in section 8.1.1.

7.3.2 Lord Howe Island Development Control Plan 2005

The Lord Howe Island Development Control Plan 2005 (DCP 2005) provides detailed guidance for individuals and the community to achieve the aims and strategies of LEP 2010. In particular, DCP 2005 relates to the design of dwellings and is not highly prescriptive in regard to other types of development.

The proposal is consistent with all relevant controls within DCP 2005.

8.0 Environmental Effects

8.1 Environmental Planning and Assessment Act 1979

Under the provisions of Section 4.15, (previously 79C (1)) of the EP&A Act, in determining a DA, a consent authority is to take into consideration the following matters as are of relevance to the development the subject of the DA.

a) the provisions of the following that apply to the land to which the development application relates:

i. *Any Environmental Planning Instrument*

Comment: An assessment against the LHI LEP 2010 and other relevant legislation has been undertaken (see Section 7.3) and the proposed development was found to comply with all relevant provisions subject to the conditions of the existing approval for DA 2016-02 (dated: 11 December 2015) as amended by the proposed conditions recommended in this report.

ii. *Any proposed instrument that is or has been the subject of public consultation under this Act*

Comment: N/A

iii. *Any development control plan*

Comment: An assessment of the proposal against the LHI DCP 2005 has been undertaken in Section 7.3.2 and was found to comply subject to the conditions of approval included in the recommendation of this report.

iii. *Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4,*

Comment: There are no planning agreements relevant to the application.

iv. *The regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

Comment: There are no relevant matters prescribed by the regulations.

v. *Any coastal zone management plan (with the meaning of the Coastal Protection Act 1979)*

Comment: There are no coastal zone management plans relevant to the application.

b) *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality*

An assessment of the environmental impacts of the proposed modifications to the approved development have been considered elsewhere in this section of the subject report. The table below provides a summary assessment of any likely impacts.

8.1.1 Likely environmental impacts

Potential Impacts	Proposal
Access, Transport and Traffic	The amended development will have the same material access, transport and traffic impacts to the originally approved development.
Public Domain, Visual and Streetscape	Refer to the visual assessment provided earlier under clause 11h of the LHI LEP 2010 in section 7.3.1.2.
Ecological	Refer to the ecological assessment provided earlier under section 6.1 (Internal Referrals- Manager Environment /World Heritage) and section 7.2.1 (Biodiversity Conservation Act).
Flood	The original assessment report for DA 2016-02 identified that the subject site has some mapped flood prone area land within the central lower area of Lot 230. As (stated earlier within Sections 3: Site Description and 7.3.1: LHI LEP 2010), the proposed MDC works will not extend within the above flood prone area.
Heritage	Refer to the discussion earlier in this report under section 7.2.2 (NSW Heritage Act).
Views	Refer to the discussion earlier in this report under clause 11h of the LHI LEP 2010 in section 7.3.1.2.
Privacy	Refer to the discussion earlier in this report under clause 11j of the LHI LEP 2010 in section 7.3.1.2.
Acoustic	As assessed earlier under clause 11(j) of the LHI LEP 2010 (refer section 7.3.1.2), an Operational Noise Impact Assessment has been prepared for the modified development. This assessment has confirmed that the operational noise of the electrical systems in the development will comply with the noise assessment criteria at the above properties. The proponents have committed to achieving this and an appropriately amended condition of approval including post construction and commissioning acoustic testing is included in the recommendation of this report. # NB: Refer to the additional assessment notes below this table.
Social and economic Impact in Locality	The social and economic objective of the original development as proposed to be modified in the subject MDC will remain the same, being to: reduce the Island's reliance on imported diesel for electricity generation; provide a source of electricity that is reliable and sustainable in the long term; reduce pollution levels from the burning of fossil fuels; and limit the increases in electricity generation costs resulting from diesel price increases. Thus the proposal will only have positive social and economic impacts.
Construction	The DA 2016-02 consent as amended by the proposed MDC conditions provides requirements to ensure that construction is undertaken in accordance with best practice to minimise any adverse impacts.

Acoustic Impacts:

As mentioned earlier in Section 5: Proposed Development, the acoustic assessment prepared for the subject MDC includes background noise monitoring, noise modelling, predictions of the revised inverter and battery storage noise levels on sensitive receivers, assessment of potential impacts, cumulative impact including the existing power station, and examined recommendations for appropriate management.

The solar panels require power 'inverters' to convert the direct current of the photovoltaic cells to alternating current for use in the electrical network. As part of this modified application, higher capacity inverters are proposed to be installed alongside the solar panels.

The Hutchinson Weller Noise Assessment report concluded that the '*predicted noise levels indicate that noise levels would meet the night time noise assessment criteria at the nearest receivers, representing a low*

risk of adverse impact on the community'. The report states 'no additional noise controls are recommended to reduce levels below assessment criteria; however, monitoring of noise emissions at commissioning should be undertaken to verify the outcomes of this assessment.

An amended condition to address potential acoustic impacts has been included in the recommendation of this report stating "The recommendations of the Acoustic Assessment prepared by Hutchison Weller, dated 14 October 2019 are to be followed. Compliance with the noise assessment criteria for day, evening and night acoustic periods at the nearest dwellings shall be achieved and maintained. A maximum 50kw inverters shall be installed, except where demonstrated that use of larger units will not affect this compliance."

c) *the suitability of the site for the development*

On the basis that the character and nature of the development as modified in the subject MDC is not materially changing from that originally approved, but with an overall scale and intensity which if anything is being reduced (as outlined elsewhere in this assessment), the project will remain suitable for the subject site.

d) *any submissions made in accordance with this Act or the regulations*

The following table provides a summary of issues raised by the four submissions to the LHIB's re-notification of the subject MDC.

Submitter	Matters raised	Response
Chris Wade	<p>Does not support the proposed amendments as the panels will be closer to residential houses.</p> <p>Concerned about risks associated with health, sound, heat, light and valuation concerns.</p> <p>Any energy generation should be as far away from residences as possible but subject amendments don't follow this.</p> <p>Are there guidelines for proximity of solar farms to residences?</p>	<p>The minimum separation from the solar array to the nearest dwellings at 330 and 331 Anderson Road (at approx. 118m) will not materially change with the subject proposed amendments to the project. In addition (with the deletion of approved array area C), the enlargement of the remaining array area will be partly offset with the deletion of the western most end of the array closest to the Air Services Australia facilities.</p> <p>Nevertheless, (as assessed in this report) the amendments to the proposal will not create a visual or acoustic privacy issue for these dwellings, with the acoustic report finding that the cumulative impact of the proposed inverters and battery storage (and the existing powerhouse) will "meet the night time noise assessment criteria at the nearest receivers (being the above dwellings)".</p> <p>The proposal will not generate any appreciable heat or light impacts on adjoining properties.</p> <p>In the absence of information to substantiate the potential lease</p>

		<p>valuation impacts, such concerns are difficult to substantiate. Particularly with the leasehold property title system on Lord Howe Island.</p> <p>In regard to overall environmental issues including compliance with the relevant legislation, policies and guidelines, the proposal has been found to be acceptable.</p> <p>Presently there are NSW State Government Guidelines (dated November 2017) for Large Scale Solar Energy State Significant facilities. These are for State Significant Development with a capital investment value (CIV) of >\$30million, or has a CIV of >\$10million and is in an environmentally sensitive area of State significance.</p> <p>The proposed CIV for the project is \$7.2million and is not a State Significant Development thereby the above guidelines do not apply. Nevertheless, the assessment of this report includes the principles established in the guidelines.</p> <p>There are no specific guidelines for developments of the proposed size. However to give some representative indication of Government Policy on the matter, there are NSW State Government Planning provisions (applying to the mainland) allowing as "Complying Development" ground mounted solar energy systems, of up to 100kw capacity, and an array area of 500sqm within residential zones with a required setback of 50m to an adjoining dwelling. These are in addition to the exempt development provisions allowing roof mounted solar energy systems on dwellings. On the basis of the project assessment in this report the development is recommended for approval.</p>
Michael Nobbs	The proposal will occupy part of an area which is used by the submitter for horticulture and Island food production.	The LHIB project manager has had ongoing discussions with the submitter regarding alternative areas that could be used for this.

	Alternative areas for the horticulture have been discussed with the LHIB Project Manager. The initially suggested alternative area is not preferred.	
Ian Hutton	Supports the proposal. Raises that project array is within an area previously used as a breeding ground for Flesh Footed Shearwaters and is concerned about impacts.	Refer to internal referral comments from Hank Bower - Manager Environment /World Heritage (ref section 6.1 of this report). Conditions arising on this issue have been included in the recommendation of this report.
Chris & Margaret Murray	Supports the proposal but is disappointed that the wind turbines were deleted from the package	Noted

e) *the public interest*

The objectives of the subject Lord Howe Island Solar Photovoltaic Project will remain to: reduce the Island's reliance on imported diesel for electricity generation; provide a source of electricity that is reliable and sustainable in the long term; reduce pollution levels from the burning of fossil fuels; and limit the increases in electricity generation costs resulting from diesel price increases. The achievement of these objectives whilst avoiding any unreasonable or significant environmental impacts (as assessed in this report) are arguably in the public interest.

8.2 Section 4.55 Modification of Consent

Under the provisions of Section 4.55, (previously Section 96) of the EP&A Act, the applicant may seek modification of a development consent. The applicant has submitted the subject MDC under clause 4.55(2) *Other Modifications*.

The following matters are of relevance to the development:

4.55 Modification of consents—generally

(2) *Other modifications*

(a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all),*

Comment: As outlined elsewhere in this report, the modified development will have the same character and nature and be substantially the same development as approved under DA 2016-02. The development is for the same purpose but with an increased energy generation, uses substantially the same solar photovoltaic technology (with the benefit of detailed design refinements including inverter technology and capacity), has a reduced site area, with a reduced area of solar arrays and is able to be delivered without significant environmental or social impacts.

(b) *it has consulted with the relevant Minister, public authority or approval body*

Comment: N/A The original DA did not require or involve the concurrence of any approval body, Integrated Development referral or General Terms of Approval.

c) *it has notified the application in accordance with:*

(i) *the regulations, if the regulations so require, or*

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent,

Comment: As confirmed earlier in this report the subject MDC was notified by the LHIB on two occasions.

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Comment: Further to the above advice, 4 submissions (2 in support and 2 raising issues) were received. These issues have been considered in section 8.1.1 above.

9.0 Conclusion

This MDC application has been assessed with regard to the provisions of Section 4.15 and 4.55 of the EP&A Act, the LHI LEP 2010 and DCP 2005 and the relevant codes and policies of the Lord Howe Island Board.

In light of the preceding assessment, MDC 2020.01 for the Lord Howe Island Solar Photovoltaic Project is supported subject to the existing conditions of approval of DA 2016-02, dated 11 December 2015, as appropriately amended by the MDC.

10.0 Recommendation (Conditional Approval)

That MDC 2020.01 to modify the Lord Howe Island Solar Photovoltaic Project to permit an increased system capacity up to 2MW, use of higher capacity inverters, and refine project proposal at Lot 230, DP 47747 and Unincorporated Road Reserve, Anderson Road, Lord Howe Island, be approved subject to the existing conditions of approval of Development Application No. 2016-02, (dated: 11 December 2015) as amended by the following modified and new conditions:

1. Approved Plans and Supporting Documentation

The development is to be carried out in accordance with the amended plans and documentation provided with MDC 2020-01 as listed below and endorsed with the Lord Howe Island Board's stamp, except where amended by other conditions of consent:

- a) The revised MDC Form prepared by Amy Foxe dated 16 October 2019
- b) The following MDC plans and documents:
 - Statement of Environmental Effects prepared by Jacobs, dated 14 October 2019 incorporating Flora & Fauna Assessment prepared by Jacobs, dated 8 October 2019, and Solar power inverter noise assessment prepared by Hutchinson Weller Solar dated 14 October 2019.
- c) Site Layout for DA being Drawing no. PEA-16-146-C-DWG-101 Rev D dated 15/10/19, Amended Site Layout being Drawing No. C_DWG_101_SITE LAYOUT, Rev D dated 14/10/2019, prepared by Photon Energy Engineering Australia Pty Ltd.

Reason: To ensure the development is carried out in accordance with the details submitted in the Modification and Development Applications.

2. Solar Area & Connecting Roads

Delete Condition 2

3. Final Solar Array and Road Design

Condition 3 be amended to read:

3. Final Project Design & Impacts on Air Services Australia Facilities

Liaison with Air Services Australia shall continue throughout the detailed design phase of the project through to and after commissioning, in as far as the potential impacts of the proposal on the air navigation and telecommunications facilities on the Island. Where practical, any requirements of Air Services Australia arising for the project shall be implemented.

Reason: To ensure that the air navigation and telecommunication facilities on the Island are adequately maintained to the satisfaction of Air Services Australia.

5. New Building

Amend Condition to read –

“Plans and details of the new battery storage building located immediately to the south east of the Powerhouse and associated secure storage shed are to be provided to the Board for design endorsement prior to the commencement of construction. The building height is to be less than 7.5m from natural ground level and is to be located as shown on the approved amended site plans.

In addition to the above, plans and details of the composting toilet proposed at the end of, and within Anderson Road are to be provided to the Board for design endorsement prior to construction. This shall be a RotaLoo RL950 composting toilet (or similar). Where it is visible from the road/ access the lower or underfloor of the structure shall be softened by maintained landscape planting. Appropriate and regular servicing and maintenance arrangements for the toilet shall be put in place by the proponent.

6. Acoustic

Amend Condition –

The recommendations of the Acoustic Assessment prepared by Hutchison Weller, dated 14 October 2019 are to be followed. Compliance with the noise assessment criteria for day, evening and night acoustic periods at the nearest dwellings shall be achieved and maintained. A maximum 50kw inverters shall be installed, except where demonstrated that use of larger units will not affect this compliance.

Reason: To ensure the development does not result in any adverse acoustic impacts.

8. Ecology

Delete Condition 8(a) and replace with the following:

- a) If any live LHI Gecko or LHI Placostylus are detected during works they must be moved to similar habitat structures in the adjacent area (eg. fallen timber within dense native vegetation, old dwellings/structures) away from the development site so they can escape predation by predators such as the LHI Currawong, LH Woodhen and rodents.

Delete condition 8(c) and replace with the following:

- c) All lighting for any associated infrastructure must be tinted either yellow, orange or red to reduce the attractiveness by nesting seabirds.

Delete Condition 8(d) and replace with the following:

- d) Access to the site at night during seabird nesting season (mid-September – end of May annually) is to be restricted, and if necessary, any night time access must have a person on foot in front of the vehicle to clear the access of any birds.

Insert additional Conditions 8(e), (f), (g) & (h) as follows –

- e) The area currently used for storing road base is revegetated with native plants the winter following construction of the solar array to offset the loss of 30 native paddock trees and to improve nesting habitat for Flesh-footed Shearwater.
 - o The revegetation area must be cleared of grass and weed species prior to planting and must only use a mix of trees and shrubs native to LHI and must be planted at no more than 1.5 m spacings, and watered and fertilized at time of planting;
 - o Any dead plants must be replaced annually during the winter rain season;
 - o During periods of drought the planting must be watered;
- (f) The felled vegetation is to be placed within adjacent native vegetation as course mulch and woody debris to form micro habitats for invertebrates;
- (g) All building materials and building activity are restricted to being stock piled on cleared open areas.
- (h) As submitted the proposal shall be scheduled for construction during winter when Flesh-footed Shearwaters are not present.

10. Construction Hours

Amend Condition by adding the words after the last sentence:

“unless otherwise varied by the Manager Environment and Community Services and appropriate notification to nearby residents occurs.”

19 Subdivision

Amend Condition 19 to read:

“The required boundary adjustments, land consolidations, unincorporated road closures, road widenings and re-subdivision shall be undertaken as matters arising to facilitate completion of the subject development. This is to include the necessary adjustments to Lot 292 DP 48692, and subdivision of the Air Services Australia telecommunications facilities. As required, access to the Air Services Australia Telecommunications facilities and the adjoining Lot 101 DP 757515 are to be provided via a reciprocal right of way or other appropriate control (such as a licence). The Unincorporated Road Reserve shall be closed in accordance with the Lord Howe island Act 1953 (as appropriate).

Reason: To ensure compliance with previous development approvals issued by the LHIB and provide the required legal property access.”

Insert the following Condition Nos. 21 – 25:

21. Construction Certificate

- a) A construction certificate is required to be approved and issued by an Accredited Certifier, prior to the commencement of any works on site.
- b) If the applicant is proposing a Performance Solution for any requirements of the BCA/NCC, the relevant Performance Requirements must be determined in accordance with A0.7 of the BCA/NCC. A report outlining any proposed Performance Solutions must be compiled by an appropriate person and submitted with the application for a Construction Certificate.
- c) The applicant is to ensure that the Construction Certificate Plans are the same as the approved DA Plans.

- d) In the application for a Construction Certificate the applicant is to provide **detailed structural engineering plans** for the works. Structural plans are to address all actions including construction in Wind Zone A, and are to be certified by an appropriately qualified Structural Engineer in accordance with AS1170.2.
- e) Prior to issuing a Construction Certificate the applicant is to provide evidence of **payment of a Long Service Levy** as per section 34 of the Building and Construction Industry *Long Service Payments Act 1986*.
- f) Prior to the issuing of a Construction Certificate the applicant is to ensure compliance with any/all related conditions imposed by the Board as part of the Development Application process.

Reason: To ensure construction is undertaken in accordance with requirements.

23. Fire Safety

- a) As batteries have the potential for explosion the proposed building to house the new battery storage and other equipment must have elements, which will, to the degree necessary, avoid the spread of fire resulting from such an explosion.
- b) The applicant is to ensure that fire-fighting equipment are installed as per the requirements of the NCC for a Class 7 building and the intended use.
- c) All required Portable Fire Extinguishers are to be located in a conspicuous and readily accessible position with their location indicated by placement of a fire extinguisher location sign as per AS2444-2001.

Reason: To ensure the resulting development is fire safe.

24. Construction and Demolition

- a) No excavation is to commence until the site is inspected by the LHIB Senior Electrical Officer, (i.e. 'dial before you dig').
- b) All construction is to be carried out and completed in accordance with the National Construction Code (NCC).
- c) All electrical work must be carried out by a licensed electrician and an Electrical Compliance Certificate issued. The certification must be provided to the Board before any Occupancy Certificate for the building can be issued.
- d) All works are to be undertaken in accordance with approved Construction Certificate documentation.
- e) Pre-Commencement meeting to be arranged with the Owner, Builder and Board Personnel prior to any work commencing on site.
- f) The applicant is to ensure all Mandatory Inspections are undertaken.

Reason: to ensure works are undertaken appropriately.

25. Inspections

The applicant is required to appoint a Principle Certifying Authority (PCA) and apply for a Construction Certificate. The PCA will determine the mandatory inspections to be undertaken in accordance with the relevant legislation. These inspections may include:

Battery Building:

- i. Pre commencement/set out
- ii. After the commencement of the excavation for, and before the placement of, the first footing
- iii. Stormwater connections
- iv. Final Inspection, including fire related elements, prior to any Occupation Certificate being issued

Solar Array:

- i. Pre commencement/set out
- ii. After excavation for, and prior to the placement of, any footings
- iii. Prior to pouring any in-situ reinforced concrete element
- iv. Inspection of framework and bracing, and
- v. Final inspection, after the work has been completed and prior to any Occupancy Certificate being issued

Composting Toilet and Storage (Equipment) Shed

- As Class 10a buildings the Principal Certifying Authority (PCA) will require the following Mandatory Inspections to be undertaken during construction:
 - e) Precommencement/set out
 - f) After excavation for, and prior to the placement of, any footings
 - g) Prior to pouring any in-situ reinforced concrete element
 - h) Prior to covering of the framework for any floor, wall, roof or other building element, and
 - i) Prior to covering waterproofing in any wet areas, and
 - j) Final inspection, after the work has been completed and prior to any Occupancy Certificate being issued

Please note: It is the applicant or their representative's responsibility to book inspections with the Lord Howe Island Board at least 48 hours prior. Failure to do so may result in a delay in the inspection being undertaken.

Reason: This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.

Amend and update Advice to Applicant -

Advice to Applicant:

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides that a person must not take an action which has, will have, or is likely to have a significant impact on

A matter of national environmental significance (NES) matter; or Commonwealth land without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth EPBC Act 1999 does not have application.

The Commonwealth EPBC Act 1999 may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Determination Appeal

Section 8.7 and 8.10 of the EP&A Act 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court. This right of appeal is only valid for 12 months from the date of the consent. To determine the extent to which the consent is liable to lapse refer to Section 95 of the EP&A Act.

Report prepared by:

Endorsed:



Peter Chapman

Date: November 2019

LHI Consultant Town Planner & Director

ALL ABOUT PLANNING PTY LTD

Peter Adams

Date: 25 Nov 2019

Chief Executive Officer

Lord Howe Island Board

Board Meeting: December 2019

Agenda Number: 8(iv)

File Reference: DA 2020.01

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

Planning Assessment Report

1 Item

DA 2020.01 for construction of an attached ambulance garage to the Gower Wilson Memorial Hospital at Lot 34, DP 757515 being located on Lagoon Road / Bowker Avenue, Lord Howe Island.

2 Summary Assessment Report

Assessment Officer	Peter Chapman – Consultant Town Planner
Address/Property Description	Lot 34 DP 757515, Lagoon Road / Bowker Avenue, Lord Howe Island
Proposal	Attached ambulance garage to the Gower Wilson Memorial Hospital.
DA No	DA 2020.01
Applicant	Lord Howe Island Board (LHIB)
Owners Consent Granted	Not required by virtue of the proposal being a LHIB application.
Estimated Cost of Development	\$50,000
Site Inspections	A site inspection has been carried out.
Zone	Zone 5 Special Uses. Extensions to the hospital are permissible with the consent of the LHI Board within the zone.
Significant Native Vegetation Map	Part of the lot is mapped Significant Native Vegetation (SNV), however the proposal is not located within this mapped area and no SNV will be damaged or removed as a result of the proposal.
Notification	The DA was placed on public exhibition from 23/07/2019 until 06/08/2019.
Submissions Received	No submissions have been received.
Recommendation	That DA No. 2020.01 for construction of an attached ambulance garage to the Gower Wilson Memorial Hospital at Lot 34 DP 757515, Lagoon Road / Bowker Avenue, Lord Howe Island be approved subject to the conditions listed at the end of the report.

3 Consent Authority

The LHIB CEO and Chairperson has delegation to grant consent to DAs (DAs) subject to the



following conditions:

- The value of the development must not total \$150,000 or more (as calculated by the LHIB).
- The DA must not relate to the subdivision of land or the erection of new dwellings.
- No more than 3 written submissions received within 14 days of the public exhibition period.
- The application is not proposed by the LHIB.

The development does not comply with the above delegations to the CEO as it is a Board development, thereby requiring consideration by the full LHIB.

4 Site Description

The site is identified as Lot 34, DP 757515 and is occupied by the Gower Wilson Memorial Hospital and Staff (Nurses) Accommodation (located behind the hospital). As shown in *Figure 3*, Lot 34 is a rectangular shaped allotment and is located in Zone 5 Special Uses (refer *Figure 1*) under the LHI LEP 2010. Zone 2 Settlement surrounds the lot. The lot is located inland (east) of the Foreshore Building Line.

The front quarter of the allotment fronting Lagoon Road / Bowker Avenue is mapped Significant Native Vegetation (SNV) as shown in *Figure 2*, and this vegetation screens most of the hospital. An existing driveway access is provided to/from Lagoon Road through the SNV to a formal carpark area located along the northern property boundary, in front of the Hospital. The driveway extends around to the northern side and rear of the hospital to the Staff Accommodation behind.

Within the hospital and staff accommodation curtilage are scattered palms and planted landscaping. The site area behind the hospital and staff accommodation is generally cleared, with the exception of SNV/scattered palms that are located along the rear eastern property boundary.

Although there are mapped areas of significant vegetation (SNV) within parts of the site, as shown in *Figure 3*, the proposed works for the garage are proposed within this area. No SNV will be damaged or removed as a result of the proposal.

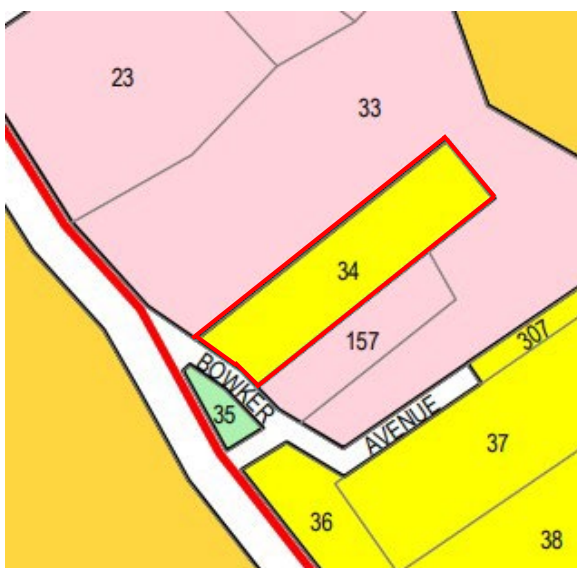


Figure 1: Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map detailing Lot 34, DP 757515 as Zone 5 Special Uses.



Figure 2: Extract from the LEP 2010 SNV Map identifying extent of SNV on subject site.



Figure 3: Aerial View of Subject Site

5 Proposed Development

The proposed development is to construct a new attached ambulance garage on the north western side of the Gower Wilson Memorial Hospital. The garage building will be single storey, have a roller door at the front western side, and on the southern side have a small door opening outwards to an undercover awning leading onto a ramp to the hospital entrance landing.

The building will be 8.68m long x 3.87m wide, having a footprint area of 33.59m². The walls will be cladded to match the existing profile and colour of the hospital. The existing roof will be extended towards the western and northern sides of the building over the garage to enable intersecting hip and gable rooflines to match the existing roof pitch and profile. The colour of the roof will also match the existing hospital details. The development will maintain the roof height.

The proposed side setback from the western corner of the new garage to the property boundary will be 6.5m.

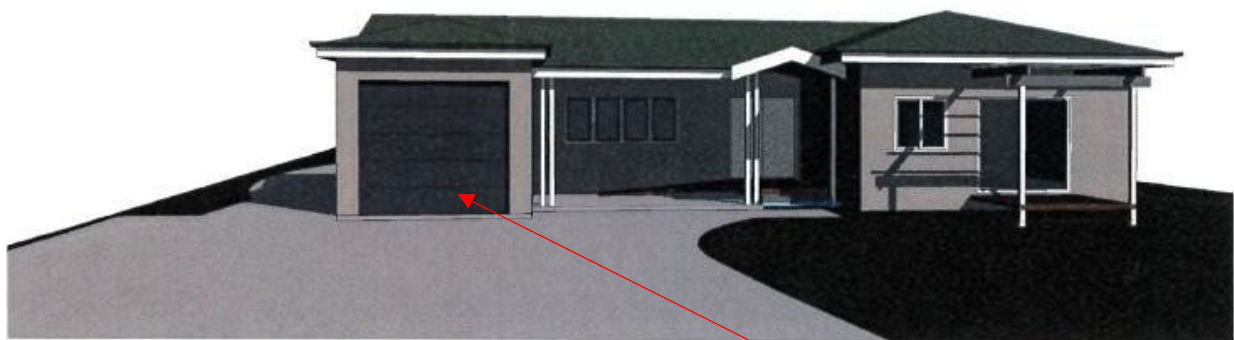
The existing covered ambulance bay located at the front western side of the hospital will remain unchanged, but will abut with the proposed garage.

To maintain the existing access to the rear Nurses Accommodation the proposal also includes a minor triangular widening of the driveway adjoining the new garage. This is only within an existing landscaping bed and will maintain a 2m setback between the driveway and the side property boundary.



Figure 4: Front of existing LHI Hospital, side driveway & location of proposed attached ambulance garage

Key extracts from the plans for the proposal submitted by the applicant are provided below (ref Figures 5 - 9).



1 Artists Impression

Figure 5: Applicant's 3D Perspective of Hospital with New Garage on the left

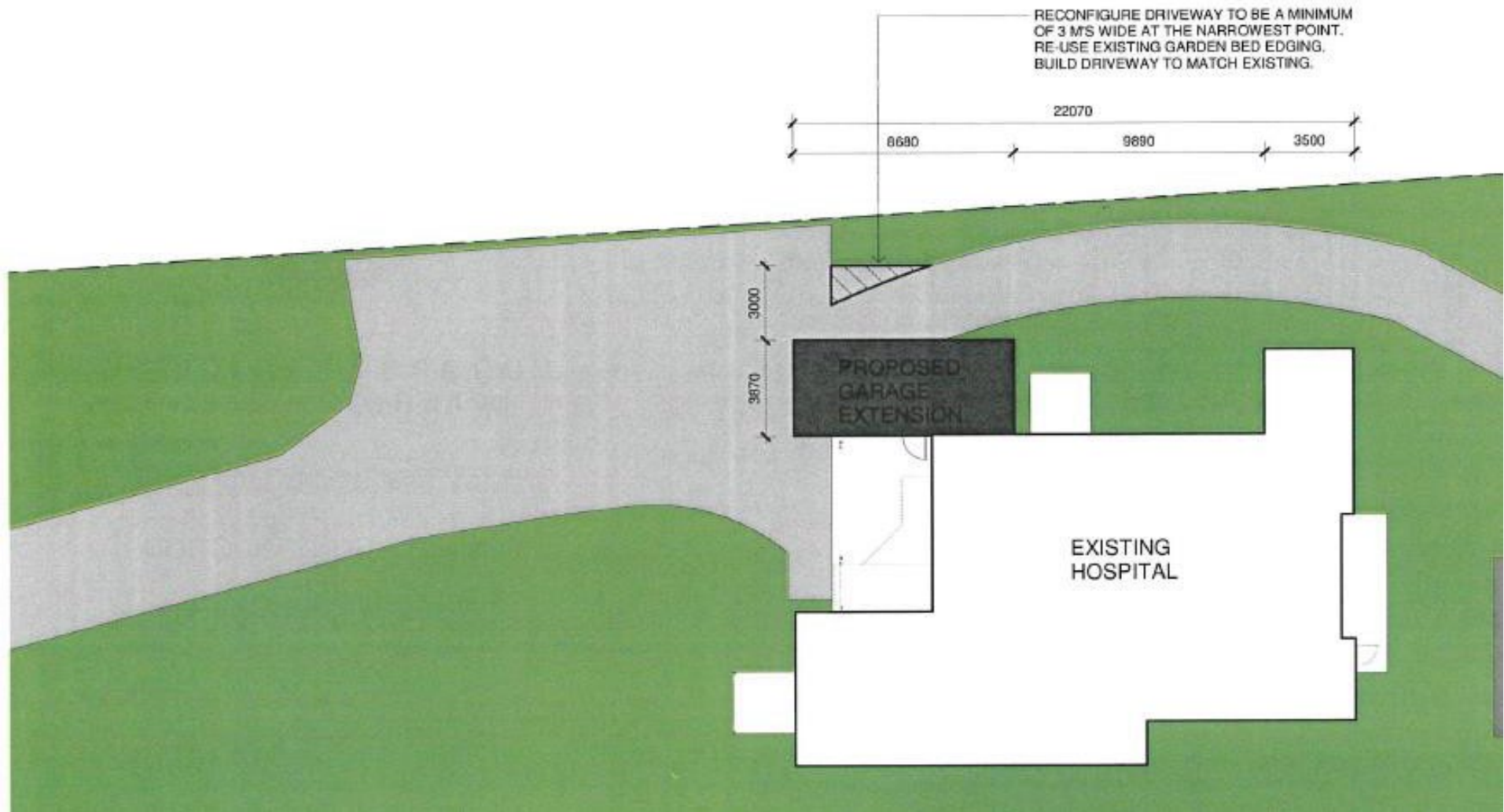
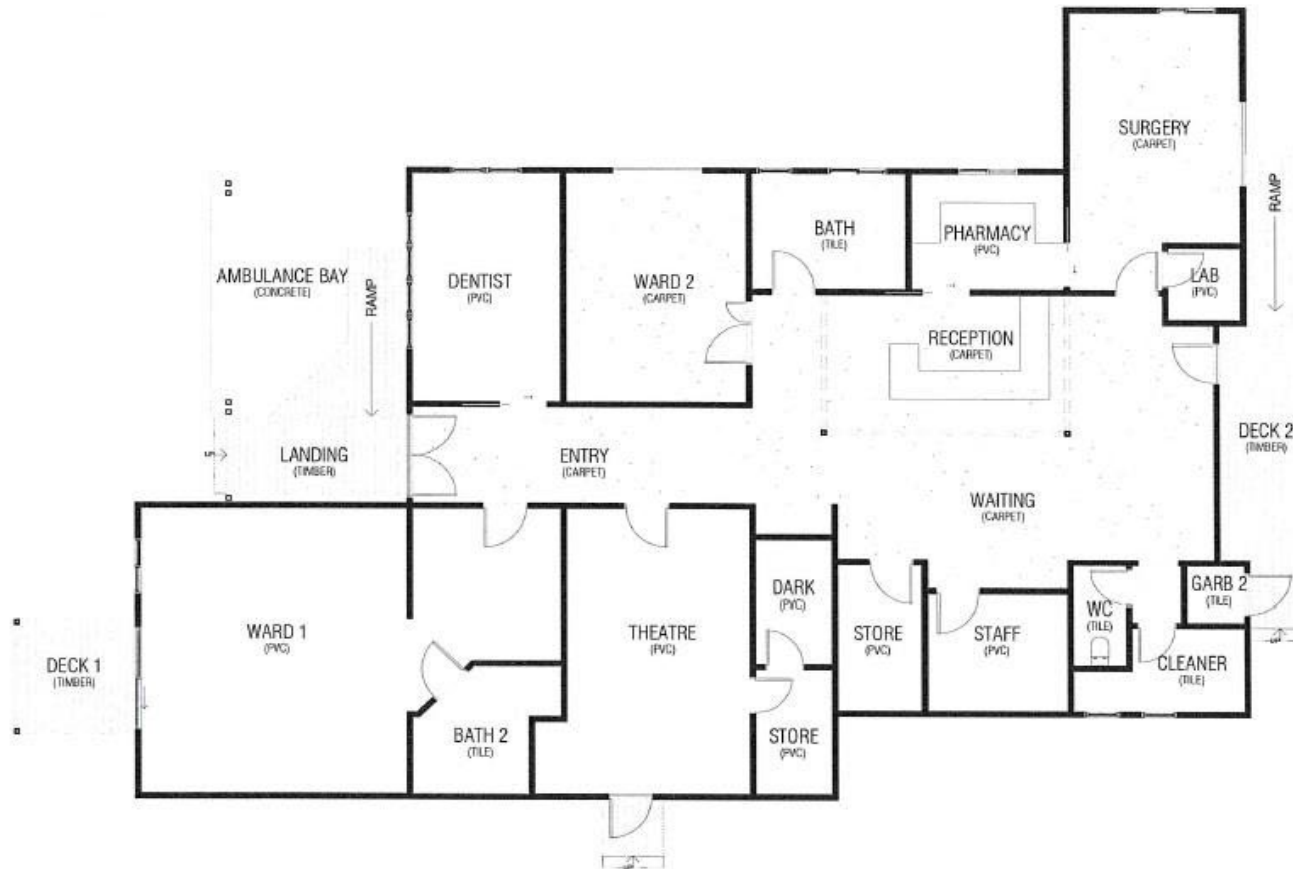


Figure 6: Applicant's submitted Site Plan



Fig

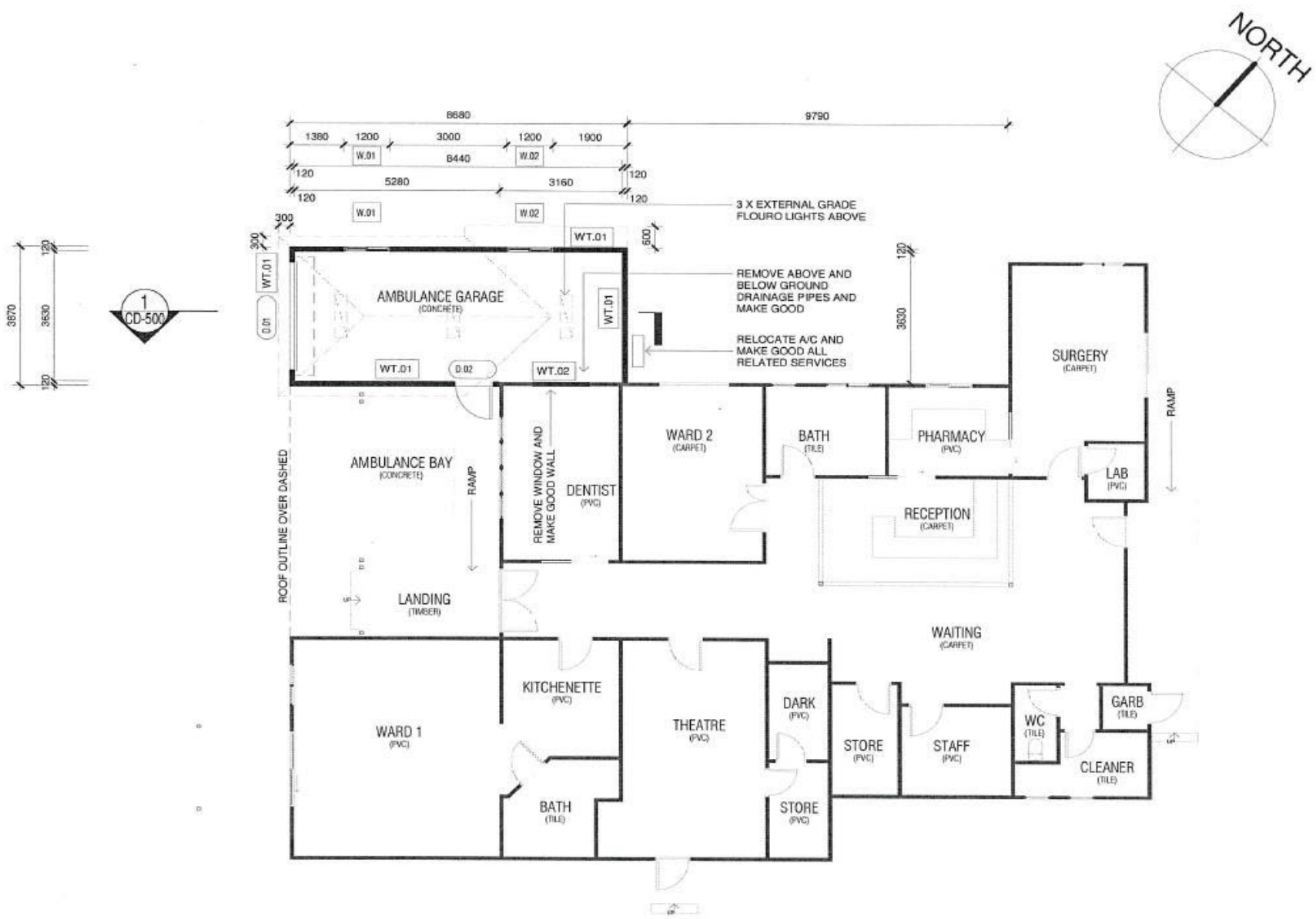
Fig



1 Existing Ground
1 : 100

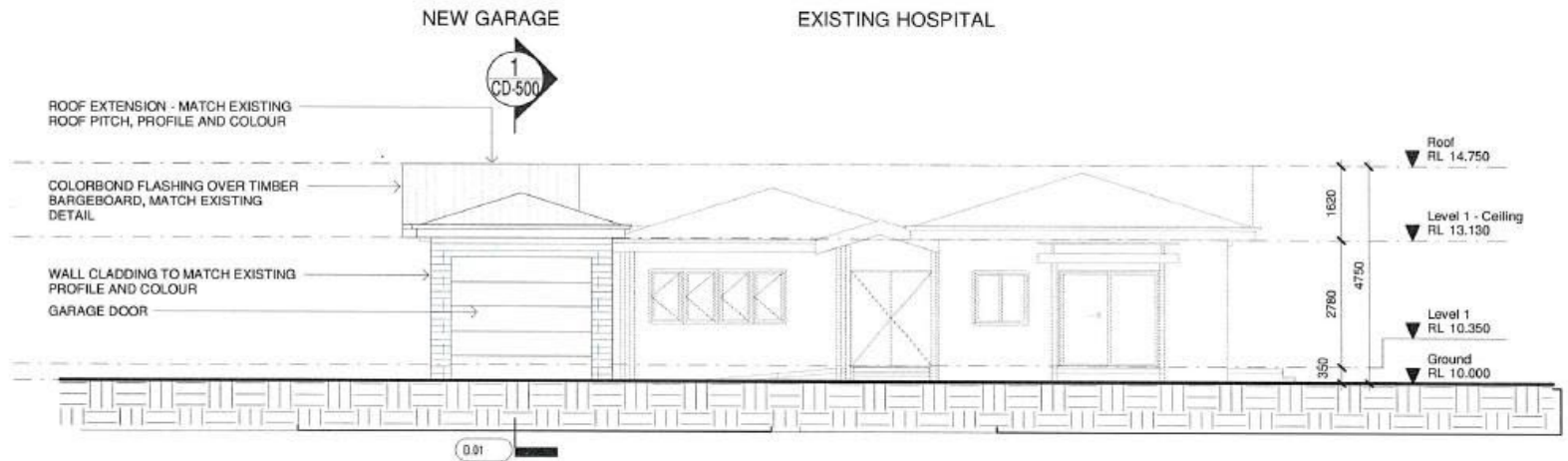
Figure 7: Applicant's submitted Existing Ground Floor Plan



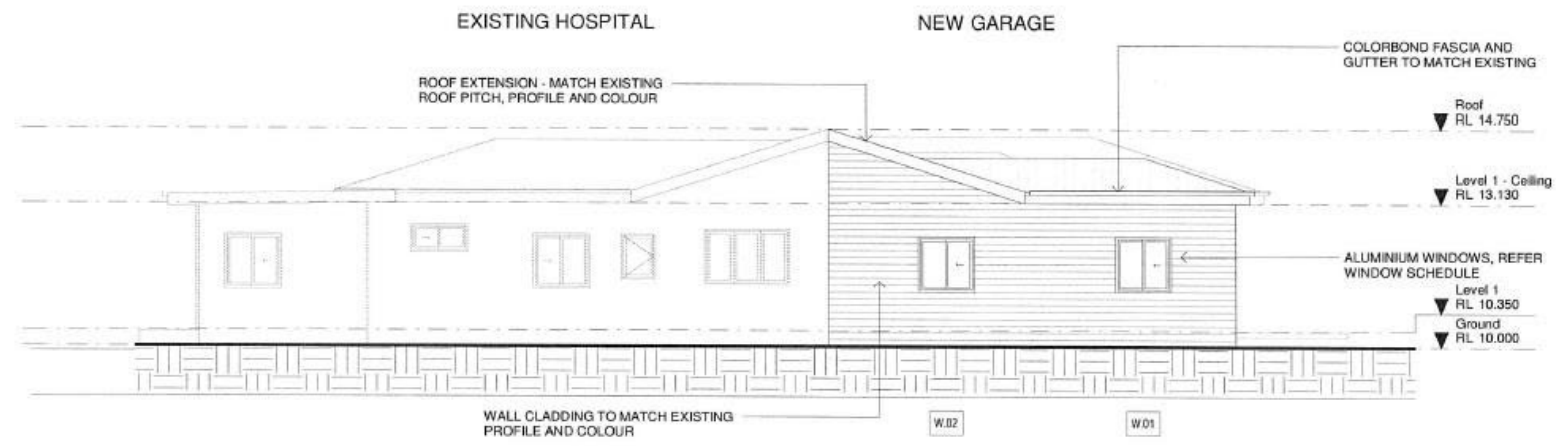


1 Proposed Ground
1 : 100

Figure 8: Applicant's submitted Proposed Ground Floor Plan



1 West Elevation
1 : 100




2 North Elevation

Figure 9: Applicant's submitted Western and Northern Elevations

6 Referrals

The LHIB has advised that the application was distributed to the relevant internal specialists for review. No objections to the proposal were raised. The table below outlines the issues raised by these specialists and the response.

6.1 Comments received from internal specialists

Specialist	Issue	Comment
Manager Environment World Heritage (Hank Bower)	<p>Comment</p> <p>The property is zoned Zone No. 5 – Special Uses according to the Lord Howe Island Local Environmental Plan 2010. The objectives of this zone are:</p> <p>(a) to provide utility services that are essential to the community’s needs in a manner that is in sympathy with the World Heritage values of the natural environment of the Island,</p> <p>(b) to maintain efficient services (such as education, health and transport services and the administration of the Island) and associated infrastructure.</p> <p>The proposal is consistent with these objectives.</p> <p>The proposal will require the removal of up to 10 planted Kentia Palms <i>Howea forsteriana</i>, 4 Kava <i>Macropiper excelsum</i> subsp. <i>psittacorum</i> and 1 naturally recruited Cottonwood <i>Celtis conferta</i> subsp. <i>amblyphylla</i> from established gardens. This vegetation has been planted as a native garden for landscaping purposes and is considered to form part of an established garden and therefore exempt from requiring approval under Clause 80, Part 5 of the LHI Regulation 2014.</p> <p>The proposal will not result in the removal or damage of any Significant Native Vegetation (SNV). The Study area contains vegetation mapped as SNV, which is located outside the development footprint (see Figure 1).</p>  <p>Figure 1. SNV at Gower Wilson Memorial Hospital.</p>	Noted and recommended accordingly

It should be noted that the area of SNV has been reduced through unapproved vegetation removal in the vicinity of the satellite dish.

The proposal will not result in any significant impacts on any Threatened species, populations or ecological communities, or their habitats as it only involves the demolition of existing infrastructure and construction of a garage in an established garden adjacent to the hospital building and on part of an existing driveway.

There is native vegetation in the Study area which is mapped by Sherringham *et al* 2016 as community 17a – Greybark – blackbutt rainforest and Ep Environmental planting. The vegetation at the Subject site is mapped by Pickard (1983) as vegetation association Da-Ct *Drypetes australasica* – *Cryptocarya triplinervis*. The Sherringham *et al* 2016 mapping is considered accurate.

The subject site provides known or potential habitat for at least 6 threatened species being; LHI Gecko *Christinus guentheri*, LHI Currawong *Strepera graculina crissalis*, LHI Golden Whistler *Pachycephala pectoralis contempta*, LHI Silvereye *Zosterops lateralis tephroleura*, Lord Howe Woodhen *Hypotaenidia sylvestris* and LHI Placostylus *bivaricosus*.

The LHI Currawong, LHI Golden Whistler, LHI Silvereye and LH Woodhen are all widely distributed across the Island and regularly occupy forests and gardens within the settlement. They are commonly found co-habiting with human infrastructure within the settlement area and in the case of the LHI Currawong, LHI Golden Whistler, LHI Silvereye and LH Woodhen will forage and roost around dwellings and associated infrastructure. However, the core habitat resources for all these species is dense native vegetation.

The LHI Gecko is known to occur throughout the settlement of LHI where it can utilise human made structures and stock piled building materials (e.g. sheets of corrugated iron etc) as sheltering habitat. It can be found within cavities of dwellings that exclude rodents and shelters within cracks and cavities in trees and rocks. It is possible that LHI Gecko could be present within the existing building and could be detected during renovations. Any animals detected during works must be moved to similar habitat structures in the adjacent area (e.g. fallen timber within dense native vegetation, old dwellings/structures) away from the development site

The Subject site includes areas mapped as modeled High Quality Habitat (A) for LHI Placostylus. This mapping is considered accurate where there is intact native vegetation (which is outside the proposed development

	<p>footprint). The LHI Placostylus favours forested habitats on calcarenite soils with a dense shaded canopy, continuity with large areas of vegetation and a thick moist leaf layer in which they can burrow during dry times. This habitat is present at the Subject site, although is restricted to remnant vegetation west of the proposed development.</p> <p>A 5 Part Test of significance is attached and concludes that the proposed development will not result in any significant impacts on any Threatened species, populations or ecological communities, or their habitats providing the recommendations below are adhered to.</p> <p>Recommendations</p> <p>That the development be approved subject to.</p> <ul style="list-style-type: none"> • If any live LHI Gecko or LHI Placostylus are detected during works they must be moved to similar habitat structures in the adjacent area (e.g. fallen timber within dense native vegetation, old dwellings/structures) away from the development site so they can escape predation by predators such as LHI Currawong, LH Woodhen and rodents. • All building materials and building activity are restricted to being stock piled on cleared open areas. 	
<p>Team Leader, Compliance and Projects (Kate Dignam)</p>	<p>Building Class: 7a</p> <p>Notes relating to issuing of Construction Certificate</p> <ul style="list-style-type: none"> • If the Development Application is approved the applicant is required to apply for a Construction Certificate for the proposed works. No works can commence until a valid Construction Certificate for the works has been issued. • All construction is to be carried out and completed in accordance with the National Construction Code (NCC) 2019 - Building Code of Australia (BCA) Volume One. • If the applicant is proposing a Performance Solution or a Deemed-to-Satisfy Solution for any requirements of the NCC, the relevant Performance Requirements must be determined in accordance with A2.2 and A2.3 of the NCC 2019 BCA Vol 1. A report outlining any proposed Performance Solutions must be compiled by an appropriate person and submitted with the application for a Construction Certificate. • In the application for a Construction Certificate the applicant is to provide detailed structural engineering plans for the works. Structural plans 	<p>Noted and recommended accordingly</p>

	<p>are to address all actions including construction in Wind Zone A, and are to be certified by an appropriately qualified Structural Engineer in accordance with AS1170.2.</p> <ul style="list-style-type: none"> • The applicant is to ensure the Construction Certificate plans align with the approved Development Application plans. • In the application for a Construction Certificate the applicant is to provide evidence of payment of a Long Service Levy as per section 34 of the Building and Construction Industry Long Service Payments Act 1986. • Prior to the issuing of a Construction Certificate the applicant is to ensure compliance with any/all relevant conditions imposed by the Board as part the Development Application approval process. <p>Access for People with a Disability</p> <ul style="list-style-type: none"> • The applicant is to ensure NCC/BCA compliance in regard to doorway widths and manoeuvring areas throughout all areas of the new garage. <p>Safe Movement and Access</p> <ul style="list-style-type: none"> • Applicant is to ensure sufficient area is available to the north of the proposed new garage to reroute the driveway to the rear of the hospital without additional restrictions. This is the only vehicular access to the two residential flats located to the rear of the hospital. It is also the access for services including garbage, potable water and wastewater for the entire hospital complex. <p>Fire Safety</p> <ul style="list-style-type: none"> • If the development is approved the applicant is to ensure that fire-fighting equipment is installed as per the requirements of the NCC for a Class 7a building and the intended use. • All required Portable Fire Extinguishers are to be located in a conspicuous and readily accessible position with their location indicated by placement of a fire extinguisher location sign as per AS2444-2001. • The applicant is to ensure that an Annual Fire Safety Statement for the Hospital Complex is supplied to the Board as a record of the functionality and ongoing maintenance of any fire safety measures installed. • The applicant is encouraged to install 38mm 'Storz' fittings to existing and new water tanks to enhance the Rural Fire Service firefighting capabilities should there ever be a need for firefighting at the Hospital. 	
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	<p>Wastewater</p> <ul style="list-style-type: none"> • All plumbing work, including the disconnections and reconnections for the dental surgery to the wastewater system, is to be undertaken by a licenced plumber. <p>Water</p> <ul style="list-style-type: none"> • All plumbing work, including the dental surgery potable water connections and disconnections, is to be undertaken by a licensed plumber. • The applicant is to ensure all stormwater from the new roof structure is diverted to rainwater tanks and/or an appropriate absorption trench. <p>Waste Management</p> <ul style="list-style-type: none"> • All construction waste is to be contained within the site and then be recycled or disposed of at the authorised waste management facility on the Island. This excludes asbestos waste, which is the responsibility of the applicant to remove from the Island. • No waste shall be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site. <p>Construction and Demolition</p> <ul style="list-style-type: none"> • No excavation to be carried out until the site is inspected by the LHIB Senior Electrical Officer, i.e. 'dial before you dig'. • All construction is to be carried out and completed in accordance with the National Construction Code (NCC). • All electrical work must be carried out by a licensed electrician and an Electrical Compliance Certificate issued. The certification must be provided to the Board before any Occupancy Certificate for the building can be issued. • All works are to be undertaken in accordance with approved Construction Certificate documentation. • Pre-Commencement meeting to be arranged with the Owner, Builder and Board Personnel prior to any work commencing on site. If the applicant is nominating the Lord Howe Island Board as the Principal Certifying Authority, this meeting will constitute the pre-commencement and site set out inspection. • The applicant is to ensure all Mandatory Inspections are undertaken. 	
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	<p>Inspections</p> <ul style="list-style-type: none"> • As a Class 7a Building the Principal Certifying Authority (PCA) will require the following Mandatory Inspections to be undertaken during construction: <ul style="list-style-type: none"> a) Pre commencement/set out b) After the commencement of the excavation for, and before the placement of, the first footing c) Stormwater connections d) Final Inspection prior to Occupation Certificate being issued 	
Board surveyor (Gary Millman)	I marked out the proposed Ambulance Garage (8.68m x 3.87m) as per the plans. I did a rough measurement from the proposed western corner of the garage to the boundary and it appears to be 6.5m.	Noted

7. Planning Assessment

The following planning assessment has been undertaken for the proposed development taking into account the relevant statutory controls, and other relevant matters as detailed below in this report.

7.1 Commonwealth legislation

7.1.1 *Environmental Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) provides for the protection of certain matters of national environmental significance (NES) listed under the Act, which include:

- World Heritage Areas
- National Heritage Places
- Ramsar wetlands of international importance
- Commonwealth listed threatened species and ecological communities
- Listed migratory species
- Commonwealth marine areas
- Great Barrier Reef Marine Park
- Nuclear actions.

Under the EPBC Act, Commonwealth approval is required from the Minister of Sustainability, Environment, Water, Population and Communities (Minister) for any action that will have or is likely to have a significant impact on a NES, or on the environment of Commonwealth land or on the environment if the action is proposed to be taken by a Commonwealth agency (known as a 'controlled action').

A person proposing to take a controlled action must refer the proposal to the Minister for determination. A person proposing to take an action that the person thinks is not a controlled action may refer the proposal to the Minister for the Minister's decision whether or not the action is a controlled action.

Lord Howe Island is a declared World Heritage Property. Section 12 of the EPBC Act 1999 requires approval of actions that involve a significant impact on a declared World Heritage Property.

An Advisory Note has been included in the recommendation to this report, that the applicant make independent enquiries with the Australian Government's Department of the Environment and Energy, to confirm whether they consider the proposed actions as detailed in this report are likely to have any impact on the heritage values of the:

- *World Heritage and National Heritage listed Lord Howe Island Group - ID 105085 and 105694, and*
- *Register of the National Estate listed Lord Howe Island Group and Marine Environs - ID 201.*

7.2 NSW legislation

7.2.1 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (NSW) (BC Act) sets the framework for the listing of threatened species, populations and ecological communities, and key threatening processes in NSW, and the preparation and implementation of recovery plans and threat abatement plans.

The BC Act also provides the mechanism for applying for and obtaining licences to take actions, which could result in harm to a threatened species, population or ecological community, or their habitat, or damage to critical habitat.

Refer to the internal referral comments and Threatened Species Assessment received from the LHIB's Manager Environment / World Heritage provided earlier in section 6.1 of this report. As noted, the removal of 10 *Kentia* palms will be required, however as this vegetation has been planted as a native garden for landscaping purposes and is considered to form part of an established garden and therefore exempt from requiring approval under clause 80, Part 5 of the LHI Regulation 2014.

Additionally, the Threatened Species Assessment concluded that the proposal will not result in any significant impact on any Threatened species, populations or ecological communities, or their habitats and is unlikely to cause significant disruption at the population level. Therefore, as the project does not put any species at risk of extinction, the LHIB believes the production of a Species Impact Statement is not warranted. The report states that as the proposal only involves the demolition of existing infrastructure for a garage in an established garden adjacent to the hospital building and on part of an existing driveway, the proposal can be undertaken with compliance of appropriate conditions to mitigate potential environmental impacts, and these conditions have been included in the attached report recommendation.

7.2.2 NSW Heritage Act 1977

The main objective of the Heritage Act 1977 (Heritage Act) is to encourage the conservation of the heritage of NSW. Pursuant to Section 91 of the EP&A Act 1979, Section 58 and Section 57(1) of the Heritage Act are triggered by this application.

The Lord Howe Island Group is listed on the State Heritage Register. Section 57 (1) of the Heritage Act requires that all applications to carry out development on Lord Howe Island, be referred to and granted concurrence by the NSW Heritage Office. This provision is overridden however by the operation of Section 57 (2), in the circumstance of the Minister issuing a Heritage Exemption Order.

On 9 January 2015, the NSW Minister for Heritage published an order under section 57(2) of the Heritage Act, providing for an exemption to refer specific activities to the Heritage Division, instead requiring referral of only those applications requiring consent under clause 39 of the LHI LEP 2010. The site does not require consent under clause 39 as it is not a listed heritage item within the LEP 2010. Therefore, referral to the NSW Heritage Division of this application is not required.

The Lord Howe Island War Memorial is located opposite the subject site in Lagoon Road. The proposal (with its low single storey scale, small area, being attached to the existing hospital building, located approximately 55m from the Memorial and with the established mapped SNV located at the front of the site providing effective screening), is outside of the effective curtilage of the memorial and will not have any appreciable impact on its heritage significance.

7.3 Local Statutory Plans and Policies

7.3.1 Lord Howe Island Local Environmental Plan 2010

The LEP 2010 is the principal environmental planning instrument applying to the proposal.

The following summary table details the various LEP provisions relevant to the subject proposal with assessment and/or comment included as required.

Permissibility - Lord Howe Island Local Environmental Plan 2010

The proposal is not Exempt Development under Clause 9 of the LEP 2010.

LEP 2010 compliance summary table

LEP 2010 Clause		Compliance Y/N	Comment
Part 1 Preliminary			
2	Commencement and Aims of Plan	Y	Each of the aims of the LEP 2010 have been considered in the assessment of this application. The proposed works can be undertaken with minimal negative environmental impact and/or disturbance to protected flora and fauna native to the Island. Works on the Gower Wilson Memorial Hospital also facilitates the LHI community's welfare and safeguards community facilities through economic development.
3	Land to which plan applies	Y	The LEP 2010 applies to the subject site which is part of the Lord Howe Island, as defined in Section 3 of the <i>Lord Howe Island Act 1953</i> .
6	Who is the consent authority for this Plan?	Y	The LHIB is the consent authority.
7	Maps	Y	Noted

LEP 2010 Clause		Compliance Y/N	Comment
9	Exempt Development	N/A	The proposed development is not listed as Exempt Development within Schedule 1 of the LEP.
11	Matters that must be satisfied before development consent granted	Y	All relevant matters contained within clause 11 are satisfied - refer to the clause 11 assessment following.
Part 2 General Provisions applying in particular zones			
12	Land Use Zones	Y	The land is zoned Zone 5 Special Uses.
15	Zone 5 Special Uses	Y	The proposal complies with the LEP zone objectives and is permissible with the consent of the LHIB. Hospitals are permitted with consent in Zone 5 Special Uses. The proposed garage will contribute to maintaining the services of the ambulance at the hospital.
Part 3 Special Provisions			
Division 1 Provisions for particular kinds of development			
29	Maximum height of buildings: 7.5m	Y	The proposed development will include an extension of the existing Hospital roof height which complies with the LEP provision.
Division 2 Provisions that apply to particular land			
32	Setbacks of buildings in Zone 1, 2 or 5: 10m: road frontage 5m: all others	Y	The proposed garage will maintain a front (western) boundary setback to Lagoon Road / Bowker Avenue of approximately 44m complying with the LEP provisions. The garage will be setback 6.5m from the north eastern (side) boundary also complying with the LEP and maintaining adequate landscape screening, visual amenity, and the landscaped character of the area.
35	Foreshore development	Y	The site is not located within the foreshore area, being east of the Foreshore Building Line.
39	Development Affecting Heritage Items	N/A	Refer to the assessment under the NSW Heritage Act 1977 in section 7.2.2 of this report. The subject site is not a listed heritage item.

CLAUSE 11 MATTERS

Clause 11 of the LHI LEP 2010 provides that the consent authority must not consent to the carrying out of development unless it is satisfied regarding the following matters. These requirements with respect to the proposed development are discussed below.

CLAUSE 11 REQUIREMENT	COMPLIANCE Y/N	DISCUSSION
a) <i>The proposed development is consistent with the aims of this plan and the objectives of any zone, as set out in the plan, within which the development is proposed to be carried out,</i>	Y	The new attached garage will be constructed within Zone 5 Special Uses under the LHI LEP 2010 and is consistent with the aims and objectives of the LEP.
b) <i>There is an adequate area available for the disposal or treatment of any effluent treatment or disposal system and any such system will not have any adverse impact on groundwater quality,</i>	N/A	As the proposal is for a garage, with no toilet or basin installation, it does not require any effluent treatment.
c) <i>No part of the proposed development:</i> i. <i>will result in any damage to, or removal of, significant native vegetation, or</i> ii. <i>will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,</i>	Y	As stated earlier in this report, part of the lot is mapped Significant Native Vegetation (SNV). The proposed development is not located within a SNV mapped area and no SNV will be damaged or removed as a result.
d) <i>Access is, or will be, available to the site of the proposed development and the provision of any such access will not:</i> i. <i>result in any damage to, or the removal of, significant native vegetation, or</i> ii. <i>have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,</i>	Y	No change to current vehicle access arrangements to/from Lagoon Road / Bowker Avenue are required. The proposal will require a minor widening of the existing driveway adjoining the garage to permit continued rear access for the hospital and staff (/nursing) accommodation. As stated in the above comments on subclause (c) no SNV or habitat of any plants, or animals that are native to the Island will be significantly impacted by the development.
e) <i>Any proposed landscaping will provide various species of plants that are native to the Island and common in the locality to enhance any significant native vegetation,</i>	Y	The site is already screened adequately by native plantings and palms.
f) <i>The proposed development will not be adversely affected by any landform limitations, including flooding, landslip, unstable soils and steep slopes,</i>	Y	The site is not affected by such hazards.
g) <i>Adequate services in respect of the proposed development can</i>	Y	No additional infrastructure services are anticipated to be required.

CLAUSE 11 REQUIREMENT	COMPLIANCE Y/N	DISCUSSION
<i>be provided without significant additional cost to the Board or the community of the Island,</i>		
<i>h) The appearance of the proposed development (when considered by itself or in conjunction with existing buildings and works) will not have any significantly adverse impact on the locality,</i>	Y	The proposal will not create any appreciable adverse visual impact on the locality, given its location within the centre of the site, the significant SNV landscape screening present on Lagoon Road/ Bowker Avenue, being attached to the side of the existing Hospital building, being small in area, low in scale and maintaining adequate and complying vegetated setbacks to the side property boundaries.
<i>i) The proposed development will not cause any significant overshadowing of adjoining land,</i>	Y	The proposed development will not create any overshadowing of adjoining properties.
<i>j) The proposed development will not cause any significant reduction in the privacy of occupiers of adjoining land</i>	Y	The proposed works will not create any detrimental privacy impacts to adjoining properties due to its low built scale and proposed setbacks to boundaries.

6.1.1 Lord Howe Island Development Control Plan 2005

The Lord Howe Island Development Control Plan 2005 (DCP 2005) applies to the subject site and an assessment of the provisions of the DCP relevant to the subject proposal is included in the following table.

DCP Compliance summary table

LHI DCP 2005 Clause		Compliance Y/N	Comment
Part 1 Introduction			
1.2	Plan Objectives	Y	The proposed works on the existing Gower Wilson Memorial Hospital are consistent with the Plan objectives.
1.4	Where does plan apply?	Y	This DCP applies to the subject site.
Part 2 Design Principles			
2.1	Introduction	Y	Noted.
2.2	Objectives	Y	The proposal will be consistent with the DCP's design objectives as outlined in this assessment report.
2.3	Design Context	Y	The proposed garage is consistent with the typical need and design characteristics of the site and locality.

2.4	Bulk and Scale	Y	The proposal is consistent with the character and existing low built form and scale of the existing building on site and its surrounds.
2.5	Building Forms	Y	The built form of the proposed works will be in keeping with the established low density residential form and character of the Island.
2.6	Building Materials & Colours	Y	The proposed works will be consistent with the existing external architectural details, roofline, cladding and colours of the hospital. A condition requiring the selected new materials and finishes to complement the existing structures on site has been included in the attached recommendation.
2.7	Energy and water efficiency	Y	The proposal is for a garage; therefore, energy and water efficiency provisions are limited. Stormwater will be disposed by existing means.
2.8	Landscaping design	Y	The proposal will not have a detrimental impact on the established site landscaping.
2.9	Site access and parking	Y	No change to existing carpark arrangements are proposed. As discussed, the driveway will be widened to permit continued access to the rear of the site.

7 Environmental Effects

7.1 Environmental Planning and Assessment Act 1979

Under the provisions of section 4.15, (previously 79C(1)) of the EP&A Act, in determining a DA, a consent authority is to take into consideration the following matters as are of relevance to the development the subject of the DA.

- a) the provisions of the following that apply to the land to which the development application relates:
 - i. any environmental planning instrument
Comment: an assessment against the LHI LEP 2010 has been undertaken (see Section 6.3.1) and the proposed development was found to comply with all relevant provisions.
 - ii. any proposed instrument that is or has been the subject of public consultation under this Act
Comment: N/A
 - iii. any development control plan
Comment: An assessment of the proposal against the LHI DCP 2005 has been undertaken in Section 7.3.2 and was found to comply.
 - iii any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4,
Comment: There are no planning agreements relevant to the application.
 - iv. the regulations (to the extent that they prescribe matters for the purposes of

this paragraph),

Comment: There are no relevant matters prescribed by the regulations.

- v. any coastal zone management plan (with the meaning of the Coastal Protection Act 1979)

Comment: There are no coastal zone management plans relevant to the application

- b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

An assessment of the environmental impacts of the proposed construction of an attached garage extension to the Gower Wilson Memorial Hospital have been considered elsewhere in the subject report. The table below provides further assessment of any likely impacts.

Likely environmental impacts

Potential Impacts	Proposal
Access, Transport and Traffic	The proposal will not detrimentally impact on the existing access into the subject site or public pedestrian or vehicular movement on Lagoon Road/ Bowker Avenue. The proposed widening of the driveway near the north-western corner of the garage will provide satisfactory continued access within the site.
Public Domain, Visual and Streetscape	Refer to the assessment provided earlier under LHI LEP 2010 clause 11(h).
Ecological	As stated in section 6.1 of this report, the LHIB's Manager Environment World Heritage has confirmed that the proposal will not result in the removal of any SNV or result in a significant effect for any threatened species, populations or ecological communities, or their habitats.
Flood	The site is not identified as flood affected.
Heritage	The subject site is not listed as a heritage item.
Views	Public and private views will not be impacted by the works.
Privacy	Privacy will not be impacted by the works.
Open Space	Open space will not be impacted by the proposal.
Social and economic Impact in Locality	There will be no adverse social or economic impact. The proposal will improve the capacity of the hospital to house the ambulance, and facilitate its continued service form the hospital.
Construction	Potential impacts from construction activities will be minimised through the recommended conditions of the consent.

- c) the suitability of the site for the development

Having regard to its location, and the preceding assessment, the site will adequately accommodate the proposed extension on the hospital and is suitable for the reasons outlined in this report.

- d) any submissions made in accordance with this Act or the regulations

As confirmed earlier in this report no submissions were received to the notification of the proposal.

- e) the public interest

For the reasons outlined in the preceding assessment, it is considered that the proposed works on the existing hospital will be in the public interest, subject to appropriate conditions included in the attached recommendation.

8 Conclusion

This DA has been assessed with regard to the provisions of Section 4.15 of the EP&A Act, the LEP 2010 and DCP 2005 and the relevant codes and policies of the Lord Howe Island Board.

The application for construction of a new attached ambulance garage to the Gower Wilson Memorial Hospital, has planning merit and is supported subject to the application of a number of conditions outlined in the following recommendation.

9 Recommendation (Conditional Approval)

That DA No. 2020.01 for construction of an attached ambulance garage to the Gower Wilson Memorial Hospital at Lot 34 DP 757515, Lagoon Road / Bowker Avenue, Lord Howe Island be approved subject to the following conditions:

1. Approved Plans and Supporting Documentation

The development is to be carried out in accordance with the plans and documentation provided with DA No. 2020.01 as listed below and endorsed with the Lord Howe Island Board's stamp, except where amended by other conditions of consent.

- a) Completed DA Form prepared by John Van Gaalen, dated 18.07.2019.
- b) Statement of Environmental Effects prepared by John Van Gaalen, dated 27.09.2019
- c) The following plans prepared by DDC Architecture & Interior Design, Project No. 18013, dated 24/01/2019:
 - Contents (CD 000), Site Plan (CD 100), Existing Floor Plan and Roof Plan (CD 201-202), Proposed Floor Plan and Roof Plan (CD 211-212); Elevations (CD 400-401), Section (CD 500), and Schedule (CD 700) submitted as part of the DA documentation.

Reason: To ensure the development is carried out in accordance with the details submitted in the DA.

2. Construction Certificate

- a) If the Development Application is approved the applicant is required to apply for a Construction Certificate for the proposed works. No works can commence until a valid Construction Certificate for the works has been issued.
- b) All construction work is to be carried out and completed in accordance with the National Construction Code (NCC)/ Building Code of Australia (BCA).
- c) If the applicant is proposing a Performance Solution or a Deemed-to-Satisfy Solution for any requirements of the NCC, the relevant Performance Requirements must be determined in accordance with A2.2 and A2.3 of the NCC 2019 BCA Vol 1. A report outlining any proposed Performance Solutions must be compiled by an appropriate person and submitted with the application for a Construction Certificate.
- d) The applicant is to ensure that the Construction Certificate Plans are the same as the approved DA Plans.

- e) Prior to the issuing of a Construction Certificate the applicant is to provide detailed structural engineering plans for the development works. The structural plans are to address compliance with construction in Wind Zone A, and are to be certified by an appropriately qualified Structural Engineer in accordance with AS1170.2.
- f) Prior to issuing of a Construction Certificate the applicant is to provide evidence of payment of a Long Service Levy as per section 34 of the Building and Construction Industry Long Service Payments Act 1986.
- g) Prior to the issuing of a Construction Certificate the applicant is to ensure compliance with any/all conditions imposed by the Board as part the Development Application approval process.

Reason: To ensure construction is undertaken in accordance with requirements.

3. Access for People with a Disability

The applicant is to ensure compliance with Disability (Access to Premises – Buildings) Standards 2010 (DS), the National Construction Code (NCC) and AS 1428.1 in regard to doorway widths and manoeuvring areas throughout all areas of the new garage.

Reason: To ensure compliance with regulatory provisions to ensure access, safety and amenity for people with a disability.

4. Safe Movement and Access

As proposed on the approved plans the existing driveway is to be widened adjoining the new garage to facilitate continued rear access to the Hospital and Nurses Accommodation.

Reason: This is the only vehicular access to the two residential flats located to the rear of the hospital. It is also the access for services including garbage, potable water and wastewater for the entire hospital complex.

5. Fire Safety

- a) Prior to the Occupation Certificate, the applicant is to ensure that fire-fighting equipment is installed as per the requirements of the NCC for a Class 7a building and the intended use.
- b) The applicant is to ensure all required Portable Fire Extinguishers are to be located in a conspicuous and readily accessible position with their location indicated by placement of a fire extinguisher location sign as per AS2444-2001.
- c) The applicant is to ensure that an Annual Fire Safety Statement for the Hospital Complex is supplied to the Board as a record of the functionality and ongoing maintenance of any fire safety measures installed.
- d) The applicant is encouraged to install 38mm 'Storz' fittings to existing and new water tanks to enhance the Rural Fire Service firefighting capabilities should there ever be a need for firefighting at the Hospital.

Reason: To ensure the resulting development is fire safe.

6. Ecology and Habitat

- a) If any live LHI Gecko or LHI Placostylus are detected during works they must be moved to similar habitat structures in the adjacent area (e.g. fallen timber within dense native vegetation, old dwellings/structures) away from the development site so they can escape predation by predators

such as LHI Currawong, LH Woodhen and rodents.

- b) All building materials and building activity are restricted to being stock piled on cleared open areas.

Reason: To ensure ecological communities are not adversely impacted by the development.

7. Water

- a) The applicant is to ensure all plumbing work, including the dental surgery potable water connections and disconnections, are undertaken by a licensed plumber.
- b) The applicant is to ensure all stormwater from the new roof structure is diverted to rainwater tanks and/ or an appropriate absorption trench.

Reason: To ensure works are undertaken appropriately.

8. Waste Water

The applicant is to ensure all plumbing work, including the disconnection and reconnections for the dental surgery to the wastewater system, is to be undertaken by a licensed plumber.

9. Waste Management

- a) The applicant is to ensure that any waste generated from the proposed development is to be contained within the site and then be recycled or disposed of at the authorised waste management facility on the Island. This excludes asbestos waste, if any, which is the responsibility of the applicant to remove from the Island.
- b) No waste shall be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site.

Reason: To ensure the proper removal of waste is carried out.

10. Construction

- a) No excavation is to be carried out until the site is inspected by the Lord Howe Island Board Senior Electrical Officer.
- b) The applicant is to ensure that any electrical work must be carried out by a licensed electrician and an **Electrical Compliance Certificate issued with, or before, the application for Occupancy Certificate** for the building additions and alterations.
- c) All works are to be undertaken in accordance with approved Construction Certificate documentation.
- d) A Pre-Commencement meeting is to be arranged with the Owner, Builder and Board Personnel prior to any work commencing on site. If the applicant is nominating the Lord Howe Island Board as the Principal Certifying Authority, this meeting will constitute the pre-commencement and site set-out inspection.

Reason: To ensure works are undertaken appropriately.

11. Inspections

As a Class 7(a) Building, the Principal Certifying Authority (PCA) will require the following mandatory inspections to be undertaken during construction:

- a) Pre-commencement and site set-out
- b) After the commencement of the excavation for, and before the placement of the first footing
- c) Storm-water connections

- d) Final Inspection after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Please note: It is the applicant or their representative's responsibility to book inspections with the Lord Howe Island Board at least 48 hours prior. Failure to do so may result in a delay in the inspection being undertaken.

Reason: This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.

12. Construction Hours

To limit the impact of the development on adjoining owners, all construction work shall be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays. No construction work shall take place on Sundays or Public Holidays.

Reason: To limit the potential for any loss of amenity to adjoining owners and/or occupiers associated with the construction of the approved works.

13. Notice of Commencement

Notice must be given to the Lord Howe Island Board at least two (2) days prior to the commencement of building work.

Reason: This is a legislative requirement.

14. Erection of construction signs

A sign must be erected in a prominent position on any site on which building work, is being carried out:

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.
- d) Any such sign is to be maintained while the building work is being carried out, but must be removed when the work has been completed,

Reason: This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.

15. Site Landscaping

Existing site landscaping and all major areas of native plantings on site are to be protected and maintained.

No significant native vegetation is to be removed or damaged.

Reason: To minimise vegetation removal.

16. Materials and Colours

The materials and colour selection for the proposed works are to complement the existing hospital on the site. Details of the selected materials and colours shall be submitted with the construction certificate application.

Reason: To ensure that the proposed development complements the surrounds.

ADVICE TO APPLICANT:

1. Significant Native Vegetation

Damage to, or removal of Significant Native Vegetation is prohibited, as per Clause 11 of LEP 2010.

2. Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* provides that a person must not take an action which has, will have, or is likely to have a significant impact on

A matter of national environmental significance (NES) matter; or Commonwealth land without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth EPBC Act does not have application.

The Commonwealth EPBC Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court. This right of appeal is only valid for six months from the date of the consent. To determine the extent to which the consent is liable to lapse refer to Section 95 of the Act.

Report prepared by:	Approved:
	
Peter Chapman Date: 18 November 2019 LHI Consultant Town Planner & Director All About Planning	Peter Adams Date: 18 November 2019 Chief Executive Officer Lord Howe Island Board

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Resourcing requirements for a robust and sustainable biosecurity system on Lord Howe Island

RECOMMENDATION

1. That the following budget adjustments be made to the adopted Environment and Community Services budget:

Transfer from:	Amount	Transfer to:	Amount
Strategic Planning – Contractors and Consultants	\$40 000	Quarantine/Biosecurity – Salaries and On- costs	\$40 000

2. That the Environment and Community Services team prioritise the seeking of external funding to cover biosecurity costs for Lord Howe Island.

BACKGROUND

Biosecurity is a significant risks to the short term and long term sustainability of the environment and economy of the island. The island and particularly the World Heritage values must be adequately protected from biosecurity threats. This will not only protect many millions of dollars in previous and current investment in eradicating invasive species (i.e. rodents and weeds), but will prevent new biosecurity threats, therefore reducing future management costs.

Upon the completion of the operational phase of the Rodent Eradication Program increased resources are required for proactive Biosecurity surveillance to minimise the risk of reintroduction of rodents.

It is widely recognised that it is far more cost-effective to prevent the establishment of pest animals into new areas through prevention and incursion response than to have to fund eradication or ongoing management of established populations (see Figure 1).

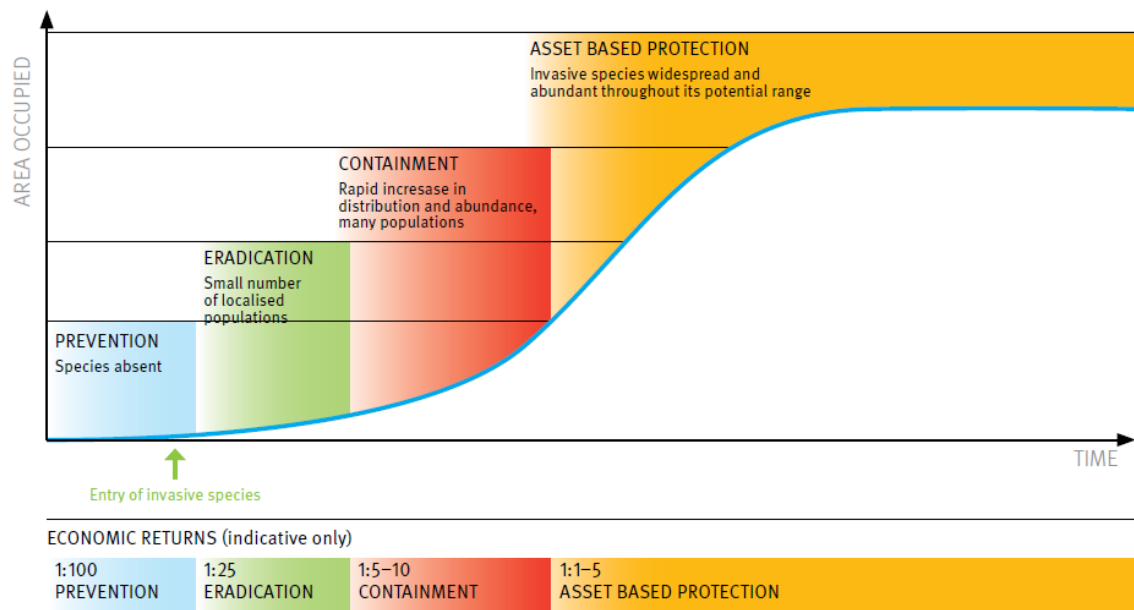


Figure A1. The 'Invasion Curve', showing the importance of allocating resources to prevent the establishment of new pests (Invasion Curve sourced from NSW Invasive Species Plan 2018-2021 and Department of Primary Industries, Victoria).

In 2003 the Board adopted its first Quarantine Strategy which was updated in 2016 in preparation for the proposed Rodent Eradication Program (REP). The 2016 Biosecurity Strategy identifies the movement of freight via the Island Trader as very high and aircraft as potentially high risk pathways (respectively) for biosecurity matter entering LHI. Very high to high risk biosecurity material includes exotic mammals (including rodents), reptiles, amphibians, tramp ants, invertebrates, plants and plant pathogens. The LHI Biosecurity Strategy 2016 recommends a range of mitigation measures to address the risk pathways including:

- Improved habitat modification and infrastructure at Port Macquarie
- Increased inspections of freight at Port Macquarie and at LHI
- Increased surveillance at LHI
- Preparedness for incursion response
- Training of staff, stevedores and suppliers
- Community education and visitor awareness

Section 9 of the LHI Biosecurity Strategy 2016 identifies the following legal obligations applicable to the Board in undertaking its biosecurity duty:

- World Heritage Convention - Australia has obligations under Article 5, including: to protect, conserve and present the World Heritage values of the property
- EPBC Act, the Commonwealth can among other things: List key threatening processes and recovery plans (i.e. LHI Biodiversity Management Plan 2007 which has numerous actions related to biosecurity).
- *The Lord Howe Island Act 1953* (the Act) makes provision for the care, control and management of LHI. In relation to Biosecurity it defines the LHIB charter, functions and regulations including:
 - to manage, protect, restore, enhance and conserve the Island's environment;
 - take all practicable measures to protect and conserve the fisheries, fauna and flora of the Island

- prohibiting the introduction of any species of fauna or flora to the Island or prescribing conditions in relation to the introduction of any species of fauna or flora
 - the destruction of plants declared by the regulations to be noxious
 - regulation, control or prohibition of exotic plants on the land
- NSW *Biosecurity Act 2015* – outlines the general biosecurity duty for people to be aware of their surroundings and take action to prevent the introduction and spread of pests, diseases, weeds and contaminants. For the LHIB, this translates to “if we are aware of risks we need to take reasonable steps to protect”.

As part of the REP, biosecurity detection dogs were purchased and trained, and dog handlers recruited, to enable improved biosecurity measures, specifically to detect remaining individual rodents post-REP baiting, as well as for ongoing island-wide rodent/pest surveillance and any subsequent incursion response. The Biosecurity detection dogs have also been trained to detect rodents (rat/mouse), reptiles (snake/lizard) and amphibians (frog/cane toad).

In June 2019 the Board engaged an expert independent biosecurity auditor to review the Board’s existing biosecurity measures on Island and review inspection operations pre- and post-border. This audit, along with recommendations from the REP team, LHIB biosecurity dog handlers and MEWH identified the need for increased resourcing for biosecurity staff to ensure:

- all voyages of the Island Trader are satisfactorily inspected pre-border at Port Macquarie and post-border at LHI, which requires a minimum of two staff to be present at the LHI jetty for each day of unloading;
- all freight flights are inspected and over 90% of passenger flights are inspected;
- inspection of incoming private sailing vessels;
- adequate staff provisions to have a handler and dog working daily to hunt rodents and undertake ongoing monitoring and maintenance of 155 surveillance and incursion response tools and devices;
- a dedicated Biosecurity Team Leader role is established and resourced to oversee development of contingency incursion planning, staff training, rostering and community consultation. This will ensure the Board has the resources, skills and community support to respond and intercept any pest incursions;
- increase biosecurity leadership, education and engagement; and to
- protect the investments made to date through Board, State and Commonwealth government funding totalling more than \$30 million. Over three decades these funds have allowed the implementation of a range of holistic island-wide ecological restoration & biodiversity conservation programs which have effectively maintained, restored and improved the resilience and protection of the island’s ecosystems and World Heritage values. (e.g. Rodent, Weed, ABhA, Myrtle Rust, Goat, Cat and Pig eradication programs).

In June 2019 the Board received funds from North Coast Local Land Services for improvements to Biosecurity measures for WH listed Island, which includes vermin proofing the Birdon Shed at Port Macquarie, rapid response kits and pallet inspection stands. Further external funding opportunities for improving biosecurity measures for Lord Howe Island are being explored.

Current biosecurity activities undertaken by the Board include:

- Use of two person crew to inspect the island trader on island each visit. A two person crew is required to allow for meal breaks, to inspect all priority freight and respond to incidents without gaps in detection.
- Biosecurity detection dogs inspecting 90% of freight flights and 50% passenger flights.

- Approvals and monitoring of imports for biosecurity risk.
- Pre-border (Port Macquarie) inspections with LHIB Biosecurity Officer and detection dog of Island Trader prior to and during loading. Also includes inspections of Eastern Air hangers and Birdon facilities, maintenance of baiting and monitoring devices, and education and awareness for stevedores, carriers and suppliers. This requires 4 days at Port Macquarie. Currently this includes:
 - o LHIB Biosecurity Officer and dog to fly return to Port,
 - o Accommodation for four nights
 - o Vehicle Hire
 - o Meal allowance.

On 20th June 2019 approval was granted at a Special Board Meeting to set the establishment for the Board and to further approve changes specific to the 2019/20 Salaries & Wages Budget:

The following was approved:

- Recognition of Dog Handlers on a full-time basis (7 days per week) now expensed against the Board's recurrent Budget at 1.05 FTE in 2019/20 (previously under REP), and recognised as 1.40 FTE in future years.

From 21st August 2019, the contract for engaging the Biosecurity Dog Handler roles through the REP ended. At the September Board meeting approval was granted to resource an additional 0.4 FTE to meet increased biosecurity inspection and monitoring requirements (as outlined above). This was approved until November 2019 subject to providing further detail on biosecurity requirements and resource implications.

CURRENT POSITION

Following completion of the baiting and initial success of monitoring components of the REP in late 2019, significant experience in biosecurity planning and incursion response will be lost from the island. Some capacity in rodent monitoring and incursion response has been developed locally through the REP, both within and external to the current LHIB structure.

Removing rodents from the island presents an ongoing obligation to keep the island rodent free. This has provided a saving from the annual rodent control baiting program of \$100,000. There is now an increased rodent biosecurity network in place to permanently protect the significant eradication investment. This includes contractual biosecurity arrangements with Birdon, physical detection dog checks of sea- and air-freight in Port Macquarie, and freight and passenger arrivals to Lord Howe Island. A network of permanent surveillance devices will be placed across the island and checked regularly as a last line of defence to pick-up and respond to any future rodent incursions before a population is established. These devices will need to be regularly checked, serviced, maintained and replaced in perpetuity; a commitment which to date has not been resourced. Additionally, in the event of an incursion, sufficient materials, expertise and capacity must be in place or be readily available to respond quickly and effectively.

To ensure that the LHI Biosecurity team is fully prepared in the event of an invasive species incursion, the following additional tasks that are not yet resourced will need to be completed:

- Installation and scheduled checking, replenishing and maintenance of the rodent surveillance network at identified vulnerable entry points.
- Active surveillance and monitoring for other species.

- Multi-species biosecurity planning.
- Preparing a response strategy in the event of an incursion by an alien pest species and leading the response when required.
- Community and stakeholder engagement and communications on island and through the off-island supply chain
- Training and development of staff including managing ongoing training and certification of detection dog teams handlers
- Annual biosecurity incursion response exercises
- Data collection, collation and analysis

These changes collectively place significant additional resource requirements (1 FTE) on the Environment and Community Services Unit. Under the REP budget, provision has been made as per table one.

It has been identified that there is currently a lack of capacity and capability to undertake additional tasks, a lack of biosecurity and incursion response expertise, lack of clarity in regards to individual roles and lack of command and control structure within existing LHIB resources.

In the current organisational structure for the LHIB, the Manager, Environment and World Heritage (MEWH) (Grade 7) has the following direct reports: Team Leader, Flora and Weeds (Grade 6); Field Supervisor (Grade 5), the Biosecurity Dog Handlers (3 x PT Grade 5) and Ranger (job shared Grade 5). Biosecurity and invasive species management is also included in a number of these positions, however there is a lack of coordination of biosecurity and incursion response tasks across these roles and insufficient organisational experience. Additionally, it is identified that the MEWH does not have sufficient capacity to undertake this hands on coordination role concurrent with their other duties.

Until Biosecurity is acknowledged as being a standalone discipline, the Board is under-prepared and under-resourced to deal with an incursion of rodents or other invasive species, creating a significant risk to the World Heritage values for which the Island was listed.

Biosecurity resources

A draft Biosecurity Operations Plan covering Quarantine, Surveillance and Incursion Response has been prepared and recommends the installation of a permanent surveillance network, consisting of 132 rodent kill traps, 78 monitoring devices and 76 baited stations in perpetuity, to monitor and detect any incursions.

The proposed network extends across the entire Settlement area as well as North Bay and along the Little Island track. The network has been designed to ensure it is robust enough to detect any future incursions and requires regular servicing to maintain its effectiveness.

The 3 part-time Biosecurity Dog Handler positions, totalling 1.80 FTE expire on 31 December 2019 pending Board approval to amend the adopted budget to fund the increased budget for salaries. Their extension in perpetuity is likely to be required to ensure continued stringent inspections pre and post border and to assist with monitoring and surveillance.

A rodent monitoring & surveillance grid was recently established and resourcing requirements to service this have been estimated. It is identified that this needs to be serviced by staff skilled in the identification of rodent signs, which includes residents trained in this expertise during the REP. It is proposed that this be established as a contract for residents trained in rodent sign during the REP.

Lord Howe contractors

As per the Biosecurity strategy, all of the devices within the surveillance network need to be checked and maintained on a monthly basis. A lower number of devices in high risk areas are proposed to be checked on a fortnightly basis. It is anticipated that it would be more efficient if this checking regime was contracted out to a local firm.

Costs

Below are some indicative costs for maintaining the surveillance network:

- It will take 8 hours, 1 day a month, for a team of four to check 58 bait stations, 97 kill traps and 62 monitoring devices (excluding jetty and airport covered by LHIB Biosecurity Dog Handlers).
- Lord Howe Biosecurity contractors; 4 x 8hrs @ \$60/person/hour = \$1920 per day.
- It will take 8 hours, 1 day every two weeks, for a team of two to check 58 bait stations, 19 kill traps and 26 monitoring devices.
- Lord Howe Biosecurity contractors: 2 x 8hrs@ \$60/person/hr = \$960 per day

Total cost to maintain the biosecurity surveillance network with contractors= \$2,880 per calendar month on a rolling basis (\$13,440 per year).

Checking of the devices would be controlled by a cloud based data collection barcode system like the one use during the REP (Fulcrum). There would be an initial set-up cost of this system of \$4000, followed by a monthly subscription of \$30/person.

The Biosecurity Team Leader would have oversight on the delivery of this contract, which would include quality control.

The Lord Howe Biosecurity contractors would also be on standby to provide a coordinated response in the event of an active incursion, under the leadership of the Biosecurity team as per the Lord Howe Biosecurity strategy, if an active incursion was detected. This work would be carried out at \$60/person/day until the completion of the response period.

This could be from seven days up to 6 weeks, dependant on the level of response required

Proposal

It is proposed to:

- amend the organisational structure to create a new role of Team Leader, Biosecurity reporting directly to the MEWH (first 12 months is a temporary appointment, is funded via REP and recruitment has commenced),
- extend the 3 part time Biosecurity Dog Handlers totalling 1.8 FTE. In addition to this a 0.2 FTE will be engaged on a casual basis to cover leave, illness and capacity to inspect as many incoming flights and vessels as possible (totalling 2.0 FTE) This is proposed to be initially funded through a variation outlined below in this report, and proposed to be considered for recurrent funding in the 2020/21 budget and through seeking support from other levels of government;
- allocate funds to engage local contractors to undertake monitoring and surveillance (funded from existing budget); and
- allocate funds for mainland biosecurity contractors to undertake external audits and mentoring 4 times per year (funded from existing budget).

The Team Leader, Biosecurity would provide supervision and mentoring to the 3 x PT Biosecurity Dog Handlers, oversee contractors and the biosecurity functions.

Initially it is proposed that the role be trialled temporarily for 12 months. This would allow the Board to trial the structure, person and tasks whilst allowing time to include the role in recurrent funding submissions.

Benefits of the new structure:

- The new role will provide additional expertise and capability that currently does not exist in the team
- The new role will also develop local capability and succession planning in line with Community Strategic Plan objectives
- The role will provide additional capacity to undertake the increased breadth and depth of increased biosecurity commitments now required
- The role will provide clarity and direction to the existing structure and will provide guidance, development and mentoring of direct reports
- The role will allow the MEWH to focus on securing long term resourcing to fund biosecurity operations on Lord Howe Island, reducing bottlenecks and allowing the MEWH to have effective oversight of the management of biosecurity in accordance with the responsibilities of his role.

It is recognised that as biosecurity is an ongoing commitment and requires significant community buy in, the mid-term strategy should be to have the position filled permanently by a local. It is considered possible that all of the skills and experience to undertake the role may not currently exist on island. If not filled locally initially in the first temporary appointment, this can potentially be developed over time through training and mentoring. This would allow expertise to be shared and developing of capability within the existing structure / island resources. Before the initial 12 month appointment expires, the role should be advertised for permanent appointment. It is noted that if the initial appointment is not filled locally, accommodation is likely to be required and it is considered that this is achievable from the Board’s existing dwellings.

Implications

The following budget implications are provided and recommended for adoption to provide adequate protection of investment of ecological restoration programs being implemented over the past three decades and protect the Islands World Heritage values.

Table 1. Additional biosecurity resources being implemented or proposed for the future.

Financial Year 2019-20	Funding Source
<p>Staff Additional 0.6 FTE dog handlers including 4th handler 8 hrs/week - \$40,000 (December 2019 – June 2020). Recommended for approval as a budget variation at this meeting.</p>	<p>Strategic Planning – Contractors and Consultants. This funding was originally set aside to assist with reviewing of the housing strategy and other priorities identified in the Community Strategic Plan. The resource demands of the REP have significantly delayed the CSP as such the Environment and Community Services unit are not in a position to commence this in 2019/20. This is not all of the funds allocated to the CSP and work can proceed if \$40k is used as recommended.</p>

Biosecurity Team Leader, Grade 6 (REP funded for initial 12 months) (\$88,074 plus 18.45% \$16,250 plus \$20,000 relocation allowance = \$124,324). Approved and being recruited.	The REP will not be complete until the 2 yr monitoring period is finished. Biosecurity until then is a critical component of the project. Funding for 12 months for this role is included in the REP project funding and in the budget shortfall proposal to the NSW Government. This approach and engagement of this critical role to fill the gap when the REP team have departed is agreed with the REP steering committee and DPIE.
Contractors local – service surveillance network - \$6,720 (December 2019 – June 2020)	Funded from the existing Biosecurity budget.
Contractors mainland – external audit, mentoring and inspection training - \$10,000 (December 2019 – June 2020)	Funded from the existing Biosecurity budget.
Expenses Fulcrum set up and maintenance - \$4,150	Funded from the existing Biosecurity budget.
Financial Year 2010-21 - ongoing	Funding Source
0.6 FTE dog handlers including 4th handler 8 hrs/week - \$80,000	General Revenue, and where possible grant funding.
Biosecurity Team Leader, Grade 6 (\$88,074 plus 18.45% \$16,250 = \$104,324).	General Revenue, and where possible grant funding.
Contractors local – service surveillance network - \$13,440	Existing budget allocations for Biosecurity.
Contractors mainland – external audit, mentoring and inspection training - \$20,000	Existing budget allocations for Biosecurity.

In addition, there are a number of one off Biosecurity expenses identified in the Biosecurity strategy that have not been funded. These include:

- Rapid response kit - \$10K
- Inspection devices & tools - \$5K
- Quarantine inspection/isolation room at LHI jetty - \$100K
- Quarantine inspection/isolation room at Birdon wharf \$100K
- Wash down facility at Birdon - \$50K
- Hard stand at Birdon - \$80K
- Pallet stands for keeping all building materials off the ground \$15K

As these are one-off capital items they are more likely to attract one-off grant funding. The engagement of a Biosecurity team leader will allow the Manager of Environment and World Heritage to focus on identifying and applying for this grant funding. It is acknowledged that not all of these items will be funded in the short term. Prior to funding and implementation, this will result in an increased chance of biosecurity breach, and place a greater reliance on post border inspections. As these capital items are installed and commissioned the reliance on post border inspections will be reduced and in time may allow for a scaling back of staff resources dedicated to post border monitoring and inspections.

RECOMMENDATION

1. That the following budget adjustment be made to the adopted Environment and Community Services budget:

Transfer from:	Amount	Transfer to:	Amount
Strategic Planning – Contractors and Consultants	\$40 000	Quarantine/Biosecurity – Salaries and On- costs	\$40 000

2. That the Environment and Community Services team prioritise the seeking of external funding to cover biosecurity costs for Lord Howe Island.

Prepared: Hank Bower Manager Environment & World Heritage

Endorsed: Peter Adams Chief Executive Officer, Lord Howe Island Board



CITIES POWER PARTNERSHIP



CITIES POWER PARTNERSHIP

2019 Information for councils



CLIMATE COUNCIL

Cities Power Partnership

cpp@climatecouncil.org.au
citiespowerpartnership.org.au



A National Program for 2019

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Executive Summary

Australia is on the frontline of climate change and its impacts.

We continue to swelter through record breaking heat, lengthening bushfire seasons, worsening coastal flooding and supercharged storms. Meanwhile, the national energy debate is reaching fever pitch, with renewable energy lambasted by our nation's political and industry leaders as unreliable and unaffordable, whilst "clean coal" technology and gas expansion is being promoted as Australia's future energy solution. As climate impacts worsen and government action stagnates, the window of opportunity to limit the warming of the planet is rapidly closing.

Throughout all of these challenges, local heroes have quietly been getting on with the job. Cities and towns across Australia are surging ahead with emissions reduction plans, switching to cleaner energy and building greener, efficient and more resilient communities. The Cities Power Partnership (CPP) elevates and accelerates this action across the country. We know that transforming the way cities use and generate energy alone has the potential to deliver 70% of the total emissions reductions needed to stay on track for the 2 degrees limit set under the Paris Agreement.

The CPP engages with towns and cities, via local councils, throughout Australia and incentivises councils to increase renewable energy and energy efficiency, improve transport and engage in advocacy. Members are also given access to a national knowledge hub and a project assessment and tracking tool. They are buddied with other cities to knowledge share, visited by domestic and international experts, connected with community energy groups and celebrated at events with other local leaders. We also showcase the incredible achievements of cities in national, local and social media to millions and share their successes with our community of over 200,000 members and supporters.

"Cities and towns across Australia are surging ahead with emissions reduction plans"

\$102m

worth of
media.

448m

cumulative
audience.

112

reports.

The Climate Council

The Climate Council is Australia's leading climate communications organisation. To date the Climate Council has produced 112 reports on climate impacts and solutions and was the number one organisation communicating on climate change nationally in 2018.

The Climate Council brings a unique set of skills that enable us to build and deliver the Cities Power Partnership program and ensure that it differs from existing programs for local councils. The Climate Council has significant media reach, generating nearly \$102 million worth of media, reaching a cumulative audience of 448 million. This media reach is a key incentive for cities to join the program as well as working to strengthen public support across the country for climate action at the local level.

In addition, the Climate Council hosts a wealth of leading experts in climate impacts and renewable energy solutions whose technical knowledge is key to helping local councils to implement emissions reduction measures.

The Climate Council also uses its national status and the credibility of its Climate Councillors to connect councils across the country with community energy groups and local organisations who can help councils to implement energy efficiency and renewable energy measures quickly and effectively, as well as assist with accessing funding and incentives for councils to act.

The Challenge

Global heat records have been broken again, with the past four years being the hottest years on record. In Australia, 2018 was the third hottest year on record, and nine of the ten hottest years on record have occurred since 2005. Australians continues to swelter through record breaking heat, lengthening bushfire seasons, worsening coastal flooding and supercharged storms.

The emission of greenhouse gases from the burning of fossil fuels like coal, oil and gas, are driving these dramatic changes of the climate system and need to be drastically reduced. However, the window of opportunity to limit the warming of the planet and its catastrophic impacts is rapidly closing and governments are struggling to meet this challenge at the pace required.

Local Champions

In the face of these challenges local champions have emerged.

Around the world and across Australia, towns and cities of all shapes and sizes are getting on with the job. They are surging ahead with emissions reduction plans, switching to cleaner energy and building greener, efficient and more resilient communities. From booming urban centres to small rural townships, local governments and groups of determined residents have been energy and climate trailblazers in many ways. Towns and cities can shape how land is used, investments are made and millions of dollars worth of renewable energy is rolled out. They can influence how new homes and businesses are built, determine the ways in which hundreds of thousands of residents will travel each day and band together to lobby for much needed state and federal policy change. Transforming the way cities use and generate energy alone has the potential to deliver 70% of the total emissions reductions needed to stay on track for the 2 degrees limit set under the Paris Agreement (IEA 2016).

"Local governments and groups of determined residents have been energy and climate trailblazers in many ways."



100

Member
councils &
growing.

300+

Towns
and cities
represented.

10m

Australians
represented.

A Snapshot of the Cities Power Partnership

The Climate Council's Cities Power Partnership (CPP) seeks to celebrate and accelerate the emission reduction and clean energy successes of Australian towns and cities to date. We are calling on Mayors, Councilors and communities to take the next step towards a sustainable, non-polluting energy future by joining the CPP.

The CPP launched mid 2017, along with a Climate Council cities report authored by some of Australia's leading experts, a brand new CPP website and a media campaign featuring the 35 trailblazing councils who joined the partnership in round 1.

A round 2 launch in January 2018 saw us grow to 70 members, representing 8 million Australians and making us the largest climate action program for local government in the country. Round 3 launched in late 2018 and brought the CPP up to 100 local government areas. We now represent more than 300 towns and cities and rural shires across all Australian states and territories. See Appendix C for member list.

The CPP launch broke Climate Council media coverage records

The CPP media launch was held at the Mt Majura Solar Farm in the ACT and featured Climate Councilor Professor Tim Flannery, Climate Council CEO Amanda McKenzie, ACT Environment Minister Shane Rattenbury MLC and Lane Crockett, Head of Renewable Infrastructure, Impact Investment Group.

A record breaking coverage of 8 front pages, 250+ broadcast media items and 210+ print & online items. Each of the attending Mayors and Councilors and council communications teams received a comprehensive media kit including:

- › Tailored media hits report,
- › Certificate ceremony photos with Professor Tim Flannery,
- › Mayoral test drive photos of the CPP branded Tesla electric cars,
- › Individual interviews to camera explaining reasons for joining the Cities Power Partnership and what Council hopes to achieve,
- › Drone footage of the Mt Majura solar farm tour,
- › Parliament house media stop video footage

Participating councils who join the partnership have 6 months to select 5 key actions from the partnership pledge ranging from renewable energy, efficiency, transport and advocacy (see Appendix A for full pledge list and Appendix B for pledge examples).

Future applications

Please contact us at cpp@climatecouncil.org.au to find out how your council can join the program

How the Cities Power Partnership Works



Become a Power Partner

Act:

Councils sign up to be a Power Partner.

Knowledge:

Partners get exclusive access to the extensive online knowledge hub, webinars and Power Analytics tool.

Connect:

Each Power Partner is buddied with other local councils to knowledge share throughout the year.

Profile:

Power partners are profiled in national and local media, online and to our 200,000 members and supporters.

2

Power Up

Act:

Partners have 6 months to select 5 key actions from the partnership pledges ranging from renewable energy, efficiency, transport and advocacy. They must identify a point of contact within council who will liaise with the Climate Council and work to implement their actions. Pledges are submitted by each partner and profiled online.

Knowledge:

Partners will have ongoing access to the knowledge hub, reporting tool, webinars with domestic and international experts as well as communications and advocacy training where required.

Connect:

Power Partners will be buddied within & across state borders to deepen knowledge sharing across joint project areas of interest. Councils can also be connected with their local community energy group and relevant local organisations who can help with implementation of emission reduction actions. Councils who are already leading will play an important knowledge sharing role with other partners.

Incentives:

Power Partners will be assisted with applications for project funding, third party grants and renewable energy incentives as they become available.

Profile:

Power partners and their local success stories will be profiled in the media by our dedicated CPP team Media Advisors working with Council communications teams. Climate Councillors will travel to a range of communities across Australia to engage in community events and talk to councils.

3

Power On

Act:

Partners report on progress against key actions in a 6 monthly survey, following the submission of their 5 pledge items.

Knowledge:

Partners access local and international knowledge and inspiration at various Roundtables.

Connect:

Partners are brought together to celebrate the high achieving towns and cities at the Power Partners Summit.

Profile:

Success stories are continually celebrated in the media. The CPP annual awards, recognise & celebrate best practice project outcomes, collaborations and individual contributions. Climate Councillors travel to a range of Australian communities, as more towns and cities become Power Partners and lead the switch to non-polluting energy across the country.

What Does Success Look Like?

By the end of 2018, the Cities Power Partnership generated more than 2100 media items and at 100 members and growing, is now the largest climate action program for local government in the country.

The Power Partners are supported to implement their pledge items through webinars with topic experts, access to shared project data via the knowledge hub and networking with their peers through the CPP buddying program.



Frequently Asked Questions

When did the Cities Power Partnership launch?

It launched in July 2017. This launch included the launch of the CPP website, the Local Government Action research report, a media and stakeholder launch which showcased the 35 towns and cities who had already pledged and a national media campaign.

A round 2 launch was held in January 2018 to welcome a further 30 councils joining in the latter half of 2018, bringing the total to 100 councils in every state and territory.

Can the broader community nominate their town or city to be part of the Cities Power Partnership?

Yes. Nominations can easily be made through the website at citiespowerpartnership.org.au/nominate/. Tell us why you think your council or any other would be a good fit and if you have recommended points of contact within councils, either staff or elected representatives, we're all ears.

How do community energy organisations get involved?

We are actively reaching out to community energy organisations across the country to get involved. The Cities Power Partnership wants to profile and connect community energy groups with councils involved in the partnership. There is an action pledge under "Work Together and Influence" for councils to strive to "support community energy groups with their community energy initiatives". This connection is vital to help councils achieve success as community energy groups and the community more broadly can provide on the ground support, including workshops and modelling, to help councils achieve their energy and sustainability commitments.

What if a town or city is already leading in renewable energy and sustainability, what does their city get out of joining the partnership?

Cities leading the way play an essential role in the partnership. They share their knowledge with other cities, their successes are celebrated to an audience of millions to inspire others and they will have access to resources and incentives to help them to continue to lead.

Many trailblazing cities who are already leading will have some of their existing initiatives counted towards their power partnership pledge.

Appendix

Appendix A: The Partnership Action Pledges

Participating councils who join the partnership will have 6 months to select 5 key actions from the options below.

Renewable Energy



1. Develop supportive planning laws to encourage residents and industry to adopt renewable energy.



2. Use council resources to support the uptake of renewable energy



3. Install renewable energy (solar PV and battery storage) on council buildings.



4. Support community facilities to access renewable energy through incentives, support or grants.



5. Power council operations by renewable energy, and set targets to increase the level of renewable power for council operations over time.



6. Provide incentives and/or remove barriers to encourage local businesses to take up solar power and battery storage.



7. Support local community renewable energy projects, and encourage investment in community energy.



8. Opening up unused council managed land for renewable energy.



9. Facilitate large energy users collectively tendering and purchasing renewable energy at a low cost.



10. Set minimum renewable energy benchmarks for new developments.



11. Electrify public transport systems and fleet vehicles and power these by 100% renewable energy.



12. Lobby electricity providers and state government to address barriers to local renewable energy uptake.



13. Identify opportunities to turn organic waste into electricity.



14. Implement landfill gas methane flaring or capture for electricity generation.



15. Create a revolving green energy fund to finance renewable energy projects.

Energy Efficiency



1. Set minimum energy efficiency benchmarks for all planning applications.



2. Adopt best practice energy efficiency measures across all council buildings, and support community facilities to adopt these measures.



3. Roll out energy efficient lighting across the municipality.



4. Provide incentives for energy efficient developments and upgrades to existing buildings.



5. Incentivise use of energy efficient heating and cooling technologies.



6. Create a green revolving energy fund to finance energy efficiency projects

Sustainable Transport

- 

1. Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.
- 

2. Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.
- 

3. Encourage sustainable transport use such as public transport, walking and cycling through council transport planning and design.
- 

4. Ensure that new developments are designed to maximize public and active transport use, and support electric vehicle uptake.
- 

5. Support cycling through provision of adequate cycle lanes, bike parking and end-of-ride facilities.
- 

6. Reduce or remove minimum car parking requirements for new housing and commercial developments where suitable public transport alternatives exist.
- 

7. Lobby state and federal governments to increase sustainable transport options
- 

8. Create disincentives for driving high emitting vehicles.
- 

9. Convert council waste collection fleet to hydrogen or electric power.

Work Together and Influence

- 

1. Set city-level renewable energy or emissions reduction targets.
- 

2. Lobby state and federal government to address barriers to the take up of renewable energy, energy efficiency and/or sustainable transport.
- 

3. Set up meetings and attend events to work with other cities on tackling climate change.
- 

4. Develop education and behaviour-change programs to support local residents and businesses to tackle climate change through clean energy, energy efficiency and sustainable transport.
- 

5. Lobby for state and federal support for a just transition away from coal-driven industry for local workers and the community.
- 

6. Develop procurement policy to ensure that the practices of contractors and financiers align with council's renewable energy, energy efficiency and sustainable transport goals.
- 

7. Support the local community to develop capacity and skills to tackle climate change.
- 

8. Support local community energy groups with their community energy initiatives.
- 

9. Achieve 100% divestment from fossil fuel aligned investments at the earliest possible date.

Appendix

Appendix B: Pledge Examples

Renewable energy

Action	Examples	Link
Install renewable energy (solar PV and battery storage) on council buildings	Bathurst Council installed solar systems across nine council buildings	https://www.bathurst.nsw.gov.au/environment/energy-sustainability/solar-power-on-council-buildings.html
Facilitate large energy users collectively tendering and purchasing renewable energy at a low cost.	The Melbourne Renewable Energy Project involves bringing together a number of large energy users to collectively tender for renewable energy.	https://www.melbourne.vic.gov.au/business/sustainable-business/mrep/Pages/melbourne-renewable-energy-project.aspx

Energy efficiency

Action	Examples	Link
Roll out energy efficient lighting across the municipality.	Wingecarribee Shire Council - participation in Lighting the Way Streetlighting upgrade	http://media.wsc.nsw.gov.au/council-and-endeavour-energy-roll-out-street-light-upgrade/
Create a green revolving energy fund to finance energy efficiency projects	Penrith City Council Sustainability Revolving fund has supported 42 projects to the value of more than \$1.5 million. Combined these projects result in savings of almost \$600,000 each year, along with abatement of more than 3,100 tonnes of CO ₂ e.	https://www.penrithcity.nsw.gov.au/Documents/Waste-and-Environment/Sustainability-Revolving-Fund-Guidelines/

Sustainable transport

Action	Examples	Link
Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.	Charge Together initiative	https://www.chargetogether.com/about-the-program
Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.	Regional 3 Council Program Waverley, Woollahra & Randwick Councils	http://www.waverley.nsw.gov.au/top_link_pages/news_and_media/council_news/news/a_nsw_first_for_electric_vehicle_owners

Work together and influence

Action	Examples	Link
Set city-level renewable energy or emissions reduction targets.	Darebin has set a target of zero net carbon emissions across Darebin by 2020 and released the first ever Climate Emergency Plan.	https://www.bathurst.nsw.gov.au/environment/energy-sustainability/solar-power-on-council-buildings.html
Support the local community to develop capacity and skills to tackle climate change	Hepburn Shire and ZNet Hepburn Shire created the 10 year Community Transition Plan	https://z-net.org.au/hepburn/

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04 NOV 2019

Lord Howe Island Board

To: Peter Adams
CEO
Lord Howe Island Board

28 September 2019

Dear Peter

At the recent public awareness meeting held at the public hall on 20 September, a number of the audience were concerned about the potential impacts of Climate Change for the island, and signed a petition urging the Board look at joining the which will enable the Board to publicise its initiatives already achieved on renewable energy, and be part of a network to provide input to furthering renewable energy initiatives on the Island.

A handwritten signature in black ink, appearing to be 'I. Hutton', written in a cursive style with a long horizontal line extending to the right.

Ian Hutton
On behalf of
Members of the SEWG of Lord Howe Island

Lord Howe Island, NSW, 2898.
Lord Howe Island 20 September 2019

We, the undersigned, urge the Lord Howe Island Board to join the Climate Council's Cities Power Partnership Program. This program highlights the leadership of councils and communities that are switching to renewable energy and building greener, more efficient and resilient communities

Name/SIGNATURE	town	postcode
PENNY MANDRELL	LHI	2898
JESSIE THOMPSON	LHI	2898
EMILY RIDDLE	LHI	2898
Rebecca Shelley	LHI	2898
Tony White	Armidale	2331
Jessica Owens	LHI	2898
Pia Funch	LHI	2898
Robyn Warner	LHI	2898
George Warner	LHI	2898
LARA BISONI	LHI	2898
DENIS CORCORAN	LHI	2898
Michael Robbins	Canberra (Kambah)	2902
MARK MCKILIP	LHI	2898
ANNA THOMPSON AThompson	LHI	2898
CRAIG THOMPSON	LHI	2898

Lord Howe Island, NSW, 2898.
Lord Howe Island 20 September 2019

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Name/SIGNATURE	town	postcode
Tim Salmon	LHI	2898
Noelle Kelly	LHI	
Richard Hepburn	LHI	2898
Cindy Charlton Sturt	LHI	
Robyn Warner	LHI	2898
George WARNER.		
Betty Thompson	LHI	2898
Des Thompson	LHI	2898
Stephen Conway	LHI	2898

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Name/SIGNATURE

town

postcode

Lord Howe Island, NSW, 2898.
Lord Howe Island 20 September 2019

We, the undersigned, urge the Lord Howe Island Board to join the Climate Council's Cities Power Partnership Program. This program highlights the leadership of councils and communities that are switching to renewable energy and building greener, more efficient and resilient communities

Name/SIGNATURE	town	postcode
Chris Murray <u>Crummy</u>	Lord Howe	2898
MARGARET MURRAY <u>Murray</u>	LORDHOWE	2898
Peter van Gelaten <u>P</u>	Lord Howe Is	2898
PETER HUSBAND	BRISBANE	4000
Fran Husband	Brisbane	4000
CRAIG THOMPSON	LORD HOWE ISLAND	2898
ROBERT JEREMY	LORDHOWE IS	2898
Ken Lees	LHI	2898.
Noelle Hoffman	LHI.	2898.
Lisa Makiiti	LHI.	2898
Duncan Loxton	WOOLLAHRA	2025
Rod Oxlley	LHI	2898
Sharon van Geldern	LHI	2898.
Ruby Deaton	L.H.I	2898
Elsie Hanson	L.H.I	2898
James Fitzgerald	LHI	2898
Maria Fitzgerald	LHI	2898.
Amelia Riddle	LHI	2898
Travis Riddle	Lord Howe IS	2898



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HERE'S HOW TO ENCOURAGE YOUR COUNCIL TO JOIN

Would you like to see innovative community energy projects, more solar on rooftops, or sustainable public transport in your local area?

Follow the steps below to get in touch with your local council and ask them to join the Cities Power Partnership! People like you driving councils to join our program is helping to accelerate climate action around Australia.

STEP 1: Check if your council is already signed up to the Cities Power Partnership [here](#).

STEP 2: Find your **Mayor's email address** – a quick google search or phone call is all it will take.

STEP 3: Copy and post this draft email. *There is also an opportunity to personalise the email to explain why this is important to you.*

STEP 4: Attach this document to your email which provides your council with more information about the Cities Power Partnership.

STEP 5: Make sure to CC the Cities Power Partnership on cpp@climatecouncil.org.au so we know you've asked your council to join. This also gives us an opportunity to follow up with them.

STEP 6: Tell your friends and neighbours – the more people in your area who contact your council the better!

Last but not least, sign up to the Cities Power Partnership community newsletter and stay up to date on the amazing work being done by our member councils.



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SUBSCRIBE TO OUR NEWSLETTER FOR THE LATEST CLIMATE & ENERGY NEWS.

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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Petition to join “Cities Power Partnership”

RECOMMENDATION

1. The CEO write a letter to the CEO of the Cities Power Partnership acknowledging that as a Power Partner in the Cities Power Partnership the Board will:
 - Within 6 months, identify 5 items included in the Cities Power Partnership Pledge that your council will strive to achieve. (Noting that some projects already in the council pipeline could be included towards a council’s pledge).
 - Complete a 12 monthly online survey that provides the Climate Council with basic information on how Lord Howe Island is progressing on the 5 pledge items that were selected.
 - Nominate a point of contact within the Board that the Climate Council can liaise with on CPP matters, including contact details.
 - Confirm that the Board is willing to be buddied with other local authorities to share knowledge
2. That a further report be prepared for the Board nominating the 5 pledges selected and identifying how delivery of these pledges will be resourced.

BACKGROUND

On the 23 September 2019 the Lord Howe Island Board received a petition signed by 37 people requesting that the Board join the Cities Power Partnership (CPP) program. (Attachment B)

The CPP claim to be Australia’s largest local government climate network made up from over 115 councils from across Australia. The CPP seeks to facilitate connection and sharing between local government organisations undertaking initiatives to address climate change. By signing up to the partnership the Board will get access to an online knowledge hub and an online tool to help track emissions, energy and cost savings. The Board may also be paired up with local councils working on similar initiatives.

CURRENT POSITION

The Lord Howe Island Board is currently not a member of the Cities Power Partnership. If the Board resolves to sign up to the CCP program the Board will be committing to the following actions:

- a letter from the Chair to the CCP CEO confirming participation. The formal letter from the CEO will need to acknowledge that as a Power Partner in the Cities Power Partnership the Board will:
 - o Within 6 months, identify 5 items included in the Cities Power Partnership Pledge that the Board will strive to achieve. (Noting that some projects already underway could be included towards the Board’s pledge).
 - o Complete a 12 monthly online survey that provides the Climate Council with basic information on how you are progressing on the 5 pledge items that the Board has selected.
 - o Nominate a point of contact within your Board that the Climate Council can liaise with on CPP matters, including contact details.
 - o Confirm that the Board is willing to be buddied with other local authorities to share knowledge

CPP pledge items are listed in appendix A of Attachment B. Table 1 below details five possible pledge items that the Board could commit to. If the Board joins the CPP, it will have up to six months to formally advise the CCP of its pledge items.

Pledge	Board commitment
Support local community renewable energy projects.	Hybrid Renewable Energy Project
Opening up unused council managed land for renewable energy	Hybrid Renewable Energy Project – noting that the land is not unused.
Roll out energy efficient lighting across the municipality	This could be done progressively across Board assets as light fixtures are replaced. Priority would be given to replacing fluoro light fixtures with LED light fixtures. This proposal has not been costed.
Support cycling through provision of adequate cycle lanes, bike parking and end-of-ride facilities.	Board motor vehicle policy, bicycle racks provided at all popular destinations.
Create disincentives for driving high emitting vehicles	Board motor vehicle policy

Table 1 List of possible pledges the Board could commit to.

Participation in the program would create additional work for Board staff in providing up to date information to the CPP however the overall benefits to the Board’s reputation should outweigh this. There is a small reputational risk to the Board if it is unable to deliver on its commitments, however this is likely to be a low risk given it current policies, and renewable energy project.

Acting sustainably is a value of the Lord Howe Island community expressed in its environment and the actions of individuals and the community over many years and in its current projects and policies. The petition asking that the Board join the CPP expresses that value.

RECOMMENDATION

1. The CEO write a letter to the CEO of the Cities Power Partnership acknowledging that as a Power Partner in the Cities Power Partnership the Board will:
 - Within 6 months, identify 5 items included in the Cities Power Partnership Pledge that your council will strive to achieve. (Noting that some projects already in the council pipeline could be included towards a council’s pledge).

- Complete a 12 monthly online survey that provides the Climate Council with basic information on how you are progressing on the 5 pledge items that council has selected.
 - Nominate a point of contact within the Board that the Climate Council can liaise with on CPP matters, including contact details.
 - Confirm that the Board is willing to be buddied with other local councils to share knowledge
2. That a further report be prepared for the Board nominating the 5 pledges selected and identifying how delivery of these pledges will be resourced.

Prepared: Justin Sauvage Manager Environment and Community Services

Endorsed: Peter Adams Chief Executive Officer

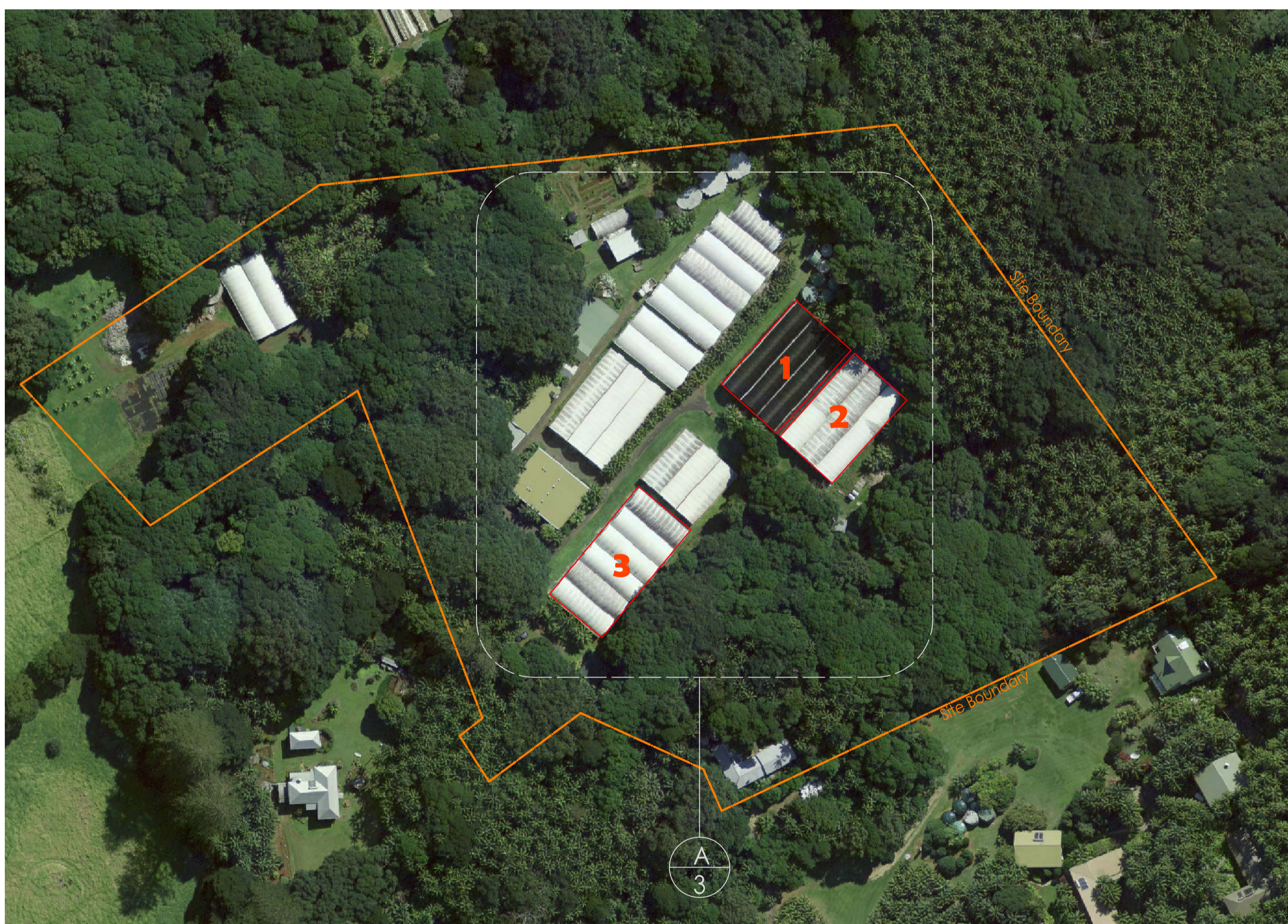
Attachments:

Attachment A: Cities Power Partnership Petition – December 2019 - Open

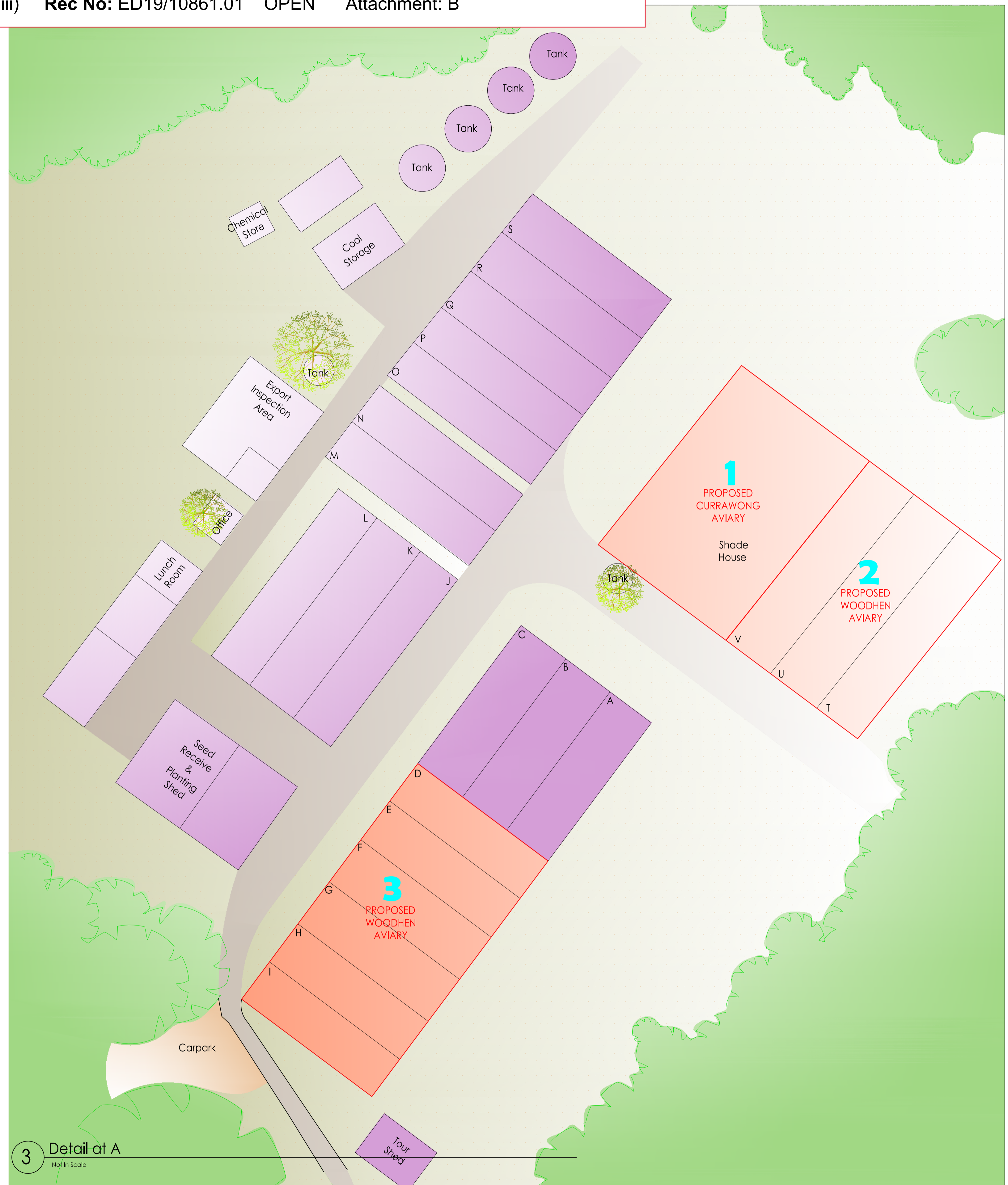
Attachment B: Cities Power Partnership Information Pack – December 2019 - Open



1 Captive Management Facility Location
Not In Scale

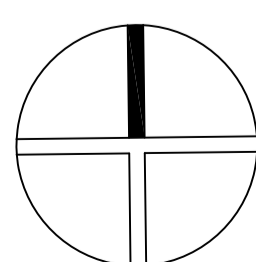


2 Site Plan
Not In Scale



3 Detail at A
Not In Scale

No	Revision	Note: * Indicates signatures on original issue of drawing or last revision of drawing	Drawn	Checked	Approved	Date
0	REVISION 1					21.11.16



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Drawn	Designed
Drafting Check	Design Check
Approved	
Date	21.11.16
Scale	Scaled to Fit

This Drawing must not be used for Construction unless signed as Approved

Client	LORD HOWE ISLAND RODENT ERADICATION PROGRAM
Project	LOCATION PLAN
Title	
Original Size	A1
Drawing No:	LHI - 01
Rev:	0

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Captive Management Facility (CMF)

RECOMMENDATION

It is recommended that the Board resolve to:

1. Leave the CMF temporarily in place and implement an annual maintenance program
2. Release an Expression of Interest to the LHI community to garner interest in use of the CMF / site in its current or modified form. This could include commercial lease arrangements
3. Further investigate other reuses described in Option 1 and 2
4. Reconsider the decision once additional information is available (i.e. May 2020)

BACKGROUND

The Site

The CMF is located on Lot 2, DP 10202416 – Nursery Access Road. The land is crown land under the care, control and management of the Board. The land is Zone 2 – Settlement under the Lord Howe Island Local Environmental Plan (LEP) 2010, Amendment 1.

There is a commercial lease on part of the site held by Kentia Fresh Pty Ltd. The Lord Howe Island Board's Research Facility is also located on the site.

The Facility

The CMF was built for the Rodent Eradication Project (REP) to manage populations of Woodhen and Currawong during the active baiting phase. Development Approval was granted under DA2017.13

The CMF is a combination of modifications to existing LHIB igloos / shade structures from the former LHIB nursery and a new purpose- built shade structure. Structures included:

- Currawong Dome 1 – 58 pre-fabricated and flat-packed modular aviaries assembled inside an existing nursely igloo
- Currawong overflow aviaries – 12 additional pre-fabricated and flat-packed modular aviaries assembled on a cleared site
 - All aviary dimensions are 2.7m high x 5m long x 1.2m wide
 - Rolls of mouseproof mesh form the floor and along the roof to totally enclose the aviaries
 - 400mm high galvabond sheets wrap around the base of each row of aviaries
 - Aviaries are comprised of 2 panels per wall (each aviary shares a common wall), back panel and front panel with door and feeder box

- Aviaries are designed as flat pack, so can be dismantled and relocated/repurposed
- Woodhen Dome 2 – New shade structure on the footprint of a former nursery igloo. 6 large woodhen pens
- Woodhen Dome 3 – modifications to existing nursery igloo. 4 large and 6 small (quarantine) woodhen pens
 - Both woodhen structures are built from maxirib colourbond sheeting on the perimeter and normal colourbond fence profile on the internal walls.
 - External walls are dug 600mm down and concreted in.
 - There is capacity to remove and repurpose if required, particularly internal panels
- A LHIB owned demountable kitchen and waste water storage tank (approved under MDC2019.04)

Refer to photos in Attachment A and Site Plan in Attachment B.

Materials used during construction were imported and construction was undertaken by Alpine Construction under the guidance of Taronga Zoo with some local trade support.

Approximate cost of construction was \$915,000 broken down into:

- Materials~ \$500,000
- Labour (including meals, flights, tools, storage) ~\$350,000
- Storage and freight to Port Macquarie ~\$15,000
- Freight to LHI on the Island Trader \$50,000

CURRENT POSITION

The baiting phase of the REP is now complete and the CMF in its current form is no longer required. The planning report presented as part of the development assessment stated that the aviaries would “*be either reused in-situ for other purposes or dismantled for reuse elsewhere*”.

The purpose of this paper is to provide initial guidance on options for the Board to consider for the future use of the CMF / site.

Option 1 – Leave the CMF in place as is

Summary

This option includes leaving aviary structures in place for future use by the LHIB or another user (i.e. commercial lease). Potential end uses are described below:

- a. The phasmid reintroduction planning team (comprised of Melbourne Zoo, Office of Environment and Energy and the LHIB) have expressed an interest in keeping at least some of the currawong cages (likely the overflow aviaries) in place for breeding of LHI phasmid prior to future reintroduction on the island.
- b. Cages may be beneficial if introduction of ecological equivalents for extinct bird species are considered in the future (i.e. Boobook Owl, Grey Fantail, Red crowned Parakeet, Island Warbler, Island thrush)
- c. The approved Recovery Plan for the Lord Howe Island Woodhen has as an objective and action: “*develop a plan for establishing and resourcing an on-island captive breeding facility in the event of a substantial reduction in Woodhen numbers*”.

Leaving aviaries in place would be a significant step in advancing this objective.

- d. Commercial Lease – the site in its current (or modified) form may be attractive to a commercial enterprise. Interest would need to be garnered from the community through an Expression of Interest process.

Approximate Costs / Revenue

A quote has been received for annual maintenance of the facilities, which includes condition inspection and preventative rust painting where required to the value of approximately \$1,000 per annum.

The current lease to Kentia Fresh Pty Ltd generates approximately \$20,000 per annum in income to the LHIB. It is expected that the CMF has a similar earning potential but this would need to be investigated.

Pros

- If alternate uses can be found, leaving the infrastructure in place is likely to add significant value to the Board.

Cons

- Removal of all REP infrastructure may be expected by some members of the community.
- Leaving the CMF in place may exclude other uses of the site.

Option 2- Decommission the CMF

Summary

This option includes disassembling all REP built infrastructure and returning the site to pre – REP status (i.e. leaving external igloo structures in place).

Some materials can be potentially sold for reuse on island (i.e. for Hybrid Renewable Energy Project or to community). Some identified reuses include:

- a. MIES has expressed an interest in using the Woodhen Dome 2 roof structure in construction of the proposed machinery storage shed. The viability of this would need to be checked by a structural engineer.
- b. The HREP may be able to utilise some materials. The materials requirements of the HREP are subject to the planning determination on the modification for consent and are not yet known. Materials required would be subject to negotiation with the contractor.
- c. A community member has expressed an interest in a few currawong aviaries for wildlife care and rehabilitation.
- d. A commercial lease option could still be investigated for remaining infrastructure.

Approximate Cost

A quote has been received to decommission the REP internal structures. Labour cost would be approximately \$20,000

The cost benefit of selling the materials on island or paying for waste freight would need to be investigated.

Pros

- Removal of all REP infrastructure may be expected by some members of the community.
- Excess material can be sold to the community with many potential reuses

Cons

- Significant resources have already been invested in construction of the site.
- Some members of the community may see removal of this infrastructure as a waste of resources

Option 3 – Partial decommissioning

Summary

This option includes leaving infrastructure in place if a reuse is identified and partial decommissioning where a reuse is not identified. Options presented in Option 1 and 2 could apply.

Approximate Cost

Cost of all infrastructure removal would need to be investigated.

Option 4 - Demolish all REP and previous nursery infrastructure

Summary

This option includes removing all built infrastructure on the site to make the site available for a future reuse.

Options presented in Option 2 could apply.

Approximate Cost

Cost of all infrastructure removal would need to be investigated.

Pros

- Removal of all infrastructure may open up the site for future uses

Cons

- Significant resources have already been invested in construction of the full site.
- Some members of the community may see removal of this infrastructure as a waste of resources

RECOMMENDATION

It is recommended that the Board resolve to:

5. Leave the CMF temporarily in place and implement an annual maintenance program
6. Release an Expression of Interest to the LHI community to garner interest in use of the CMF / site in its current or modified form. This could include commercial lease arrangements
7. Further investigate other reuses described in Options 1 and 2
8. Reconsider the decision once additional information is available (i.e. May 2020)

Prepared: Andrew Walsh Project Manager REP

Endorsed: Peter Adams CEO

Attachments:

Attachment A: Generic Structure Photos (Included in report) – December 2019 - Open

Attachment B: Site Layout - December 2019 - Open

Generic Structure Photos



Currawong Aviary Layout



Generic Wooden Pen Layout

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Policy Review – Community Grants Policy

RECOMMENDATION

That the revised Community Grants Policy (Attachment A) be adopted.

BACKGROUND

Each year the Lord Howe Island Board offer community grants for community led projects. Last year a total of \$30 000 was made available and a similar provision has been made in the current budget.

In September 2012 the Board adopted the Community Grants Policy. This Policy was due for review in 2015. In February 2019 the Board considered an out of session paper and adopted the following resolution:

1. The criteria for future Community Grants (if funded under the 2019/20 Budget), be amended to permit grant applications that include ongoing recurrent costs.

The revised Community Grants Policy is attached to this paper – Attachment A.

CURRENT POSITION

The current community Grants Policy adopted by the Board in September 2012 has been updated to reflect the February 2019 Board resolution. Attachment B contains a table summarising all the changes to the original policy. The changes to the policy seek to clarify the intent of the policy and to provide guidance to the prioritisation of competing grant applications.

Once the policy is adopted the 2019/20 round of community grants will be advertised.

RECOMMENDATION

That the revised Community Grants Policy (attachment A) be adopted.

Prepared: Justin Sauvage Manager Environment and community Services

Endorsed: Peter Adams Chief Executive Officer

Attachments:

Attachment A: Business Paper - 9 (iv) – Policy Review – Community Grants Policy – Final Draft Policy - December 2019 - Open

Attachment B: Business Paper - 9 (iv) - Policy Review - Community Grants Policy Table - December 2019 - Open

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Aged Care – Lord Howe Island

RECOMMENDATION

It is recommended that the Board note the information provided in this paper.

BACKGROUND

I need to acknowledge to assistance of Michael Woods a key advisor to the Commonwealth Government in providing useful insights and information that has assisted in preparing this report and in understanding the complex arrangements that surround aged care and in particular Multi-Purpose Services in Australia.

The delivery of aged care in rural communities is a significant and growing issue. It causes very great anguish to the frail aged and to their family and friends when they have to leave them and their home to receive care and support a considerable distance away. Lord Howe Island's isolation is a significant additional factor.

The challenge of aging on Lord Howe Island in its remote location, limited health and aged care services and accommodation and housing constraint are well known. Concerns are raised regularly and these were also identified as a priority (along with mental health care services) need for islanders in the Community Strategic Plan engagement process. While it is not possible to list the many problems and impacts on older islanders and their families, some include having to leave their community if their needs cannot be met here; major and unsustainable burdens on carers who are sometimes not in good health themselves; and wellbeing, exposure to safety risks and health impacts.

Many have attempted to address this issue over many years and while they have brought about improvements, these have not all been sustained. Respite care, allocation of a home care provider organisation to LHI, and other actions or facilities are currently not providing their intended services to older islanders or their carers. An example is that while a space that could be available for respite care at the hospital exists, without supporting services or people, respite is not effectively available to long suffering carers or the persons they are caring for. The doctor and nurses in the Lord Howe community have been wonderful but their efforts both within their duties and those they choose to provide outside their responsibilities are not enough.

Commonwealth & State roles

One solution to the issue across Australia especially in small and remote communities is understood to be a joint initiative of the Commonwealth and state/NT governments to establish Multi-Purpose Services (MPS) in the 90's. These are administered under the Aged Care Act. The LHI health centre is understood to be one of about 179 MPS in rural and remote Australia.

The MPS Program is a joint initiative of the Australian and state and territory governments. The MPS Program provides integrated health and aged care services in all states and the Northern Territory to regional, rural and remote communities that could not support stand-alone hospitals or aged care homes. It is jointly funded by the Australian Government for aged care services and the state and territory governments for a range of health services. The state and territory health departments are generally the providers, in which case they are responsible for the delivery of aged care services.

Initial drivers for the MPS Program recognised that regional, rural and remote communities often did not have the critical mass of older people to support a viable residential aged care facility (RACF) in the traditional model. Consequently, people requiring residential aged care were having to leave their community and family to live in RACFs elsewhere. At the same time, local councils managing these facilities were divesting themselves of this service due to high costs and poor viability. Rural hospitals were similarly experiencing viability issues due to increasing costs of health care and increases in the acuity of admissions.

Many rural hospitals had 'patients' who were in fact nursing home type patients, living in sub-acute wards for want of another option. The MPS Program provided a solution to these challenges by enabling a more flexible approach to providing both health and aged care in a way that positively benefited communities.

It is understood that the MPS Program was designed to enable:

- improved access to a mix of health and aged care services that met regional, rural and remote community needs
- more innovative, flexible and integrated service delivery
- flexible use of funding and/or resource infrastructure within integrated service planning
- improved quality of care for clients
- improved cost-effectiveness and long-term viability of both health and aged care services.

The majority of MPS are apparently co-located with a hospital, either making use of existing infrastructure or as part of a new build. The Australian Government provides a flexible care subsidy for the aged care component (residential and home care) under a "cashed out" model and state and territory governments provide funding for health services and necessary capital infrastructure.

It is understood that in 2018-19 the Commonwealth appropriated \$181m for MPS and that in 2017/18 around \$150k was allocated from the Commonwealth Government's funds to the South East Sydney Local Health District for the Lord Howe Island MPS. State/NT governments are the majority funders of the MPS program across Australia and contribute about 77% (national average) of overall funding.

Roles and Responsibilities of LHIB

Aged care is not a direct or statutory responsibility of local government or organisations such as the LHIB. However, in representing and serving the needs of their communities, local councils often take a range of initiatives. These can be wide ranging and in NSW these are

often driven through priorities identified by communities in their Community Strategic Plans (CSP). At Lord Howe Island the issue of aged care is clearly an identified issue and concern as expressed through the CSP engagement process.

Examples of steps local councils have taken in other places include facilitating and representing the community with other levels of government and their agencies, providing services or infrastructure to support services such as Meals on Wheels, providing coordination for the effective provisions of services by others, and building and/or managing aged care facilities.

The Lord Howe Island community has in the past taken steps such as funding and building the hospital and associated facilities. The Board owns and manages asset management and renewal of the built infrastructure (other than the internal maintenance) that enables the MPS to operate. It is noted however that there is a lack of formalised clarity in roles, responsibilities and financial arrangements.

Efforts in recent months

Board Resolutions in recent times have included:

- 15 May 2019 - To look at availability of nurse's flat – post REP
- 23 Sept 2019 - Issues Paper to establish taskforce, urgent communications with our Aged Care Provider (Australian Unity)

A range of investigations, meetings and discussions with elected Board members, health care staff, and community members have occurred. A consistent theme has been the need to identify key needs, barriers to their provision or resolution, and achievable steps. Significant effort has occurred by members of the community and hospital staff, as well as the CEO.

A recent meeting of the elected Board members, CEO and a recently returned care professional (Merje Keski-Nummi) established that an audit would be undertaken of those on-island who have need of services and assistance so that some clarity and focus can be applied to any negotiations and efforts for improvements.

A further meeting was held with the son of some aged and frail island community members. His objectives are directly aligned with those expressed for others, and he has progressed such that he will aim to bring a carer to live on their property to care for his parents. This is an expensive undertaking and it is likely that this carer may be able to provide some services to others in need on island, creating some critical mass and better cost effectiveness.

Questions such as whether services must be via the allocated service provider (Australian Unity) or whether another provider such as Adventist Care are yet to be clarified.

CURRENT POSITION

Some individuals have managed to facilitate Aged Care Assessment Team (ACAT) assessments. However, the difficulties of accessing ACAT assessments that need to be in the home or place of residence are a major gateway challenge. Without ACAT assessment and approvals, access to services cannot be achieved.

If ACAT assessment and approvals are achieved, another hurdle is the lack of a person on-island who can provide home care services. It is understood that Australian Unity have been advertising for personnel on Lord Howe for many months in The Signal.

The range of needs, services and facilities that would improve aged care here are many. A key that has emerged from discussions is that a strategic approach that identifies the services most in need, understanding of the achievability of delivering those services given the small population, remote location and commercial/funding barriers will be critical. The audit that is underway will assist to identify needs and to provide case studies that can be used in any advocacy or planning.

The Board Chair Anissa Levy volunteered at the September Board Meeting to convene a senior cross agency taskforce. To facilitate this a two to three page issues paper is being prepared and the appropriate invitees are being identified. An invitation from Anissa with her senior role in the NSW government will assist in bringing momentum and incentive to attend.

It is envisaged that the group would meet early in the new year to table the issues, establish protocols, identify tasks or information needs and map some steps. The second meeting is envisaged as having the benefit of the audit results, and any supporting data and information required.

An on-island working group that includes those already taking steps such as Kara and Karen as well as Merje and any others, will be formalised to coordinate efforts on island, seek to connect people wishing to collaborate, collect facts and data, and clarify the highest priority needs and appropriate goals. Their work can be a key input to the government interagency working group chaired by Anissa Levy.

A key step is the preparation of the issues paper and the CEO will facilitate this in liaison with those mentioned above. It is considered that in an environment of stretched resources, it may be strategically important to seek and prepare some case studies that highlights real people and their real issues. The working group can facilitate this and engaging a professional writer may be beneficial in unwrapping the real human stories and challenge of aging on a remote island.

Next Steps

- Convene (on-island) LHI Aged Care Working Group
- Prepare 2-3 page issues paper for the Board Chair to use in invitation to key government positions.
- Invitation issued to Taskforce by Anissa Levy
- Initial Meeting held.
- Audit completed on island and supporting documentation prepared for Taskforce
- On-island Working Group to coordinate aged care needs and service initiatives in interim.

RECOMMENDATION

It is recommended that the Board note the information provided in this paper.

Prepared: Peter Adams CEO

Endorsed: Peter Adams CEO

Attachments: Nil

LORD HOWE ISLAND BOARD POLICY

TITLE	Community Grants Policy		
DATE ADOPTED	September 2012	AGENDA ITEM	13 (iii)
CURRENT VERSION	December 2019	AGENDA ITEM	9 (iv)
REVIEW	Five years	FILE REFERENCE	ED17/1898
ASSOCIATED LEGISLATION	N/A		
ASSOCIATED POLICIES	N/A		

1 Introduction

1.1 Purpose of the Policy

The purpose of this policy is to establish guidelines for the allocation of Lord Howe Island Board (LHIB) community grants in an equitable and effective manner.

Each financial year, the LHIB makes funds available, on a competitive basis, under its Community Grants Program for persons and non-profit community groups for community benefits, such as community events, services, sport, recreation, arts, welfare and other community purposes.

The LHIB acknowledges that the provision of grants is an important role for local government, and is an essential way in which the LHIB can directly support the local community.

1.2 Objectives and Coverage of the Policy

The objectives of the LHIB Community Grants Program are to:

- Encourage the development of services, facilities and events, which meet and enhance identified community needs and objectives for Lord Howe Island.
- Promote the active participation of local residents in community initiatives and the development of their skills, knowledge and opportunities.
- Provide assistance taking into account the need for equality of access to services and the need to target particular groups that are under-served.
- Provide assistance to the community to develop initiatives and services, which are consistent with Board objectives and programs but not directly operated by the LHIB.

2 Strategic Framework

The Community Grants policy is strongly related to the LHIB's Corporate Plan 2011-13 and

Community Strategy 2010 – 2015:

3 Funding Categories

The LHIB has the following grants available to the community:

3.1 Community Support Grants

This grant aims to support groups for amounts of up to \$10,000 for one-off activities or projects that benefit the Lord Howe Island community. These may include (but are not limited to) events, community projects or purchasing of equipment for community groups.

Recipients of Community Support Grants are required to sign a funding agreement prior to receiving grant monies, and are to complete an acquittal form at the end of the grant period.

This category is awarded annually, with funding provided for projects or events occurring in the following 12 month period.

3.2 In-kind Support / Sponsorship

The LHIB offers the provision of in-kind assistance to community groups, or other organisations, which are engaged in the provision of a special event which is open to participation by the general community. There is no formal application process for this support, and assistance will be given at the discretion of the CEO dependent upon the availability of resources. Groups receiving in-kind support will be required to acknowledge the LHIB's contribution.

This policy does not include the LHI Scholarship Program which has different objectives, eligibility requirements and selection criteria.

4 Policy Statement

4.1 Eligibility

The LHIB will only consider applications *Community Support Grants* and *In-kind support / Sponsorship* from persons, community groups and organisations that are NOT FOR PROFIT or NON PROFIT groups or organisations. These organisations will be required to provide written evidence of their status.

4.2 Advertisement of Grants

Expressions of Interest for the Board's Grants are to be promoted broadly to the community for a period of at least two weeks.

4.3 Requirements

Applications should be lodged using the LHIB's application form and be fully completed. The requirements for Community Grants include:

1. Applications must specify the amount of grant or donation sought.
2. The services and activities of the proposed project must be directed primarily towards the residents of Lord Howe Island.
3. The proposed project should address an identified need.
4. Unless targeted to a group with broadly acknowledged needs, the project must not discriminate on the basis of race, gender or religion.
5. An application must include a copy of the organisation's latest audited financial statement. Where an organisation is not subject to audit requirements, a statement of income and expenditure over the twelve months must be provided.
6. Applications to cover expenditure for projects incurred prior to the application being approved will not be considered.
7. An organisation with substantial unallocated resources will not be considered a priority for funding.
8. Individual grants will be limited to \$10,000 total.
9. The grants provided by the Board are to be expended only on projects outlined in the application.
10. Successful applicants should give appropriate acknowledgement of the Board's support for the project/service.

4.4 Non Eligibility

Grants will not be made available for:

- Individual person
- Recurrent salary costs, contributions to salary costs and overhead costs (including rent and insurance) of existing staff or the organisation
- To an organisation with substantial unallocated resources
- Commercial enterprises
- Political purposes / Lobby groups

4.5 Assessment of applications

Applicants are encouraged to discuss projects with relevant Board staff prior to submitting written applications.

Applications will be assessed for compliance with eligibility and selection requirements. Priority will be given to projects that:

- Demonstrate value for money
- Meet an identified need in the community
- Contribute to the organisation becoming financially self-sufficient in the long term.

A report with recommendations for funding will be prepared by the MECS for presentation at a meeting of the Elected Board Members. The shortlisted grants will be presented to the full Board for formal adoption. Organisations will be notified by mail of the outcome of their application.

4.6 Assessment process

- Assessment of financial assistance requests must be in accordance with the Board policy and guidelines.
- The Board reserves the right to refuse requests or applications that are not in accordance with Board policy and guidelines.
- After consideration of an application and current program objectives, the Board can propose an alternative form of assistance to meet the stated objectives of the application.
- Applications for funding must be expended within the same financial year that the funds were granted.

The Board will not consider funding arrangements, which extend beyond the current financial year ie approval for funding on an annual basis over 3 to 4 years

4.7 Accountability

Approved financial assistance grants require lodgment of evidence to the Board that funds have been expended for the purpose the funds were approved. Variation to stated objectives requires approval.

5 Access

Information relating to the Board's community grants may be accessed under the Government Information (Public Access) Act 2009.

6 Review

The policy, guidelines and procedures are to be reviewed at least every 5 years.

LORD HOWE ISLAND BOARD

APPLICATION FOR COMMUNITY GRANT

Please complete the following details to enable your application to be assessed.

APPLICANT DETAILS

Applicant:

Contact Details

Name:

Position:

Address:

Phone:..... Email:

PROJECT DETAILS

Amount of grant or donation sought:

Services and activities of the proposed project:

.....

.....

.....

.....

.....

.....

.....

.....

Why is the funding required? Why would this project not proceed without funding?

.....

.....

Project objective (what you plan to achieve):

.....

.....

Project outcomes (the result, impact or benefits of the project):

.....

Are the services/activities of the project directed primarily towards residents of Lord Howe Island? Yes No

Does the proposed project duplicate other existing adequate services on Lord Howe Island? Yes No

An application must include a copy of the organisation's latest audited financial statement. Where an organisation is not subject to audit requirements, a statement of income and expenditure over the twelve months must be provided. Is a copy of the organisation's financial statement or statement of income and expenditure attached? Yes No

AUTHORISATION

Provide the name of a senior office-bearer in your organisation, with appropriate delegation, who has authorised the submission of this project and has the delegation to authorise the commitment of the resources and expenditure required to deliver this project. Note: a signature is **not** required.

Name:

Position:

Date:

REQUIREMENTS

Applications should be lodged using this form and be fully completed. The requirements for the Community Grants include:

1. Applications must specify the amount of grant or donation sought.
2. The services and activities of the proposed project must be directed primarily towards the residents of Lord Howe Island.
3. The proposed project should address an identified need.
4. Unless targeted to a group with broadly acknowledged needs, the project must not discriminate on the basis of race, gender or religion.
5. An application must include a copy of the organisation's latest audited financial statement. Where an organisation is not subject to audit requirements, a statement of income and expenditure over the twelve months must be provided.
6. Applications to cover expenditure for projects incurred prior to the application being approved will not be considered.
7. An organisation with substantial unallocated resources will not be considered a priority for funding.
8. Individual grants will be limited to \$10,000 total.
9. The grants provided by the Board are to be expended only on projects outlined in the application.
10. Successful applicants should give appropriate acknowledgement of the Board's support for the project/service.

NON ELIGIBILITY

Grants will not be made available for:

- Individual person
- Recurrent salary costs, contributions to salary costs and overhead costs (including rent and insurance) of existing staff or the organisation
- To an organisation with substantial unallocated resources
- Commercial enterprises
- Political purposes / Lobby groups

Section of policy	Original Text	New text.	Reason for change.
3.2 In-kind Support/ Sponsorship	<i>Groups receiving in-kind support are encouraged to acknowledge the LHIB's contribution.</i>	<i>Groups receiving in-kind support will be required to acknowledge the LHIB's contribution.</i>	It is important that grant recipients acknowledge the Board's contribution to the community.
4.2 Advertisement of Grants	<i>Expressions of Interest for the Board's Grants are to be advertised in the Signal and the Lord Howe Island Board Community Bulletin and website.</i>	<i>Expressions of Interest for the Board's Grants are to be promoted broadly to the community for a period of at least two weeks.</i>	The communication methods used by the Board evolve over time and the change reflects that the Board does not regularly publish Community Bulletins.
4.3 Requirements	<ul style="list-style-type: none"> <i>The proposed project should not duplicate other existing adequate services on Lord Howe Island.</i> 	<ul style="list-style-type: none"> <i>The proposed project should address an identified need.</i> 	Text change to clarify intent.
4.3 Requirements	<ul style="list-style-type: none"> <i>Unless specifically targeted, an application should demonstrate that the applicant's services are available in the community without discrimination on the basis of race, gender or religion.</i> 	<ul style="list-style-type: none"> <i>Unless targeted to a group with broadly acknowledged needs, the project must not discriminate on the basis of race, gender or religion.</i> 	Text change to clarify intent.
4.3 Requirements	<ul style="list-style-type: none"> <i>Applications should be for a specific purpose and should not be intended to cover a shortfall in the organisations operational budget.</i> 	<ul style="list-style-type: none"> <i>Applications to cover expenditure for projects incurred prior to the application being approved will not be considered.</i> 	The original requirement is covered elsewhere in the policy. New point reflects a standard clause in grants and ensures community groups do not commit to projects that ultimately might not be funded.
4.3 Requirements	<ul style="list-style-type: none"> <i>Grants will be limited to \$10,000 total.</i> 	<ul style="list-style-type: none"> <i>Individual grants will be limited to \$10,000 total.</i> 	Clarification of text.
4.3 Requirements	<ul style="list-style-type: none"> <i>The grants provided by the Board are to be expended on projects outlined in the application and should not lead to organisations or groups becoming dependent on</i> 	<ul style="list-style-type: none"> <i>The grants provided by the Board are to be expended only on projects outlined in the application.</i> 	Change enacts February 2019 out of session Board resolution.

	<i>the Board for further allocation of funds</i>		
4.5 Assessment of applications	<p><i>Applicants are encouraged to discuss projects with relevant Board staff prior to submitting written applications.</i></p> <p><i>Applications will be assessed for compliance with eligibility and selection requirements.</i></p> <p><i>A report with recommendations for funding will be prepared by the CEO for presentation at a meeting of the Elected Board Members.</i></p> <p><i>Organisations will be notified by mail of the outcome of their application.</i></p>	<p><i>Applications will be assessed for compliance with eligibility and selection requirements. Priority will be given to projects that:</i></p> <ul style="list-style-type: none"> <i>• Demonstrate value for money</i> <i>• Meet an identified need in the community</i> <i>• Contribute to the organisation becoming financially self-sufficient in the long term.</i> <p><i>A report with recommendations for funding will be prepared by the MECS for presentation at a meeting of the Elected Board Members. The shortlisted grants will be presented to the full Board for formal adoption. Organisations will be notified by mail of the outcome of their application.</i></p>	Clarification of the assessment process.
4.5 Assessment process.	<i>The Board's Annual report should contain a list of financial assistance grants approved in the previous financial year.</i>	<i>Deleted.</i>	Publishing of the funded grant projects in the Annual Report is good practice but does not need to be articulated in the policy.

Key to Colour coding:

Status of Progress: Colour of the cell represents the implementation status of the recommendation and the organisation responsible.
Recommendation In place, no further action required.
Responsibility of the Lord Howe Island Board – Implementation in progress.
Responsibility of the State Government – not yet implemented.
Not supported by State Government – will not be implemented

Recommendation	Lead organisation	Progress
1. Retain the present system of land tenure, with most Crown land outside the Permanent Park Reserve held under perpetual or special lease	N/A	In place. No further action required.
2. Properly police and enforce the residency condition in perpetual leases, with forfeiture as a last resort.	Lord Howe Island Board	<ul style="list-style-type: none"> - Guidelines in place for assessing applications for suspension in residency conditions. - A limited review of compliance with the residency condition on existing leases has been undertaken. Firm guidelines for such monitoring are yet to be developed. - Additional legal advice obtained from OLG/DPIE regarding procedural process for investigations of alleged non-residence. - List of Perpetual Leases with potential non-compliance have been updated.
3. Special leases are due to expire on December 2015, without any legal right of renewal, although the lease holders expect to obtain renewals. The new leases should be granted for 20 year terms with strong covenants to encourage new investment and ensure that the land is fully and properly used.	Department of Primary Industry and Environment.	<ul style="list-style-type: none"> - Leases were renewed in December 2015 for a further two years, another two years in December 2017, and it is proposed to renew them a further years in 2019. - Required legislative changes to allow for the granting of 20 year leases has not yet been implemented. It is anticipated they will be introduced to parliament in late 2019 or first quarter of 2020.
4. Permissive occupancies for business purposes, principally as boat sheds, which are currently revocable at will, should be granted for fixed terms of 5 years, to increase security of tenure and encourage investment.	Not applicable	Recommendation not supported by Government.
5. Restrictions on the enforcement of mortgages of leases should be relaxed to make leases more acceptable to	Department of Primary	Required legislative changes are being pursued. It is anticipated that

Recommendation	Lead organisation	Progress
lenders as security and mortgages to corporations should not require the Minister's consent.	Industry and Environment.	they will be introduced to parliament in late 2019 or first quarter of 2020.
6. The restrictions on who can occupy a dual occupancy dwelling should be relaxed	Lord Howe Island Board	To be included in the major review of the Lord Howe Island Local Environmental Plan. This review is not proposed to be undertaken until completion of the Community Strategic Plan.
7. Subject to pending applications for approval of a Category A dwelling the remaining quota for new dwellings under the LEP should be reserved for dual occupancy dwellings.	Not applicable	Recommendation not supported by Government.
8. The LEP should be amended to make it easier to subdivide perpetual leases with 2 existing detached dwellings erected before 28 October 2005 to increase the saleable housing stock without further building development, or use of the quota.	Lord Howe Island Board	To be included in the major review of the Lord Howe Island Local Environmental Plan. This review is not proposed to be undertaken until completion of the Community Strategic Plan.
9. There should be no more Category B allotments, and the 3 existing ones should revert to special lease land where substantial restitution by both parties is practicable and the former leaseholder agrees. Where restitution is not practicable or the former leaseholder does not agree, the allotment or allotments should be allocated by a revised ballot process open to Islanders deemed eligible.	Lord Howe Island Board	Mediation process completed. Board staff implementing next steps.
10. The provisions in the Act dealing with the succession to perpetual leases on death should be rationalised, clarified and extended to surviving spouses and de facto partners	Department of Primary Industry and Environment.	Required legislative changes are being pursued. It is anticipated that they will be introduced to parliament in late 2019 or first quarter of 2020.
11. The existing exemption from land tax for all leases on the island should be removed to allow the Land Tax Management Act to operate on the island in the normal way. The Chief Commissioner and the Board should be permitted to exchange information to ensure that leaseholders only claim one principal or usual place of residence.	Department of Primary Industry and Environment.	Required legislative changes are being pursued. It is anticipated that they will be introduced to parliament in late 2019 or first quarter of 2020.
12. The Board should comply with its statutory duty under s 301(1) of the Duties Act by requiring grants, transfers and mortgages of leases to be stamped or marked exempt before they are registered by the Board.	Lord Howe Island Board	Implemented. Applicants advised of this requirement via the notification of acceptance for form 5.
13. In the interest of transparency and accountability, should recommendations 11 and 12 be adopted, provision should be made for the additional taxation revenue, raised from the island in these ways, to be	Not applicable	Recommendation not supported by Government.

Recommendation	Lead organisation	Progress
returned to the island by being credited to the Lord Howe Island Account (s 34).		
14. The legal framework under which the Board and the Minister consider applications for consent to the transfer of perpetual leases should be strengthened to prevent vendors evading the maximum price provision by requiring purchasers to purchase their furniture and other chattels at prices above their fair market value, and to prevent vendors withdrawing their lease from sale when an Islander is willing to purchase the lease.	Department of Primary Industry and Environment.	Required legislative changes are being pursued. It is anticipated that they will be introduced to parliament in late 2019 or first quarter of 2020.
15. In the interests of transparency and accountability, the Board should maintain and publish in its Annual Report to Parliament (s36A) separate accounts for its functions as custodian and manager of the Permanent Park Reserve, and its functions as the local council for the Settlement. The island community cannot reasonably be expected to pay for the upkeep of the Park out of its own resources.	Department of Primary Industry and Environment.	Required legislative changes are being pursued. It is anticipated that they will be introduced to parliament in late 2019 or first quarter of 2020.
<p>16. Miscellaneous recommendations by way of statute law revision which are not thought to raise any question of principle.</p> <p><i>Miscellaneous recommendations are as follows:</i></p> <p>i) Section 12 (1)(g) gives the Board power to 'provide...shops, offices and other buildings for lease to the public'. There is some doubt about the Board's power to lease land associated with such buildings. The matter should be put beyond doubt by adding to subsection (1)(g) the power to include in such a lease the land associated with or surrounding such buildings.</p> <p>ii) Section 21(2) enables perpetual leases to be granted to two or more Islanders as joint tenants or tenants in common, but subsections (7A) and (7B) only refer to joint tenants. They should be amended to include tenants in common.</p> <p>iii) Section 21, which only deals with perpetual leases provides in subsection (7A): 'The Minister may...suspend the condition of residence on a lease held or owned... by...an Islander who</p>	Department of Primary Industry and Environment.	Required legislative changes are being pursued. It is anticipated that they will be introduced to parliament in late 2019 or first quarter of 2020.

Recommendation	Lead organisation	Progress
<p>already...holds or owns...or subleases not more than one other lease.’ In its context the expression ‘not more than one other lease’ may refer to a perpetual lease only, and not to a special lease or one granted under section 12(1)(g), but the subsection should be amended to make this clear. This provision is used, and properly used, to allow a holder to operate tourist lodge on one perpetual lease and have his or her home on another.</p> <p>iv) Section 22(3) provides that a special lease may only be granted to the holder of a perpetual lease, but there is no expressed requirement for the perpetual leaseholder to remain the holder of the special lease. In <i>Lance Wilson v The Minister for the Environment</i> (No 2294 of 1992) the Equity Division of the Supreme Court held that there was no implied requirement for the holder to remain the holder of both leases. The plaintiff, who retained his special lease after he had transferred his perpetual lease, succeeded in having the forfeiture of his special lease set aside. Given the evident policy behind section 22(3), that special leases should be held by Islanders who have their usual home on the Island, to prevent them being held by non-residents and non-Islanders, the result appears anomalous. Section 22(3) should be strengthened by the addition of words such as ‘and must continue to be held by such holder but may be transferred with such lease or to an Islander who holds a perpetual lease but does not already hold a special lease’ or words to that effect.</p> <p>v) Section 27(1) dealing with forfeiture provides: ‘Every lease...shall be liable to be forfeited if any rent be not paid...or upon breach of any condition annexed to the lease...or if it should appear to the satisfaction of the Minister after report by the Board that the land comprised in the lease is not used and occupied bona fide for the purpose for which the lease was granted, or where in pursuance of any other provision of this Act the lease becomes liable to forfeiture.’</p>		

Recommendation	Lead organisation	Progress
<p>Every forfeiture must be declared by the Minister by notification in the Gazette (section 27(2)), but there is no express requirement in subsection (1) for the Board to report to the Minister in cases of forfeiture for non-payment of rent or breach of any condition other than that relating to the purpose for which the lease was granted. Subsection (1) should be amended to require a report from the Board in every case where forfeiture is sought.</p>		

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Lord Howe Island Land Allocation Review - Implementation Update

RECOMMENDATION

It is recommended that the Board note progress to date on implementation of the *Lord Howe Island Land Allocation Review*.

BACKGROUND

In February 2014 the Honourable Justice Handley AO was engaged by the NSW Department of Premier and Cabinet to review the land allocation and tenure systems on the Island and provide advice to the Minister for the Environment.

The purpose of the review was to identify options for different land allocation methods and forms of tenure which would maintain and protect the unique environmental and cultural values of the Island. The forms of tenure and allocation methods were to be transparent, fair, financially sustainable and recognise the needs of current and future generations of Islanders.

The Terms of Reference identified four key areas for consideration:

1. Forms of tenure
2. Land allocation methods
3. Strategies to increase land and housing supply
4. Economic sustainability.

Mr Handley visited the Island in March 2014 to undertake targeted consultation with a range of stakeholders including Board members, staff of the Board and residents. Fifteen individual meetings were held on the Island and Mr Handley also attended a number of meetings in Sydney with stakeholders.

A Discussion Paper was prepared and released for public comment in August 2014. The Discussion Paper outlined 15 options for reform in the areas identified in the Terms of Reference. Mr Handley made a second visit to the Island in August 2014. The options were outlined at a public meeting and Mr Handley later met individuals privately to receive their feedback.

Fifty-nine submissions were received, both written and verbal from individuals or families and four were received from groups or institutions. The majority of the submissions were from Island residents.

Mr Handley completed the review and reported his findings to the Government in November 2014. A government response to the review was considered by Cabinet in August 2016. The review report and the draft government response were released to the LHI community with an opportunity to comment in November 2016. The final Government response to the review was released in April 2017.

CURRENT POSITION

Subsequent to the last update in September there has been limited progress on the implementation of the Handley Review recommendations. The Board continues to pursue residency on leases where resources are available. Lease transfers continue to be processed in accordance with the Act. The amendments to the Lord Howe Island Act are currently with the Cabinet, and it is understood they will be introduced into parliament some time in 2020.

The status of the implementation plan is attached in attachment A.

RECOMMENDATION

It is recommended that the Board note progress to date on implementation of the *Lord Howe Island Land Allocation Review*.

Prepared: Justin Sauvage Manager Environment and Community Services

Endorsed: Peter Adams Chief Executive Officer, Lord Howe Island Board

Attachments:

Attachment A: Implementation Update Table – December 2019 - Open



LORD HOWE ISLAND BOARD

PLAIN LANGUAGE GUIDE TO THE LORD HOWE ISLAND ACT

Information Sheet 6: Special Leases on Lord Howe Island

What are Special Leases?

Under the *Lord Howe Island Act 1953* (the Act), all land on the island is NSW Crown Land. The Act does not allow freehold private ownership of land.

Instead, the Act provides for Perpetual Leases for Islanders to reside on, and Special Leases for other uses. While Special Leases may be granted for a wide range of purposes, they have almost exclusively been granted for agricultural purposes such as cultivation and grazing. The zoning of land under the Lord Howe Island Local Environmental Plan 2010 would play a significant role in determining where, and for what purpose, a Special Lease can be issued.

The issuing, transfer or subleasing of Special Leases is strictly controlled and constrained by the Act. These provisions date back to 1953 and were designed to protect the interests of Islanders and to prevent speculation and trading in island land.

Is there a Register of Special Leases?

Yes. The Lord Howe Island Board keeps a register containing particulars of leases granted under the Act. It may be inspected by the public at the Island office of the Board.

Who can be granted a new special lease?

New Special Leases can only be granted to a person who holds a Perpetual Lease on the Island. For more information about Perpetual Leases, see the fact sheet entitled "Perpetual Leases". You do not need to be an Islander to be granted a Special Lease, but you do need to hold a Perpetual Lease.

What is the term of a Special Lease?

A Special Lease may be granted for up to 10 years and may be extended with Ministerial approval upon the recommendation of the Board.

Can a Special Lease be cancelled or not renewed?

Yes, in specific circumstances which are strictly controlled by the Act. For example, if the land is required for home sites or for public purposes during the term of the lease, the Minister may withdraw from the lease on the recommendation of the Board.

A Special Lease may not be renewed if the land the Minister, on the recommendation of the Board, determines that it is required for housing or another public purpose.

Compensation may be claimed by the Special leaseholder in these circumstances. The amount of compensation is determined by the Valuer-General, subject to any regulations under the Act, and is subject to appeal in the Land and Environment Court.

The Act states that compensation may be paid for the loss of the land and the loss of the improvement on the land.

Compensation for the loss of the land is calculated based on the unexpired period of the lease. If the unexpired portion of the lease is less than 5 years, then the unexpired portion of the lease is to be calculated at 5 years.

In other circumstances, a Special Lease could be cancelled if, for example, the holder does not pay the rent or fails to comply with any condition applying to the lease.

If the holder of a perpetual lease forfeits that lease, any Special Lease held by that person is automatically forfeited.

In this circumstance, the Minister may waive or reverse forfeiture where it appears to the Minister, after a report from the Board, that there are good and sufficient reasons to do so. The Minister may waive or reverse the forfeiture absolutely or on conditions.

The holder of a Special Lease may surrender the whole or part of the land in the lease. The holder must complete a surrender form available from the Board's Island office and the surrender will take effect on the day of its acceptance by the Minister on the recommendation of the Board.

What is the Rent for a Special Lease?

The annual rent for a Perpetual Lease is payable in advance. The amount is determined from time to time by the Board in accordance with the *Lord Howe Island Regulation 2014*. The Regulation imposes a maximum annual rent that the Board may determine, based on a flat dollar amount plus an amount per square metre of land comprised in lease. Generally, the Board may make a new determination of the annual rental every three or more years. The maximum amounts (both the fixed amounts and the amounts per square metre of land) are increased on 1 September each year in accordance with the Consumer Price Index.

Other legal fact sheets forming part of this series include the following titles:

- Information Sheet 1: History of the Lord Howe Island Act 1953
- Information Sheet 2: NSW and Commonwealth Laws on Lord Howe Island
- Information Sheet 3: Owning and Inheriting Land on Lord Howe Island
- Information Sheet 4: Who is a Lord Howe Islander?
- Information Sheet 5: Perpetual Leases on Lord Howe Island
- Information Sheet 7: Permissive Occupancies on Lord Howe Island



Figure 1 Construction Footprint approved under DA2016.02

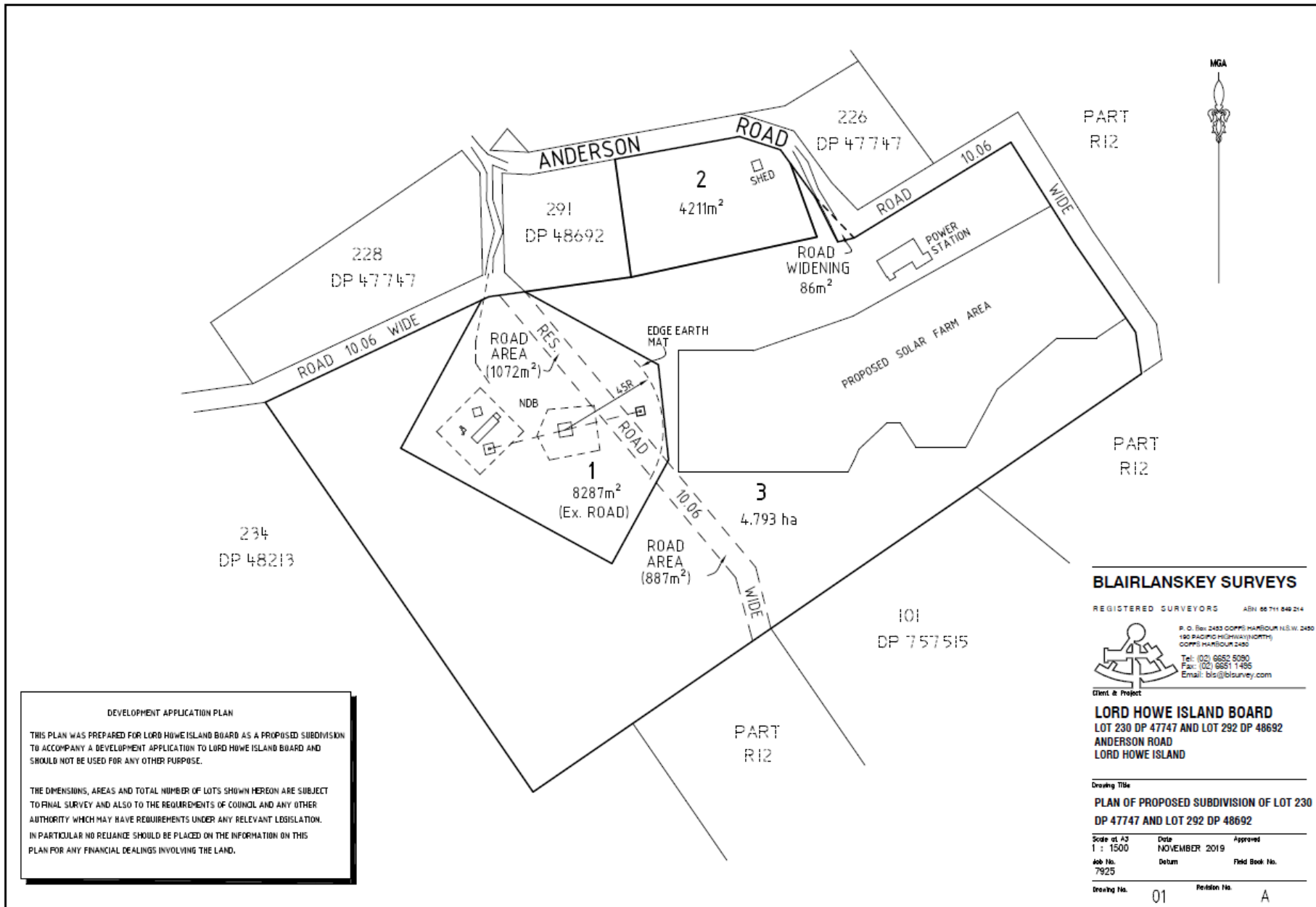


Figure 2 Revised Subdivision Plan showing revised lot boundaries for 291 - now identified as lot 2 and revised location for solar farm area.

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Renewal of Special Lease 2011.08

RECOMMENDATION

If the modification to consent MDC2020.01 considered at this Board meeting is endorsed in such a way that Lot 101 DP757515 is no longer required for the Hybrid Renewable energy Project that:

1. The Board seek the Minister's approval for the extension of the Special Lease 2011.08 from 1 January 2020, or any subsequent date upon receiving Ministerial approval until 31 December 2021 subject to the existing conditions of the lease.

Alternate Resolution:

If the MDC2020.01 is refused or amended in such a way that lot 101 is required to be available to install solar panels for the Hybrid Renewable Energy Project that:

1. The Board recommend to the Minister to refuse renewal of special lease 2011.08 on the 31 December 2019.
2. Following Ministerial consent to not renew the lease, the Board undertake the necessary actions to determine the compensation payable to the existing lease holder under section 12 of the *Lord Howe Island Act 1953*.

BACKGROUND

All land on Lord Howe Island is Crown land and may only be dealt with in accordance with the provisions of the Lord Howe Island Act 1953 (the Act). Pursuant to Section 22 of the Act, the Minister may grant Special Leases for agriculture or other uses to perpetual leaseholders on the recommendation of the Board. Attachment A – Special Lease Information Sheet provides an overview of Special Leases on Lord Howe Island.

Special Lease 2011.08 located on Lot 101 DP757515 is a 49 070m² special lease with a chargeable area of only 14 910 m². The Special Lease is currently held by Gower Wilson. Approximately 30% of the lease area consists of grazing land with the remaining 70% consisting of significant native vegetation. The lease is due to expire on 31 December 2019. The chargeable lease area is used predominantly for the purpose of grazing dairy cattle.

On 24 November 2015 the Board determined DA2016.02 – Installation of Ground Mounted Solar Panels and Associated Infrastructure, granting conditional approval. This approval,

among other things granted development consent for the installation of photovoltaic solar panels on Lot 101. In order to do this Special Lease 2011.08 would need to either be cancelled or significantly modified.

CURRENT POSITION

At the December 2019 Board meeting, concurrent to this paper, the Board will consider a Modification to Consent (MDC) to modify DA2016.02. Among other things this MDC includes a modification that moves the solar panels originally proposed for Lot 101 to be installed only in Lot 230. This will result in Lot 101 no longer being required for the installation of solar panels. Approval of this element of the MDC will allow for continued use of Lot 101 for agricultural purposes under Special Lease 2011.08.

As Special Lease 2011.08 expires on the 31 December 2019 it is proposed that the Board write to the Minister requesting that the Minister extend the expiry date for the Special Lease granted to Wilson Gower for a further two years, with the lease expiry date set for 31 December 2021. This extension is proposed for the same reasons set out in the September Board Paper "Business Paper – 10((viii) Proposed extension to the term of Special Leases" which was adopted by the Board at the September 2019 Board meeting.

If the Board does not resolve to adopt the changes proposed in MDC2020.01 Lot 101 will be required for the installation of solar panels as per the existing development consent for DA2016.02 granted in December 2015. In this scenario compensation may be payable to the lease holder as set out in section 22(12) of the Act.

RECOMMENDATION

If the modification to consent MDC2020.01 considered at this Board meeting is endorsed in such a way that Lot 101 DP757515 is no longer required for the Hybrid Renewable energy Project that:

2. The Board seek the Minister's approval for the extension of the Special Lease 2011.08 from the 1 January 2020, or any subsequent date upon receiving Ministerial approval until 31 December 2021 subject to the existing conditions of the lease.

Alternate Resolution:

If the MDC2020.01 is refused or amended in such a way that Lot 101 is required to be available to install solar panels for the Hybrid Renewable Energy Project that:

3. The Board recommend to the Minister to refuse renewal of special lease 2011.08 on the 31 December 2019.
4. Following Ministerial consent to not renew the lease the Board undertake the necessary actions to determine the compensation payable to the existing lease holder under section 12 of the *Lord Howe Island Act 1953*.

Prepared: Justin Sauvage Manager Environment and Community Services.

Endorsed: Peter Adams Chief Executive Officer

Attachments:

Attachment A: Special Lease Information Sheet – December 2019 – Open

Attachment B: Special Lease Map – December 2019 - Open



LORD HOWE ISLAND BOARD

PLAIN LANGUAGE GUIDE TO THE LORD HOWE ISLAND ACT

Information Sheet 6: Special Leases on Lord Howe Island

What are Special Leases?

Under the *Lord Howe Island Act 1953* (the Act), all land on the island is NSW Crown Land. The Act does not allow freehold private ownership of land.

Instead, the Act provides for Perpetual Leases for Islanders to reside on, and Special Leases for other uses. While Special Leases may be granted for a wide range of purposes, they have almost exclusively been granted for agricultural purposes such as cultivation and grazing. The zoning of land under the Lord Howe Island Local Environmental Plan 2010 would play a significant role in determining where, and for what purpose, a Special Lease can be issued.

The issuing, transfer or subleasing of Special Leases is strictly controlled and constrained by the Act. These provisions date back to 1953 and were designed to protect the interests of Islanders and to prevent speculation and trading in island land.

Is there a Register of Special Leases?

Yes. The Lord Howe Island Board keeps a register containing particulars of leases granted under the Act. It may be inspected by the public at the Island office of the Board.

Who can be granted a new special lease?

New Special Leases can only be granted to a person who holds a Perpetual Lease on the Island. For more information about Perpetual Leases, see the fact sheet entitled "Perpetual Leases". You do not need to be an Islander to be granted a Special Lease, but you do need to hold a Perpetual Lease.

What is the term of a Special Lease?

A Special Lease may be granted for up to 10 years and may be extended with Ministerial approval upon the recommendation of the Board.

Can a Special Lease be cancelled or not renewed?

Yes, in specific circumstances which are strictly controlled by the Act. For example, if the land is required for home sites or for public purposes during the term of the lease, the Minister may withdraw from the lease on the recommendation of the Board.

A Special Lease may not be renewed if the land the Minister, on the recommendation of the Board, determines that it is required for housing or another public purpose.

Compensation may be claimed by the Special leaseholder in these circumstances. The amount of compensation is determined by the Valuer-General, subject to any regulations under the Act, and is subject to appeal in the Land and Environment Court.

The Act states that compensation may be paid for the loss of the land and the loss of the improvement on the land.

Compensation for the loss of the land is calculated based on the unexpired period of the lease. If the unexpired portion of the lease is less than 5 years, then the unexpired portion of the lease is to be calculated at 5 years.

In other circumstances, a Special Lease could be cancelled if, for example, the holder does not pay the rent or fails to comply with any condition applying to the lease.

If the holder of a perpetual lease forfeits that lease, any Special Lease held by that person is automatically forfeited.

In this circumstance, the Minister may waive or reverse forfeiture where it appears to the Minister, after a report from the Board, that there are good and sufficient reasons to do so. The Minister may waive or reverse the forfeiture absolutely or on conditions.

The holder of a Special Lease may surrender the whole or part of the land in the lease. The holder must complete a surrender form available from the Board's Island office and the surrender will take effect on the day of its acceptance by the Minister on the recommendation of the Board.

What is the Rent for a Special Lease?

The annual rent for a Perpetual Lease is payable in advance. The amount is determined from time to time by the Board in accordance with the *Lord Howe Island Regulation 2014*. The Regulation imposes a maximum annual rent that the Board may determine, based on a flat dollar amount plus an amount per square metre of land comprised in lease. Generally, the Board may make a new determination of the annual rental every three or more years. The maximum amounts (both the fixed amounts and the amounts per square metre of land) are increased on 1 September each year in accordance with the Consumer Price Index.

Other legal fact sheets forming part of this series include the following titles:

- Information Sheet 1: History of the Lord Howe Island Act 1953
- Information Sheet 2: NSW and Commonwealth Laws on Lord Howe Island
- Information Sheet 3: Owning and Inheriting Land on Lord Howe Island
- Information Sheet 4: Who is a Lord Howe Islander?
- Information Sheet 5: Perpetual Leases on Lord Howe Island
- Information Sheet 7: Permissive Occupancies on Lord Howe Island

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Modification and Extension of term for special Lease 2011.05 consisting of Lot 230, 291, 292 DP 47747.

RECOMMENDATION

1. Subject to approval of MDC2020.01 the Board, seek the Minister's approval to not renew Special Lease 2011.05 after it's expiry on 31 December 2019, for the reason that part of the land comprising of Special Lease 2011.05 is required for a public purpose.
2. The Board recommend to the Minister that a new Lease be issued to Gower Wilson commencing on 1 January 2019 and expiring on 31 December 2021. The new lease comprise of the following:
 - a. Lot 291, and Lot 2 as described in the subdivision plans MDC2020.01.
 - b. That the chargeable area be calculated based on the amount of land available for agricultural use.
 - c. That the conditions and property management plan that applied to Special Lease 2011.05 be applied to the new Special Lease.
3. The Board engage the Valuer General to calculate compensation payable for the excision of Lot 230 and the adjustment to the boundaries for Lot 292 from Special Lease 2011.05 as per the methodology set out under section 22 of the *Lord Howe Island Act* 1953.

BACKGROUND

All land on Lord Howe Island is Crown land and may only be dealt with in accordance with the provisions of the *Lord Howe Island Act* 1953 (the Act). Pursuant to Section 22 of the Act the Minister may grant Special Leases for agriculture or other uses to Perpetual Leaseholders on the recommendation of the Board. Attachment A – Special Lease Information Sheet provides an overview of Special Leases on Lord Howe Island.

Special Lease 2011.05 currently consists of Lots 230, 291, 292 as marked on DP 47747. Figure 1 illustrates the Special Lease area. The lease is held by Gower Wilson, with the term of the lease expiring on 31 December 2019. Gower Wilson currently holds a total of five Special Leases with a total arable area of over 98000m². Gower is the single biggest holder of Special Leases on the island.



Figure 1 Existing Special Lease area for 2011.05

The Special Lease is currently used predominantly for the grazing of dairy cattle and the occasional use of small portions of Lot 230 for a seasonal vegetable garden. A small personal dairy consisting of a milking shed and milk pasteurisation equipment is located on Lot 292.

CURRENT POSITION

Development Approvals over land comprising of Special Lease 2011.05

Currently Lot 230 is subject to DA2016.02 that was approved in December 2015 for the installation of Photovoltaic solar panels and associated infrastructure. As currently approved most of Lot 230 and a portion of neighbouring Lot 101 would be required for the solar panels (Figure 2). The approval also provides for the subdivision of Lot 230, with a new Lot created around the solar panel installation area.



Figure 2 Construction footprint approved under DA2016.02

Concurrent with this report the Board has for its consideration a modification to consent (MDC2020.01) which seeks to vary DA2016.02 with the following changes:

- Increase the overall project solar capacity up to 2 Megawatts from the originally approved 1 Megawatt.
- Delete previously approved internal road Options 1 & 2 as the original wind turbine area and alternative third solar array area are now not part of the project.
- Delete approved 'Solar Area C' formally proposed (within Lot 101 DP 757515) to accommodate the (earlier deleted) wind turbines.
- Consolidation of approved 'Solar Areas A & B' (both within Lot 230) and relocation of this combined solar array area to the north east past the Powerhouse & away from the Air Services Australia facilities on site. (Figure 3).
- Relocation of the battery storage to the south of the Powerhouse.
- Include use of higher capacity 50kw inverters including a photovoltaic array with capacity around 1328 kWp / 1000 kVA made up of approximately 3,240 photovoltaic modules attached to 20 inverters each with 50kW capacity (subject to final design).
- A battery energy storage system with a capacity of 3712 kWh / 1088 kVA consisting of 16 Tesla Powerpack batteries each with 232 kWh capacity and two Tesla Inverters with 544 kVA capacity (subject to final design).
- Provision within the Anderson Road reserve at the Powerhouse of legacy infrastructure in the form of a composting toilet for public use upon project completion.
- Removal of existing trees including Kentia Palms, Sallywoods, Oleanders and an established Norfolk Island Pine (in the very north eastern corner of the site).
- Provision for the easement or equivalent right of access from Anderson Road to lot 101 befitting the lease holder of Special Lease 2011.08.

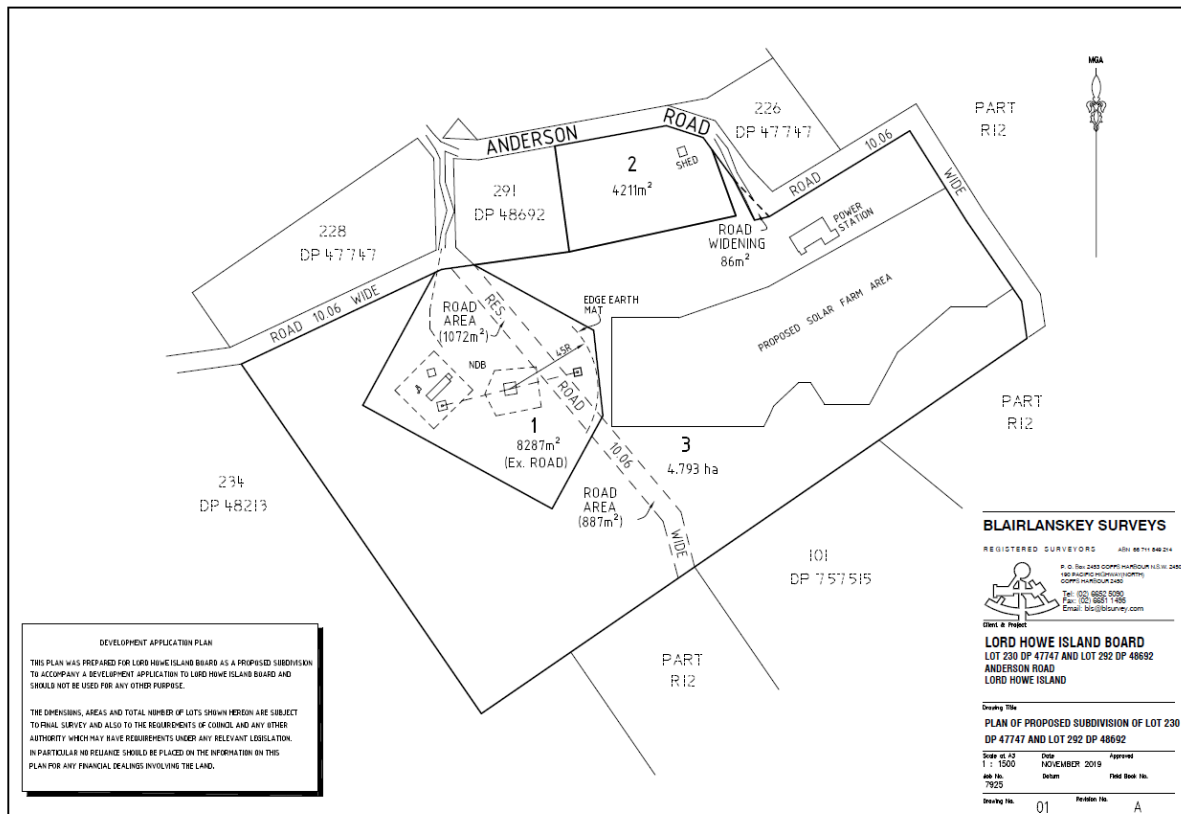


Figure 3 Detail of Subdivision Plan showing revised lot boundaries for 291 - now identified as lot 2 and revised location for solar farm area.

As the current DA approval and the proposed amendments to the consent rely on the solar generation infrastructure being installed on Lot 230 it is no longer practical to make it available as a Special Lease for agricultural purposes. Of significance to this report is that the proposal to consolidate the installation of solar panels from on Lot 101 and Lot 230 into just Lot 230. This allows for Special Lease 2011.08 to be retained as a Special Lease without modification and upon the expiry of the lease term on 31 December 2019 for it to be re-issued to the existing Lease holder, which is currently Gower Wilson.

Despite Lot 230 not being available for a Special Lease, it may be possible to have limited agricultural activity take place on Lot 230 under the terms of a Permissive Occupancy or other land use sharing agreement.

Proposed Changes to Special Lease 2011.05

Special Lease 2011.05 currently covers Lot 230 and Lots 291 and 292. In order to facilitate the approved (and proposed modification to the development) it is proposed to cancel Special Lease 2011.05 and re-issue a new Special Lease. The Special Lease area would consist of Lot 291 and Lot 2 (formerly Lot 292), as illustrated in Figure 4. The new lease area would include the existing dairy shed and associated infrastructure.



Figure 4 Approximate revised footprint for new Special Lease

Current use of Lot 230.

Lot 230 currently has a number of land uses including Air Services Australia (ASA) infrastructure, grazing and occasional vegetable gardening. In recent years the vegetable garden has been planted out and maintained by Michael Nobbs with the permission of Gower Wilson. The vegetable garden is located in areas of fertile clay soil. MDC2020.01 increases the area of solar PV in the usual vegetable gardening area.

The Board Project Manager for the HREP project has undertaken extensive consultation with Gower Wilson and Michael Nobbs regarding the impact on the vegetable gardening locations. During the consultation Gower Wilson indicated that a portion of land immediately to the south of Lot 292 (Lot 2 in the proposed subdivision) would be appropriate for future vegetable gardens due to its soil qualities and close proximity to a water source for possible irrigation. This portion is outside of the proposed footprint of the solar panels.

While the alternative portion of land identified by Gower as suitable for vegetable gardening will be outside of the proposed new Special Lease it has potential to be made available for vegetable gardening in the form of Permissive Occupancy in the future. The benefit of a Permissive Occupancy is that it allows for security of tenure over only the portion of land that is not defined by a formal Lot boundary. This gives greater flexibility to amend the PO area to accurately reflect the area of land being utilised and reducing land rental costs to the occupier.

Availability of arable land for vegetable gardens

Preferred plots with fertile soils for vegetable gardening are relatively scarce on Lord Howe Island. The proposed location of solar PV on lot 230 will impact on approximately 2000m² of land that has been previously used for seasonal vegetable gardening.

Consideration was given to alternative locations for the panels to maintain the vegetable gardening activities, however after due consideration relocation is not the preferred option for the following reasons:

- The location of a vegetable garden in the far eastern corner lot 230 would necessitate unrestricted access of the person(s) maintaining the vegetable garden through an active power generation site. This may result in an undesirable security risk and increased risk of unintentional damage to the power generation infrastructure.
- Provision of vegetable gardening in the far eastern corner would require solar panels to be installed in Lot 101, limiting the availability of this lot for grazing use and increasing the cost of the HREP project due to longer cable runs, additional fencing and a less optimal orientation for the solar panels. It is also noted that the installation of solar panels on Lot 101 are more visible from other parts of the island due to its more elevated aspect.
- While the location of the vegetable garden is located on a pocket of fertile soil its productive use has been intermittent over the last few years due to variable rainfall and impacts from pests. The site does not have reliable access to a water supply as such a successful crop is highly dependent on seasonal rainfall and its productivity is lower than it might otherwise be.

Anecdotally, productive vegetable gardening on Lord Howe Island has been in decline for many decades if not longer. There are currently a number of formerly productive vegetable gardens and fruit tree groves that have been left fallow or abandoned in recent years. Although the HREP project does reduce the amount of land available with preferred soils for vegetable gardens, it appears that the supply of land for this purpose currently exceeds demand.

It is also noted that the land occupied by the solar panels does not totally exclude all agricultural uses, and would still be available for compatible agriculture. An example of compatible agriculture would be the use of the solar panel field for the grazing of sheep. Sheep grazing has the twofold benefit in that it provides grazing land for sheep and the sheep will help keep the grass down in and around the panels that would otherwise need to be maintained by periodic mechanical slashing or use of herbicides.

As solar PV installations do not permanently change or damage the soil profile the land can be returned to vegetable gardening should new technologies become available that do not require the land to be used for the installation of solar panels.

Modification of Special Leases and compensation under the Lord Howe Island Act

Special Leases are issued under section 22 of the Act. The Act does not allow for the Board to unilaterally recommend to the Minister a modification or change to an existing Special Lease, although a Lease Holder has the ability to initiate this under section 22(7) of the Act. However, as the Lease expires on the 31st of December 2019 the Board has a formal role in either cancelling the lease or recommending the extension of the lease with amended terms and conditions (Section 22(2) of the Act).

Section 22(8) of the Lord Howe Island Act permits the Minister, on the recommendation of the Board, to withdraw from any lease for a public purpose. In this instance, the construction of an electricity generation infrastructure constitutes a public purpose.

Sections 22(9) – 22(15) of the Act deal with the compensation process for when a lease is not renewed. In this instance it is proposed the Board consider compensation for only Lot

230 and a small portion of lot 292, as Lot 292 and 291 will still be available to Gower Wilson for agricultural purposes in the form of a new Special Lease.

In determining the amount of compensation payable to Gower Wilson, the Valuer General will be asked to determine the compensation payable to Gower on the assumption that the Lot 230 and part of Lot 292 would have been available to Gower Wilson for 5 years. Through the compensation determination process Gower Wilson will be invited to make representations as to the financial value of Lot 230 as an agricultural use reflecting his recent historical and current use of this land. The final compensation amount will not be known until the Valuer General has completed its investigations, however provision has been made in the project budget for an estimated amount of compensation that might be payable.

RECOMMENDATION

1. Subject to approval of MDC2020.01 the Board, seek the Minister's approval to not renew Special Lease 2011.05 after it's expiry on 31 December 2019, for the reason that part of the land comprising of Special Lease 2011.05 is required for a public purpose.
2. The Board recommend to the Minister that a new Lease be issued to Gower Wilson commencing on 1 January 2019 and expiring on 31 December 2021. The new lease comprise of the following:
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3. The Board engage the Valuer General to calculate compensation payable for the excision of Lot 230 and the adjustment to the boundaries for Lot 292 from Special Lease 2011.05 as per the methodology set out under section 22 of the *Lord Howe Island Act* 1953.

Prepared: Justin Sauvage Manager Environment and Community Services

Endorsed: Peter Adams Chief Executive Officer

Attachments:

Attachment A: Special Lease Information Sheet – December 2019 – Open

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Audit and Risk Committee Overview.

RECOMMENDATION

The report is submitted to the Board for information.

BACKGROUND

Treasury Policy Paper 15-03 *Internal Audit and Risk Management Policy for the NSW Public Sector* requires all agencies to establish an independent Audit and Risk Committee (ARC) with appropriate expertise.

The objective of the ARC is to provide independent assistance to agency heads by monitoring, reviewing and providing advice about the agency's governance processes, risk management and control frameworks, and external accountability requirements.

The Core Requirements of the *Internal Audit and Risk Management Policy for the NSW Public Sector* are:

1. Risk Management

Core Requirement 1.1: The agency head is ultimately responsible and accountable for risk management in the agency.

Core Requirement 1.2: A risk management framework that is appropriate to the agency has been established and maintained and the framework is consistent with AS/ANZ ISO31000:2009.

2. Internal Audit

Core Requirement 2.1: An internal audit function has been established and maintained.

Core Requirement 2.2: The operation of the internal audit function is consistent with the International Standards for the Professional Practice of Internal Auditing.

Core Requirement 2.3: The agency has an Internal Audit Charter that is consistent with the content of the 'model charter'.

3. Audit and Risk Committee

Core Requirement 3.1: An independent Audit and Risk Committee with appropriate expertise has been established.

Core Requirement 3.2: The Audit and Risk Committee is an advisory committee providing assistance to the agency head on the agency's governance processes, risk management and control frameworks, and its external accountability obligations.

Core Requirement 3.3: The Audit and Risk Committee has a Charter that is consistent with the content of the 'model charter'.

As establishing and maintaining an ARC is expensive, the Board has entered into a shared agreement with the Department of Planning and Environment (DPE) ARC. This service is provided by DPE at no cost to the Board.

Each quarter the DPE ARC Secretariat prepares agendas for approval by the Chairperson of the ARC. Once approved the agenda is distributed and papers are prepared by Board officers for consideration by the ARC. Meetings are held, and minutes produced by the Secretariat.

The Chief Executive Officer and the Manager Business & Corporate Services attended a meeting by conference phone on Monday 9 September 2019. Draft minutes were not available at the date of writing this report. The key issues addressed at the meeting were around completion of the Annual Financial Statements 2018/19 and associated Letters of Certification and Representation Letters.

Please note that the next ARC meeting has not been scheduled as yet due to structural changes to the department (DPIE) and the ARC itself, and is therefore not due until around March 2020.

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: John van Gaalen Manager Business and Corporate Services

Endorsed: Peter Adams Chief Executive Officer

LHI Operations Plan FY 2019 planning

Strategic Direction: Effective Governance and Leadership					
Strategy	1.1	Ensure accountability, fairness and transparency in the Board's decision-making and relationships with all its stakeholders.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.1.1	Develop a 10 year strategic plan to develop a longer term vision and key directions for the community, providing a basis for future policy, plans and community reporting	CEO	Continue stage 2 of community engagement, prepare draft CSP and inform 20/21 budget and operating plan.	CSP work recommencing in Dec 2019 following availability of resources after REP.
Action	1.1.2	Hold Board meetings four times a year in public.	CEO / MBCS	Four public meetings held per annum.	On track
Action	1.1.3	Develop and implement appropriate policies and procedures to ensure decisions are merit based, transparent and defensible.	MBCS	Policies and procedures reviewed in accordance with the schedule to ensure currency and completeness.	Some policies past review dates. Some catch up achieved but completion will be challenging.
Action	1.1.4	Ensure all conflicts of interest of Board members and staff are declared and managed in accordance with the Board's Code of Conduct.	MBCS	A record is kept of conflicts of interest declared. Declarations of Pecuniary Interests are completed and reported on an annual basis. Register established.	Declarations completed and ongoing compliance required. Register established, reported annually.
Action	1.1.5	Ensure appropriate community engagement and consultation opportunities are provided so that community input to decisions and plans is obtained and considered.	CEO	Program of meetings and engagement opportunities undertaken. Community input to policy development is sought as appropriate.	Ongoing Stage 2 Consultation for CSP to commence in 2020.
Action	1.1.6	Implement a level of delegated authority to ensure efficient and equitable organisational operations.	CEO	Appropriate delegations of authority are enacted to provide efficiencies with sufficient powers to enforce the LHI Act and Regulation and other legislation administered by the Board.	Review of delegations register required.
Strategy	1.2	Ensure corporate governance practices meet legislative requirements.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.2.1	Work with the Audit and Review Committee (ARC) and auditors.	CEO / MBCS	ARC meets four times per year. Internal audit work plan completed on time.	On track Completed on time.
Action	1.2.2	Provide relevant and timely advice to Government on matters affecting the management of the island.	CEO / MBCS	Briefings and submissions prepared as required to the Minister, DPE, OLG and Treasury as appropriate	On track, complete

Strategy	1.3	Work to achieve long term financial sustainability.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.3.1	Develop sustainable annual budget	CEO / MBCS	Adequate capital funding achieved to fund the Total Asset Management Plan (TAM Plan). Efficiencies explored to allow the Board to meet its priorities in accordance with the Corporate Plan. Business cases to be prepared for recurrent funding of biosecurity strategy and REP.	Gap between TAMP renewal, depreciation and actual funded renewal now highlighted regularly in financial reports. Valuations of many of the asset classes underway. Shortfall in capital renewal funding highlighted in reports to Treasury. 2019/20 budget includes increase for biosecurity. However, this is not yet considered sufficient to provide adequate biosecurity confidence. Report to December meeting on future biosecurity.
Action	1.3.2	Levy fees and charges at an appropriate level.	MBCS	Fees and charges are in accordance with the Board's decisions.	Achieved.
Action	1.3.3	Ensure that the services delivered are provided at the appropriate level.	CEO	Service levels and service delivery monitored and reports provided to the Board on achievement of service levels.	Achieved. Proposed to increasingly program service level plans for key services and infrastructure.
Strategy	1.4	Ensure risks are properly managed.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.4.1	Implement the risk management policies and procedures.	MBCS	Progress against the implementation of risk management policies and procedures is reviewed quarterly.	Ongoing, and reported to Audit and Risk Committee. Risk register restructured to align with NSW gov current guidelines..
Action	1.4.2	Regularly review the Risk Register.	CEO	Top priority risks reviewed quarterly.	Review of top priority risks completed for Sept. Review of complete register scheduled for December.
Action	1.4.3	Develop Risk Treatment Plans (RTPs) to manage risk impacts.	CEO / Unit Managers	RTPs tabled at management meetings.	Achieved.
Action	1.4.4	Develop and implement a Business Continuity Plan to ensure the continuance of Board services should a significant event occur.	CEO	Business Continuity Plan completed and tested by end June 2018.	Not yet commenced due to major projects and limited resources.
Strategy	1.5	Provide internal IT and communications systems which are secure, stable and support business operations.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
					MYOB software cleansed and regular updates managed. New staff being trained.

Action	1.5.1	Implement ICT policies and procedures.	MBCS	Projects completed on time and on budget.	Liquor Store IT system issues are being resolved. To be completed by March 2020. Upgrading of Civica Authority FMS occurring early 2020. Applications Module to be implemented in December 2019.
Action	1.5.2	Support and maintain corporate ICT.	MBCS	Systems operational 99% of the time during business hours.	Achieved.
Strategy	1.6	Provide efficient and effective records management and information management.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.6.1	Review and implement policies and procedures regarding information management.	MBCS	100% of relevant staff informed of record keeping responsibilities.	All new staff have RM8 training as part of their induction.
Action	1.6.2	Continue the RM8 electronic records management system implementation.	MBCS	Records are moved to electronic format or archived by June 2020	Review need for scanning off-island of necessary files, subject to security concerns. Lease and DA data only to be scanned.
				Alternative records system on hard drive to be reviewed by June 2020	File Drives' data recording has been delayed due to impact of REP. Relates to records identified by archiving date that can be retained.
Strategy	1.7	Ensure effective management of human resources.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.7.1	Ensure organisational structure is aligned to strategic priorities and legislative requirements and is adequately resourced.	CEO / Unit Managers	Implement staff changes to meet REP project and budget decisions.	Organisation size increased by 2.5 times and very dynamic changes implemented to resource REP. Core pack down and monitoring team remain. Most contractors and casuals now finished. Extremely challenging HR processes and changes achieved. Changes to ongoing staff to respond to budget decisions being implemented post REP.
Action	1.7.2	Attract, develop and retain an effective workforce that delivers required outcomes.	CEO / Unit Managers	Required recruitment processes implemented.	Several positions that were casually filled now being formalised to provide better stability. Replacement MIES recruited.
				Training programs provided in line with the training budget.	Extensive training undertaken for temporary REP staff, aerial operations, and new staff.
Action	1.7.3	Provide workplaces that ensure the health, safety and welfare of	CEO / Unit Managers	Risk Management Policy and Guidelines and all associated policies and procedures implemented and reviewed at appropriate intervals.	Guidelines reviewed and improved in Nov. New procedures agreed with new "parent" agency DPIE.
				WH&S Management Plan reviewed annually.	Large number of new SWMs developed and trained.

		employees and members of the public.	CEO / Unit Managers	Incidents and injuries are reviewed.	More active management of cases implemented. Return to work coordinators trained.
				Safe work procedures and training requirements are in place.	Reviewed for REP and implemented.
Action	1.7.4	Ensure that Work and Development Plans are completed for all staff.	CEO / Unit Managers	Work and Development Plans are completed annually, including Customer Service Objectives.	Not pursued during REP.
Action	1.7.5	Review and implement actions from the Workforce Plan 2015-18.	CEO / Unit Managers	Database of volunteers created in appropriate areas. Training program developed	Extensive database of volunteers established and updated. Significant numbers of volunteers assisted the REP and enviro projects.
			MECS	Skills development goals for island residents pursued during REP.	Significant number of residents and island family members trained and gained extensive experience during REP.
Strategy	1.8	Provide timely and proactive communication to all stakeholders.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.8.1	Develop and implement a Communication / Community Engagement Strategy.	CEO / MECS	A Communication / Engagement Strategy in place by end June 2020. Deferred from 2019.	Engagement strategy for CSP underway, communications plans for individual key projects, long term plan yet to be developed.
Action	1.8.2	Promote Board programs and services through meetings, advertising and written materials.	CEO / Unit Managers	All materials prepared as required to a high standard.	On Track. Board contributions to the Signal, regular householder notifications prepared and delivered on key topics.
Action	1.8.3	Maintain information on the Board's website and through social media.	MBCS	Number of page views per month.	LHIB website: average of 5,870 page views per month last 12 months. Approx 10x views from same period last year.
Strategy	1.9	Ensure high standards of customer service.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	1.9.1	Provide appropriate services efficiently and effectively to the appropriate service level.	CEO / Unit Managers	Communication of and access to information improved.	1 GIPA & 2 FOI (Commonwealth Gov) requests processed.
				Efficiency and effectiveness of employees enhanced.	Not yet undertaken.
				Actions from the CSIP implemented, including the following:	
				Explore on-line services.	Social media utilised for major projects. Web site regularly updated with new projects or information.

Action	1.9.2	Implement the Customer Service Improvement Plan (CSIP).	CEO / Unit Managers	Continue improved Work and Development Planning system	Further improvements not yet commenced
				Implement social media initiatives	Implemented and ongoing
				Review processes and procedures to improve customer service.	Internal audit completed. Processes endorsed and recommendations not yet implemented.

Strategic Direction: Strong and Sustainable Economy					
Strategy	2.1	Market the island as a tourist destination.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	2.1.1	Maintain and enhance the sustainable tourism 'product' through the provision of infrastructure, engineering and environmental services.	CEO	Direct feedback from tourist market, community members and tourists.	Significant media focus. Lonely Planet "top 5" states sustainable tourism and opportunities to volunteer as key attractions. TV & radio programs on Renewable energy project and REP. Conservation Volunteer program was facilitated with LHITA, Museum and businesses/operators.
Action	2.1.2	Conduct visitor surveys as required, in conjunction with partners where appropriate, to inform product planning and destination marketing.	CEO	Visitor surveys conducted, analysed and assessed to inform product planning and destination marketing.	Undertaken for off peak season.
Action	2.1.3	Work in partnership with LHI Tourism Association (LHITA), Destination NSW and other bodies in the ongoing implementation of the Destination Management Plan.	CEO / MBCS	Regular consultation and information sharing takes place.	CEO is member of LHITAS executive. LHI Conservation Volunteers undertaken in 2019. "Just Paradise" magazine produced.
Action	2.1.4	Promote the island in key source markets as resources allow.	CEO / MBCS	Results of marketing activities are measured. Participate in marketing strategy and plan development. Post survey review/analysis.	Achieved and ongoing. Support for "famils" and TV live crosses provided.
Action	2.1.5	Ensure website content is current and relevant.	Manager Admin	Website content is refreshed and updated as necessary.	Website content is refreshed and updated as necessary.
Action	2.1.6	Review the Destination Management Plan (DMP) annually, in consultation with the LHITA.	MBCS	The DMP is reviewed by December 2019. Those parts of the DMP for which the Board is responsible are implemented.	DMP being adapted as required by LHITA and Exec Officer with DNSW. Active participation by CEO in LHITA exec. Conservation Volunteers resourced. Lonely Planet rates LHI as 5th in world noting sustainable tourism and opportunity to participate in conservation projects.
Action	2.1.7	Ensure efficient and effective visitor information services are provided.	CEO / Unit Managers	The MOU between the Board and the LHITA is implemented in a manner that achieves this outcome.	Visitors centre services are provided and reported on periodically. Practical and equipment support provided to VC and CEO involvement in a range of promotions and initiatives.

Strategy	2.2	Foster an environment that supports sustainable economic development.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	2.2.1	Work with business regarding options and plans for sustainable business growth.	CEO	Support for local business development provided.	Various business initiatives supported and approval processes conducted. CBD projects being delivered. Vacant business premises leased.
Action	2.2.2	Pursue avenues of funding to implement economic development projects.	MBCS	Funding opportunities, pursued and reported.	Stronger Country Communities grant achieved and being delivered. Additional submission made for CBD toilet.
Action	2.2.3	Develop and maintain contemporary policies to aid sustainable development.	MBCS	Policies regularly reviewed and red tape reduced.	Some policy and application reviews completed.
Action	2.2.4	Work with the Nursery lessees to support the development of a major tourist attraction.	MBCS	Close cooperation and planning is ongoing.	Initiatives nearing opening for business. Cooperation being provided.
Action	2.2.5	Introduce Commercial Tour Operator licensing system	MECS	Commercial Tour Operator licensing system for Mt Gower Walk and other areas of PPP developed and implemented following consultation with key stakeholders by May 2020	In progress. Simplified Eco-pass implementation commenced. Dferred during REP. Will seek feedback from operators at the end of the 2019/2020 season.
Strategy	2.3	Effectively manage the Board's business enterprises.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	2.3.1	Operate the LHI Liquor Store.	MBCS / Liquor Store Manager	Budgeted revenue and expenditure targets are met.	On track. Revenue arrangement for proposed on-island brewing agreed. Pricing policy for local products underway. New team recruited and working well.
Action	2.3.2	Operate the island's airport and wharf facilities.	MIES / MBCS	Airport and wharf facilities are operational when required and revenue and expenditure targets are met.	Revenue/Expenditure targets met, no downtime experienced. Strategic initiatives being explored with shipping company. Marine Rescue and other infrastructure matters being developed.
Strategy	2.4	Effectively manage the Board's commercial leases.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	2.4.1	Ensure that fair market rental return is achieved on commercial leases.	MBCS	Commercial leases are revalued at least every three years and annual CPI increases are applied. Former Post Office and former coop buildings advertised for commercial opportunities.	Ministerial request not determined by previous Minister. Request reactivated for new Minister. Former Post Office and Coop both advertised and leased.
Strategy	2.5	Take action to ensure appropriate and adequate servicing of the island by a major airline.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	2.5.1	Work with Air Services stakeholders and negotiate with Qantas and other airlines to ensure services to the island beyond 2018.	CEO / MBCS	Progress initiatives to ensure air services to LHI beyond 2022.	Feasibility study completed. Meetings with TNSW held. Working group being convened following Feasibility Study and changes to the machinery of government. Working closely with Qantas to address ground agent issue.

Action	2.5.2	Undertake Feasibility Study into the extension of the airport runway	CEO / MIES	Complete feasibility study March 2019. Commence actions with the aim of ensuring an air service into the future.	Feasibility study completed. Meetings with TNSW held. Working group being convened following Feasibility Study and changes to the machinery of government.
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Strategic Direction: Sound Infrastructure					
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Strategy	3.1	Provide sound asset management.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.1.1	Review and update TAMPLAN annually for Board approval in March.	MIES	TAMPLAN is updated annually to support Treasury CAPEX requests	Revaluations underway. Depreciation now being reported.
Action	3.1.2	Develop procedures then undertake and document preventative maintenance on all assets to reduce failures.	MIES	Undertake gap analysis Asset Management Plans and Policy	Search for existing records undertaken. Review to commence in 2020 with new MIES.
Action	3.1.3	Implement Authority Asset Maintenance System (AMS).	MIES	Initial gap analysis commenced to inform spacial data. AMS commenced Dec 2018	Loss of MIES has left a gap. New Manager will review and undertake.
Action	3.1.4	Replacement or new plant items.	MIES	Strategic review of plant/fleet to minimise costs while improving continuity of services.	On track, Vermeer, telehandler, forklift, some light fleet, procured. Truck for coastal erosion management ordered and being shipped.
Strategy	3.2	Maintain recreational facilities for visitor and community use.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.2.1	Maintain and improve standard of recreational facilities through regular maintenance.	MIES	Recreational facilities are available for use.	Repairs to play equipment completed. New replacement components on order.
				Procure and install fitness equipment.	Procured, some installation materials not shipped, completion expected in Dec.
Action	3.2.2		MIES	CBD (former powerhouse) upgrade.	Completion expected November 2019.
				Stevens Reserve accessible path	Land ownership issues being reviewed for resolution.
Action	3.2.3	Implement approved walking track strategy.	MECS	Priority walking track works as per strategy implemented in accordance with available funding.	Urgent maintenance tasks completed. REP has diverted resources temporarily.
Strategy	3.3	Operate Aerodrome safely for Regular Passenger Transport (RPT) services, medical evacuations and general aviation.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.3.1	Arrange Annual Aerodrome Technical inspections and participate in CASA audits.	Aerodrome Controller / MIES	Annual Aerodrome Technical Inspections and CASA Audits completed and recommendations acted on.	Annual Aerodrome Technical Inspections and CASA Audits programmed for Nov 2019.
Action	3.3.2	Review effectiveness Bird and Animal Hazard Management Plan annually.	Aerodrome Controller /	Bird and Animal Hazard Management Plan effectiveness reviewed annually.	Complete.

Action	3.3.2	Review effectiveness Bird and Animal Hazard Management Plan annually.	MIES	Strategies to minimise risk of bird strike to aircraft implemented.	Complete, seasonal and current
Action	3.3.3	Review Aerodrome Manual annually.	Aerodrome Controller / MIES	Aerodrome Manual updated annually and distributed.	Complete
Action	3.3.4	Hold Aerodrome emergency exercises annually.	Aerodrome Controller / MIES	Desktop aerodrome emergency exercise held in 2019/2020.	Desktop exercise held early in May before REP aerial operations.
Strategy	3.4	Maintain road network in good condition for all road users.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.4.1	Implement road renewals as per TAMPLAN, subject to budget allocations.	MIES	Thompson's Road rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Lagoon Rd – adjacent to boatsheds rehabilitated and resealed as a priority	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Lagoon Rd – Ned's Beach Rd to Oceanview Drive, King's Beach to Smoking Tree Ridge Rd, and King's Beach turning circle rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Access to Murray/Crombie residences rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				TC Douglass Dr rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Ned's Beach Road – Lagoon Rd to Anderson Rd rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Cemetery Rd rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
				Jetty hardstand area resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.
		Smoking Tree Ride Rd- Lagoon Rd to cattle grid rehabilitated and resealed.	Projects delayed due to lack of resources and equipment breakdown. Planned for integrated contractor engagement in 2020.		
Action	3.4.2	Regular routine road maintenance programmed.	MIES	Standard of roads is maintained or improved.	Maintenance occurring as funding & resources permit.
Strategy	3.5	Maintain wharf to serve shipping contractor, charter operators and visiting boats.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review

Action	3.5.1	Maintain wharf as per TAMPLAN.	MIES	Wharf is available 100% of the time when required and routine maintenance and works are carried out.	Wharf available except when an unauthorised boat maintenance activity caused short term impact on access.
				Timber piles on low level landing are replaced.	Options to undertake these urgent works without waiting for major wharf contractor were investigated. Contractor being engaged.
				Feasibility of allowing outriggers to be further extended for crane to be investigated.	Not yet commenced. Alternative options for ship stevedoing being considered.
				Feasibility of 2 nd low level landing to be assessed.	Assessment completed. To be included in major wharf repair work contract scheduled for mid 2020.
Strategy	3.6	Maintain Board building and property assets.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.6.1	Maintain Board buildings as per TAMPLAN.	MIES	Buildings are maintained to an acceptable standard for commercial and residential purposes.	Completed within funding limitations. Further essential maintenance being pursued. Community hall upgrade complete. Improvements to some commercial buildings undertaken.
Action	3.6.2	Depot shed extension	MECS \ MIES	Complete construction.	Completed.
Action	3.6.3	Research Facility extension	MECS \ MIES	Undertake works.	Building complete. Extensively utilised for captive management and REP. Ongoing use by researchers and volunteers.
Action	3.6.4	Hospital garage and morgue	MIES	DA submitted and construction commenced.	Concept plans completd. DA in progress.
Action	3.6.5	Refurbish rainwater collection at Depot/Admin, Gov House and Public Hall to maintain supply levels.	MIES	Procure tanks and install. Address catchment issues.	Tanks received. Installation underway. Further works being planned.
Action	3.6.6	Repair and renovate Aviation Fuel Shed	MIES	Submit DA & build replacement shed.	DA submitted. Constrcution planned for early 2020.
Strategy	3.7	Provide facilities in conjunction with Roads and Maritime Services for all Island boat users to safely and efficiently launch, retrieve and maintain boats in an environmentally sound manner.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.7.1	Undertake detailed design, planning and construction for upgraded boat ramp and launch/retrieval system.	MIES	Resolve issues re design options and available budget.	Revised concept design completed. Cost estimate significantly above exisiting funding. Additional funding sources being investigated.
Strategy	3.8	Provide reliable and efficient electricity supply.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review

Action	3.8.1	Maintain electricity generation and distribution system to provide a reliable and safe supply.	MIES	Unplanned electricity outages are maintained at or better than service targets.	On track.
Action	3.8.2	Hybrid Renewable Energy Project continues to progress.	MIES	Project is resolved and revised ARENA agreement signed.	Agreement signed.
				Revised ARENA funding agreement obligations met.	Obligations met, knowledge sharing requirements completed to date. Contract awarded. Ministerial announcements made.
				Construction on Solar PV commenced	Equipment being manufactured. In transit and expected to be shipped to LHI in Jan/Feb 2020. Installation expected Feb to June 2020. Contractors visited LHI twice. Community & business engagement underway. Milestones met. Revised DA prepared, submitted & exhibited to add value to project.
Action	3.8.3	Electricity Safety Management System implemented fully and audited.	MIES	ENSMS & IPART Compliance maintained	Complete - ENSMS & IPART reporting & compliance maintained
Strategy	3.9	Provide efficient and environmentally sustainable waste and recycling management services.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	3.9.1	Maintain and upgrade the Waste Management Facility using grants and allocations to improve composting and waste diversion.	MIES	Through discussions with EPA compost exemption order achieved by 30 June 2019.	Delayed due to REP.
				Compost is given back (not sold) to the community once it reaches an acceptable standard under a distribution system to be determined.	NA, Delayed due to REP.
				> 80% of waste is diverted from landfill.	On track.
				New baler delivered and installed.	Completed & operational.
Action	3.9.2	Maintain compliance with EPA licence for wastewater and waste management at WMF site.	MIES	Wastewater system is maintained and managed to achieve ongoing compliance with EPA licence requirements and the Island's Wastewater Strategy.	Ongoing.
				Pollution Reduction Programs (PRPs) within licence are planned and executed as required.	Ongoing in consultation with EPA.
Action	3.9.3		MIES	Construct concrete waste bunkers Dec 2018	Complete.
Strategic Direction: Outstanding Environment					

Strategy	4.1	Protect and manage the environment in a manner that recognises and promotes the World Heritage values of the Island.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	4.1.1	Protect threatened species, populations and ecological communities, and their habitats through implementation of LHI Biodiversity Management Plan (BMP)	MEWH	Significant progress against identified actions in the LHI Biodiversity Management Plan (BMP) is demonstrated.	Complete and ongoing. Recognition for our holistic strategy with the winning of the Banksia Gold, Banksia Govt, 2 Green Globe awards and a SERA award.
				BMP action table is reviewed	BMP meeting held to review action table, grant opportunities identified.
Action	4.1.2	In accordance with the LHI LEP, manage development in order to protect landscape values and scenic features	MECS	Development applications and activities are assessed in accordance with relevant environmental legislation, policies, and procedures.	On Track
Action	4.1.3	Contribute to World Heritage Area conservation by being a member of the Australian World Heritage Advisory Committee (AWHAC).	CEO / MEWH	Active contribution to AWHAC.	CEO & MEWH attended WH Managers meeting in Canberra Sept 2019, presented on LHI projects.
Strategy	4.2	Work to prevent the introduction of exotic pests and pathogens to and eradicate exotic pests from the Island.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	4.2.1	Implement biosecurity measures to protect against the introduction of exotic pests and pathogens to the Island.	MEWH	High priority actions identified in the LHI Biosecurity Strategy are implemented	Ongoing, funding proposal developed and sent to LLS. Grant received for Port Mac facility improvement. Upgrades introduced including inspections at Port Macquarie and increased inspections at LHI.
			MEWH	Bioscurity dogs/handlers continue to be managed, utilised and ongoing acrediation maintained.	Successfully operating, passed certifications, increased inspections, used in REO as well as biosecurity, additional dogs and handlers enaged and playing critical role in REP monitoring phase.
			MEWH	Regular biosecurity inspections are conducted with detection dogs at high risk entry points.	Ships inspected each voyage at Port Macquarie and LHI. Warehouse improved to reduce rodent access.
Action	4.2.2	Implement the LHI Weed Management Strategy 2016 and Program to eradicate invasive weeds	MEWH	Continue critical weed management during REP while also making available resources for implementation of REP.	Skilled local weeders used in REP. Some contract weeders used to undertake critical weed management. Helicopter access achieved in Nov to undertake remote/inaccessble location weeding.
Action	4.2.3	Seek philanthropic investment in the implementation of LHI Weed Management Strategy / Weed Eradication Program	CEO	LHI Weed Eradication Program Prospectus used to seek sponsorship from philanthropic organisations and individuals.	Key prospects identified and approached. Funding opportunities being actively managed.
				Continue support for Museum and Friends of Lord Howe.	Ongoing
				Sponsorship received from individuals and groups towards program implementation	Potential donors visited LHI. Sponsorship being considered by organisation.

Action	4.2.4	Complete Planning and Approvals stage of Rodent Eradication Program.	CEO	Planning and approval process to allow the implementation phase is complete	Complete. Legal challenges successfully defended. Costs awarded for Supreme Court appeal to LHIB. All permit and legislative requirements met and ongoing ones being met.
Action	4.2.5	Finalise operational planning and commence implementation of Rodent Eradication Program	CEO	Implement project and establish frame for meeting post implementation monitoring and permit requirements	In progress, implementation in packdown and monitoring phase..
Strategy	4.3	Identify, protect and value heritage items.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	4.3.1	Assist the LHI Historical Association and the community with conservation of heritage items	MECS	Applications for community grants and external funding for heritage conservation initiatives are supported.	Community grant program run and awarded. Grant application by Museum for cultural and family history supported and facilitated.
Action	4.3.2	Identify and protect heritage items	MECS	Heritage requests considered and assessed. Heritage items to be considered in all DA planning assessments.	No new items identified, heritage requests considered and assessed. Heritage items to be considered in all DA planning assessments.
Strategy	4.4	Improve awareness and understanding of the environment through education and research.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	4.4.1	Provide regular updates on environmental programs, research and maintain interpretation to increase environmental awareness	MEWH, REP PM, FMO	Articles prepared for Signal and LHIB website and community consultation undertaken on weeds, waste management and biosecurity	Complete and ongoing.
Action	4.4.2	Encourage appropriate environmental research which is of benefit to LHI environment and community.	MEWH	High priority research supported	Complete and ongoing.
Strategy	4.5	Improve environmental sustainability of Board programs and operations (waste disposal; wastewater; renewable energy).	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	4.5.1	Develop better knowledge within the resident and tourist populations of the waste program objectives activities.	MIES	Waste data regularly updated at WMF, website, The Signal.	Waste management and recycling information for residents and businesses communicated, special arrangements during REP communicated and implemented.
Action	4.5.2	Support community in implementing On-site Wastewater Strategy.	MIES	Demonstrated progress by commercial and residential leases to upgrade wastewater systems to meet revised Strategy deadlines.	Ongoing within limitations of LHIB control and influence
Action	4.5.3	Reduce the environmental impact of wastewater from Board properties.	MIES	All remaining Board properties which do not meet the Strategy are upgraded by end June 2019	System installed for Admin, School and bowling club precinct installed and connection planned.
				All Board property wastewater systems are maintained in accordance with Strategy.	Within budget limitations. Further resource engaged.
Action	4.5.4	Undertake monitoring of LHI groundwater monitoring well network on annual basis and establish data management and reporting.	MIES	Data on quality and levels is collected and data is managed to enable sensible reporting.	Complete and ongoing.
Action	4.5.5	Undertake two waste audits to monitor and record waste types and volumes received from the community.	MIES	Audits completed by end June 2020.	On target.

				Work is undertaken with community representatives to put in place measures to phase out the sale of plastic water bottles, plastic-coated coffee cups, plastic/polystyrene takeaway food containers and plastic shopping bags	Water bottles and coffee cups being phased out. Actions being followed up by LHI Plastics action group. Some retailer resistance.
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Strategic Direction: Responsible Land Management					
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Strategy	5.1	Design land use and development policies that balance environmental, economic and social outcomes.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.1.1	Finalise Stage 1 review of the LHI Local Environmental Plan (LEP)	MECS	Planning proposal lodged and Gateway approval achieved by June 2020.	Adopted stage 1 planning proposal lodged with Department of Planning. Delays encountered because LHI is not a "planning authority".
Action	5.1.2	Commence Stage 2 review of the LHI Local Environmental Plan (LEP)	MECS	Deferred subject to priorities set by CSP and securing funding for studies, consultation and plan preparation.	Not commenced, deferred subject to priorities set by CSP.
Action	5.1.3	Undertake a review of the Dwelling Allocation and Entitlement Policy	MECS	Dwelling Allocation and Entitlement Policy review identified as a priority in Stage 1 CSP consultation process, included in budget and Operations Plan for 2020/21.	Funding not yet identified. To be included in Operations Plan for 2020/21.
Action	5.1.4	Undertake Market Demand Study of Staff Accommodation	MECS	Include in Operations Plan for 2020/21.	To be included in forward plan.
Strategy	5.2	Provide an efficient and effective development planning and assessment service.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.2.1	Provide development planning and assessment through the services of an independent planning consultant.	MECS	Annual performance reviews of planning contract undertaken.	Ongoing
Action	5.2.2	Undertake audits of planning and assessment systems and processes to monitor compliance with legislative and policy matters under the control of the Board.	MECS	Biannual report of planning and assessment systems and processes undertaken.	Commencing in Feb 2020
Strategy	5.3	Provide an effective lease administration system.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.3.1	Administer leases in accordance with the Act.	MECS	Continue review of perpetual leases on a periodic basis.	Systematic review commenced and continuing. Matters being reported to Board and decisions made. Decisions being pursued with leaseholders.
Action	5.3.2	Implement recommendations from independent review of land tenure and allocation arrangements.	MECS	Priority actions from Land Tenure and Land Allocation review are implemented within 12 months of Government finalisation of Handley Report	Cat B restitution - request for property management plans to be made in December. Residency requirements being pursued, legislation changes not yet implemented through parliament.

Strategy	5.4	Protect and manage the LHI Permanent Park Preserve in a manner that recognises the World Heritage values of the Island.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.4.1	Ensure LHI Permanent Park Preserve is managed in accordance with Plan of Management.	MECS	PPP review completed by June 2020	Not yet commenced.
Strategy	5.5	Protect and manage vacant crown lands.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.5.1	Develop a plan for management of Norfolk Island Pines	MECS	Plan developed by June 2020	Not yet commenced. Scope of review expanded to consider groundwater impacts and heritage value of Norfolk Pines in the foreshore.
Strategy	5.6	Rehabilitate degraded areas.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	5.6.1	Undertake rehabilitation of the Old Powerhouse Precinct to allow alternative uses.	MIES	Implement upgrade of community space.	Construction underway and expected to be completed in Nov 2019.
				Investigate upgrades to public toilets and wastewater system.	Grant application submitted.
Action	5.6.2	Finalise review of LHI Vegetation Rehabilitation Plan, 2003 and implement high priority actions.	MEWH	Draft Vegetation Rehabilitation Plan placed on public exhibition by June 2020	To be prepared.
Action	5.6.3	Implement LHI Coastal Study recommendations to manage erosion and recession risks.	MIES & MECS	Foreshore remediation plan adopted, funded and implementation underway by June 2020.	Plan adopted, funding achieved, equipment procured and being shipped, Permissive Occupancy submitted to Minister to allow shifting of boatshed.
				Old Settlement Creek is managed to reduce erosion impacts on the northern edge.	Currently being monitored at this stage on works required.
				Cobby's Creeks is managed to reduce flooding impacts on properties and salt intrusion on the Sally Swamp area.	Ongoing - flooding risk mitigated with outlet.
				Grant funding achieved	Grant achieved.
Strategic Direction: Strong and Engaged Community					
Strategy	6.1	Plan for appropriate services for the community.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review

Action	6.1.1	Support a whole of government approach to the provision of health, education and other services.	SMT	Meetings held with NSW Health, RMS, Police, SES and RFS every 12 months.	Changes to machinery of Gov in June 2019. New relationships established. NSW Health not engaged successfully as yet. Emergency services regularly engaged & one service model advanced. Marine Rescue proposal advanced. RMS not engaged due to other priorities. TfNSW meetings held.
Strategy	6.2	Improve relationship with the community through engagement and consultation.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	6.2.1	Develop a communication / community engagement strategy to support an informed and involved community.	CEO / MECS	Communication / community engagement strategy developed.	Priority for LHI was REP and HREP engagement strategies. Implemented and ongoing.
Strategy	6.3	Provide professional environmental and public health services.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	6.3.1	Ensure compliance with public health standards for LHIB drinking water supplies, wastewater management and food safety.	MECS / MIES	Scheduled inspection and testing regime are implemented.	Ongoing
Action	6.3.2	Prepare and implement Drinking Water Quality Assurance Program for Board supplies.	MIES	Drinking Water Quality Assurance Program implemented and documented fully.	PFAS issue managed. Extensive testing and investigations undertaken. EPA, Health and Comm Gov closely consulted. Water testing had good outcomes.
Strategy	6.4	Support capacity building in community organisations.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	6.4.1	Make funds available under Community Grants Program for activities or projects that benefit the LHI community.	MECS	Expressions of Interest for Community Grants sought every 12 months in accordance with Policy.	Round 1 & 2 projects advanced and milestones on track. Round 3 submissions developed with community and submitted. Results yet to be announced.
Strategy	6.5	Promote programs that provide for children.	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	6.5.1	Make funds available under LHI Scholarship Program to support the completion of tertiary education that contributes to LHI.	MECS	\$10,000 pa provided for LHI Scholarship Program.	2019 grants being administered. 2020 in progress - to be advertised in later in FY.
Action	6.5.2	Support community events.	MECS	Event calendar maintained and priority events for Board assistance identified by end Jan 2019.	Community events continue to be supported.
Action	6.5.3	Actively support progress of establishment of pre-school	MECS	Project assisted and supported.	DA assessed & approved. Permissive Occupancy recommended to Minister.
Strategy	6.6	Manage the Local Emergency Management Committee (LEMC) and Emergency Management Plan (EMPLAN).	Responsible Officer	KPI/Measure - Operations Plan 2019/20	December 2019 Review
Action	6.6.1	Arrange quarterly meetings of LEMC.	LEMO / MIES	Quarterly meetings of LEMC held.	Quarterly meetings of LEMC held.
Action	6.6.2	Implement EMPLAN as required and coordinate annual review.	LEMO / MIES	EMPLAN implemented for any emergencies and annual review completed.	Completed. Exercise undertaken for air emergency scenario prior to REP heli operations.

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Operations Plan 2019/2020 – Midterm Review

RECOMMENDATION

It is recommended that the Board note the report on progress as at end of November 2019, against the Operations Plan for the Financial year 2019/20.

BACKGROUND

The purpose of this report is to outline the status of the Operations Plan 2019/20.

The Operations Plan was formulated around the six strategic directions:

- Effective Governance and Leadership
- Strong and Sustainable Economy
- Sound Infrastructure and Services
- Outstanding Environment
- Responsible Land Management
- Strong and Engaged Community

The Operations Plan links the strategies, actions and KPI's to the approved annual budget allocations.

CURRENT POSITION

Attached is the status update of the Operations Plan for financial year 2019/20, with comments on the progress against each of the identified actions as at 26 November 2019 (Attachment A).

The financial year to date has been dominated by the delivery of the implementation phase of the Rodent Eradication Project. It has required a major increase in the size of the organisation during implementation and stretched existing and temporarily engaged resources enormously.

During this period, several other capital projects have been completed or progressed despite the diversion of resources to the eradication. The resignation of the Manager Infrastructure and Engineering Services during a period un unprecedented activity and projects was a major challenge and the assistance of Bill Paterson in stepping temporarily into the role has been a key factor in keeping projects on track and meeting grant funding milestones. Bill's rapid grasp of the portfolio and efforts are very much appreciated.

Ongoing services and activities have been delivered successfully, including critical compliance and operational requirements relating to safety, the airport, safety and risk management.

In instances where actions have not been completed, there are reasons given for non-completion. It is also noted that some resources had to be temporarily diverted to ensure the successful delivery of the REP program including as a result of escalation of the logistics due to unanticipated project issues.

During the year to date, the governance of the Board was coordinated efficiently and effectively and ongoing services were delivered to the LHI community at a high standard.

Some of the specific achievements for the first half of the financial year were:

- Completion of the REP baiting phase and well advanced in pack down and monitoring
- Advanced Renewable Energy Project on schedule.
- .Lord Howe Island named in Trip Advisors top 5 destination in the world.

RECOMMENDATION

It is recommended that the Board note the report on progress against the Operations Plan Financial year 2020.

Prepared: Peter Adams, Chief Executive Officer

Attachments: Attachment A: Status Report Operations Plan FY2020 – December 2019 - Open

LORD HOWE ISLAND BOARD POLICY

TITLE	Board Meeting Code of Practice Policy		
DATE ADOPTED	November 2015	AGENDA ITEM	11 (i) November 2015
CURRENT VERSION	December 2019	AGENDA ITEM	11 (i) December 2019
REVIEW	3 years	RECORD NUMBER	ED19/10694
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Lord Howe Island Regulation 2014 (NSW)</i>		
ASSOCIATED POLICIES	LHIB Code of Conduct for LHIB Members and Board Officials Procedures for the Administration of the Code of Conduct for the LHIB		

1 Circulation of Agenda

Agendas for formal Board meetings will be made available to the public five working days in advance of the meeting. Working papers will not be circulated to the public. Agenda items discussed in Closed Session are shown in the publicly available agenda, however the title should be carefully worded to avoid revealing sensitive information.

2 Venue

Open sessions of Board meetings will be held in the Community Hall.

3 Public Participation

Members of the public may be invited to address the meeting on any agenda item. A time limit of five minutes will be applied to such an address. No more than two presentations per item and no more than six per meeting will be permitted.

The Board will accept questions from members of the public with respect to any matter relating to the operations of the Board apart from those matters which would normally be kept confidential. These questions will be answered during the open session of the Board meeting. Questions must be submitted in writing no later than the due date for submission of matters for consideration at the meeting as advertised by the Board.

No more than one question may be submitted by any individual per meeting and a maximum of five such questions will be dealt with at any given meeting. Where more than five questions are submitted prior to the meeting, questions will be prioritised according to date received. Those questions not dealt with at any given meeting will be “rolled-over” to the next meeting.

4 Role of Chairperson

The Chairperson will conduct open meetings in accordance with generally accepted practice: that is, in accordance with the *Lord Howe Island Act 1953* (LHI Act 1953) and *Lord Howe Island Regulation*

2014, lead discussion item by item, and closing discussion with an agreed course of action.

5 Criteria for Keeping Business Confidential

Discussions relating to the following matters will be kept confidential and not held in open session:

- a) Staff and industrial matters including salaries, appointments, negotiations, awards, performance management and personnel matters concerning particular individuals.
- b) Commercial matters including information that would, if disclosed, confer a commercial advantage on a person with whom the Board is conducting (or proposes to conduct) business including evaluation and acceptance of tenders, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the Board, or reveal a trade secret, privileged commercial information, tenders, etc.
- c) Personal affairs of private individuals including information relating to the personal or financial circumstances of any person or information which would, if disclosed, represent an invasion of the personal privacy of any person.
- d) Possible or pending litigation including advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and information that would, if disclosed, prejudice the maintenance of law.

6 Mechanism for Keeping Discussion Confidential

The Chairperson should intervene as far as practicable whenever open public discussion strays into a confidential area. That discussion should be terminated, if necessary, by an exclusion resolution passed by a simple majority of Board members.

7 Informing Public of Outcome of Meeting

As soon as possible after each Board meeting, copies of the minutes of the meeting will be made available to interested members of the public. The minutes circulated to the public will contain all items with the exception of those matters held in closed session in accordance with the Board's adopted criteria. Records of consideration and decisions relating to these matters will be excluded from the publicly available minutes.

Working papers and reports on some matters may be made available to interested members of the Public after each Board meeting at the Board's discretion.

In addition to Board decisions, Board minutes may record a summary of major, relevant factors considered in reaching decisions where inclusion of such details enhances reasonable understanding of the rationale of a decision. Minutes will not incorporate views expressed by individual members except where a member or members disagree with the final course of action approved by the Board and where dissenting members request that their views be incorporated in the minutes.

On completion, the draft minutes will be circulated to all members for endorsement before being publicly released.

8 Code of Conduct

Board members must comply with the current '*Lord Howe Island Board Code of Conduct for Lord Howe*

Island Board Members and Board Officials' and the 'Procedures for the Administration of the Code of Conduct for the Lord Howe Island Board'.

9 Variation from these Procedures

The Board recognises that it may not always be possible to strictly adhere to these procedures and consideration of all appropriate matters at open Board or Committee meetings may be impractical or impossible for any number of reasons. Examples of such matters may include:

- Issues of an urgent and pressing nature where no formal meeting can be arranged within the timeframe required.
- Issues of a minor nature which, in the interests of customer service and/or administrative expediency, should not be delayed pending discussion at a formal meeting.

The Board has established procedures for dealing with such matters and will review these procedures to ensure that they are adequate and appropriate. Where it is necessary to determine issues out of session, the Board will ensure that the public is appropriately informed of decisions reached.

10 Process for Transaction of Business outside Meetings and by Telephone

From time to time it is necessary for the Board to convene out of session to consider matters. The LHI Act 1953 provides for this as follows:

Schedule 1A, LHI Act 1953:

15 Transaction of business outside meetings or by telephone

- (1) The Board may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Board for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Board.
- (2) The Board may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone, closed-circuit television or other means, but only if any member who speaks on a matter before the meeting can be heard by the other members.
- (3) For the purposes of:
 - (a) the approval of a resolution under sub clause (1), or
 - (b) a meeting held in accordance with sub clause (2),the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the Board.
- (4) A resolution approved under sub clause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Board.
- (5) Papers may be circulated among the members for the purposes of sub clause (1) by facsimile or other transmission of the information in the papers concerned.

(End Act reference)

10.1 Out of Session Business Protocols

The following protocols will apply in the conducting out of session business.

10.1.1 Only the Following Matters will be dealt with Out of Session

- a) matters of an urgent nature where consequences will be significant if a Board position is not taken prior to the next scheduled meeting;
- b) matters as per a) and which, due to their controversial nature and/or there is lack of a clear

Board position, cannot be dealt with under delegation;

- c) Any matter which may not comply with a) and/or b) but which the Chairperson wishes considered out of session. In such cases, the Chairperson will brief the Board's Chief Executive Officer (CEO) on requirements, and the CEO will then initiate the relevant out of session process.

10.1.2 Prior to Initiating an Out of Session Process

- a) The person proposing the out of session process, other than the Chairperson, will discuss the matter with the Board CEO, detailing the issue, the need for an out of session process, and the proposed format of the process, e.g. issue of a paper, or phone conference; and
- b) The Board CEO will endorse, or not, the initiation of an out of session process.

10.1.3 Approved Out of Session Process

By Meeting:

- a) In the rare instances that an out of session face to face meeting is held, the meeting will be conducted in accordance with normal Board meeting procedure, and in compliance with the Act;
- b) Where an issue is of such consequence that a meeting of this nature is required, all Board members will make their best endeavour to be physically present at the meeting;
- c) Board Members not on the island at the time of the meeting may participate by phone, or other telecommunication device as specified by the Act, but must be able to hear, and be heard, during discussions;
- d) The Chairperson, or in his or her absence, the Deputy Chairperson, should be in attendance at all such meetings, whether in person or by phone;
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By Telephone:

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- g) Minutes of such a meeting will be taken and distributed as per normal meeting practice.

By Out of Session Paper:

- a) Where a matter can be considered with minimum discussion, and is of such a nature that adequate information for consideration can be provided in a Board paper of reasonable length, an out of session paper will be circulated;

- b) Where required, Board members may undertake informal discussion on a matter subject to an out of session paper. Such informal discussion will not constitute a Board meeting, unless it has been endorsed and held in accordance with the Act and this Code;
- c) Where a Board Member wishes to discuss an out of session paper with a staff member, this should be done in accordance with the “Lord Howe Island Board Code of Conduct for Lord Howe Island Board Members and Board Officials” and the “Procedures for the Administration of the Code of Conduct for the Lord Howe Island Board”;
- d) Code of Practice for Board Member and Staff Interaction;
- e) An out of session paper will not be considered unless it bears the name and signature of the person proposing the out of session process and the signed endorsement of the CEO;
- f) Out of session papers will include a date for return.. This date of return will be the date by which, at close of business, the paper must be returned to the CEO. Close of business on the date of return will be considered to be close of discussion on the matter, and any votes recorded at that point, as reflected on returned papers, will be considered a resolution of the Board;
- g) Within five days of the date of return, the CEO will issue to all Board members, and relevant staff, the “Results of: Out of Session Paper” Notice, which will indicate the results of Board voting on the matter, including dissenting votes, and any comment requested by Board members. This Notice will be considered the minuting of a Board decision and will be filed accordingly;
- h) The CEO will provide to each formal Board meeting a schedule of Out of Session papers and associated results;
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11 General

The Board is committed to the principles of equity, probity and best practice in corporate governance. Board administrative procedures will be reviewed on an on-going basis to ensure compliance with these principles.

LORD HOWE ISLAND BOARD POLICY

TITLE	Board Meeting Code of Practice Policy		
DATE ADOPTED	November 2015	AGENDA ITEM	11 (i) November 2015
CURRENT VERSION	December 2019	AGENDA ITEM	11 (i) December 2019
REVIEW	3 years	RECORD NUMBER	ED19/10694
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Lord Howe Island Regulation 2014 (NSW)</i>		
ASSOCIATED POLICIES	LHIB Code of Conduct for LHIB Members and Board Officials Procedures for the Administration of the Code of Conduct for the LHIB		

1 Circulation of Agenda

Agendas for formal Board meetings will be made available to the public five working days in advance of the meeting. Working papers will not be circulated to the public. Individual items to be considered in closed session will not appear on the publicly circulated agenda.

2 Venue

Open sessions of Board meetings will be held in the Community Hall.

3 Public Participation

Members of the public may be invited to address the meeting on any agenda item. A time limit of five minutes will be applied to such an address. No more than two presentations per item and no more than six per meeting will be permitted.

The Board will accept questions from members of the public with respect to any matter relating to the operations of the Board apart from those matters which would normally be kept confidential.

These questions will be answered during the open session of the Board meeting. Questions must be submitted in writing no later than the due date for submission of matters for consideration at the meeting as advertised by the Board.

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- e) ~~Financial affairs of the Board, including budgetary and other financial reports, debtors, and the like, other than those financial statements, reports and similar documents which the Board is required to publish or make available such as annual reports, annual financial statements, etc.~~

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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Review of Board Meeting Code of Practice Policy

RECOMMENDATION

It is recommended that the Board adopt the reviewed 'Board Meeting Code of Practice Policy' at Attachment A.

BACKGROUND

Clause 101 of the Lord Howe Island Regulation 2014 stipulates the following:

101 Code of conduct

Section 440 of the *Local Government Act 1993* applies to the Board as if in that section references to:

- a) a council were references to the Board, and
- b) a councillor were references to a member of the Board, and
- c) an ordinary election were references to an election required to be conducted under section 9A (b) of the Act.

Late last year the Office of Local Government issued a revised Model Code of Conduct for Local Councils in New South Wales. The revised "*Lord Howe Island Board Code of Conduct for Lord Howe Island Board Members and Board Officials*" was adopted by the Board at the May 2019 Board meeting.

Whilst the Code of Conduct does not specifically relate to the Board Meeting process, it does specify general conduct requirements, and declarations of interests.

At the Board Meeting in September 2019, the Board discussed the opportunities for including more business papers in the "Open" session of the Board Meetings. The intention was to increase transparency, trust and accountability. The Board Meeting Code of Practice has since been reviewed with particular attention to the tabling of reports in the closed and open sessions. Transparency is an important principle of governance and assists in gaining trust and understanding of the day-to-day functions of the Board as well as the considerable achievements that are made and often not highlighted to the community. It is vital that the community understands the challenges of limited resources within the context of processes and decisions made. This may enable the community to contribute in an informed and collaborative way to the Community Strategic Planning framework.

RECOMMENDED AMENDMENTS TO THE POLICY

To assist with seeing the proposed changes to the current policy (Attachment B), it has been track-changed to highlight any amendments to the recommended policy. The recommended amended policy is Attachment A.

Clause 5 of the policy specifies those matters that are to be kept confidential by inclusion in the “Closed” session of Board Meetings. The change recommended is deletion of Clause 5 (e) relating to:

“Financial affairs of the Board, including budgetary and other financial reports, debtors, and the like, other than those financial statements, reports and similar documents which the Board is required to publish or make available such as annual reports, annual financial statements, etc.”

Other matters that appropriately should be kept confidential are retained in Clause 5 a) to d).

The review of the policy highlighted two areas where current practice in Board Meetings often differs to those specified in the policy. These are highlighted in blue in Attachment B. The first of these is included as a recommended change; and the second is included in the section below for discussion by Board members.

Part of Clause 1 – *“Individual items to be considered in closed session will not appear on the publicly circulated agenda.”*

Current practice consistent with Clause 1 above, is that any agenda items for Closed Session are shown on the publically available agenda but with no title or descriptor.

In the interests of transparency, agenda items discussed in Closed Session could be shown in the publically available agenda. The title could be carefully worded to avoid revealing sensitive information. It is considered that there are no significant problems with commencing the practice of including depersonalised or carefully worded item names in the publically available agenda. In fact, not listing those matters in the agenda could arguably contribute to a lack of trust, and a loss of transparency relating to matters that may be sensitive, but do relate to matters of importance to the Lord Howe community. For example, reports relating to compliance with residency requirements of perpetual leases may be dealt with in closed session, but importantly should be visible on the agenda to allow the community to see that matters are being pursued.

Decisions made in the closed session may be communicated verbally by the Chair in the Open Forum, the following day.

It is therefore also recommended that the sentence above be deleted from Clause 1 and the amendment is included in the recommended policy (Attachment A).

DISCUSSION POINT

The following clause is highlighted for discussion by Board members.

Part of Clause 3 – *“The Board will accept questions from members of the public with respect to any matter relating to the operations of the Board apart from those matters which would normally be kept confidential. These questions will be answered during the open session of the Board meeting. Questions must be submitted in writing no later than the due date for submission of matters for consideration at the meeting as advertised by the Board.”*

It is noted that in practice negligible questions are submitted in advance of the Meeting. Current and past practice has been that questions are 'without notice' in the Open Forum. The Chair often invites questions from the floor of the meeting.

This provides for an accessible style of governance and gives members of the community to ask questions prompted by matters being discussed on the agenda. However, if not notice is given, it can constrain the answers because staff may not have sufficient information at hand without "notice". It can also increase the risk of information being given inadvertently that may have sensitive connotations.

Should the Board promote submission of written questions, in advance of the meeting or continue with the open forum feel of a question and answer approach?

RECOMMENDATION

It is recommended that the Board adopt the reviewed 'Board Meeting Code of Practice Policy' at Attachment A.

Prepared: John van Gaalen Manager Business & Corporate Services

Endorsed: Peter Adams Chief Executive Officer

Attachments:

Attachment A: Draft Policy – Board Meeting Code of Practice – December 2019 - Open

Attachment B: Current Policy – Board Meeting Code of Practice – Reviewed November 2015 – December 2019 - Open

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Lord Howe Island Rodent Eradication Project (REP) Implementation.

RECOMMENDATION

That the Board:

1. Note the update to the project.

BACKGROUND

The REP is now well advanced in *Stage Three: Implementation and evaluation of the eradication plan*.

Stage Three involved delivery of the eradication plan. Key elements were:

- Finalise detailed logistics and operational planning including Property Management Plans
- Assemble and train remaining resources
- Finalise construction of captive management facilities for the woodhen and currawong
- Capture of woodhens and currawongs
- Operational readiness check
- Implementation of ground and aerial baiting
- Follow up monitoring and release of woodhens and currawongs
- Maintaining an ongoing biosecurity and rodent detection monitoring network.

CURRENT POSITION

An update on elements that have changed or advanced since the previous meeting is provided below.

1) Rodent Activity, Baiting and Monitoring

In July, in addition to the 22,000 bait stations in the ground baiting network, a Rapid Eradication Assessment Monitoring Grid (REAMG) was installed. The REAMG is comprised of 2348 monitoring devices installed on a 30m x 30m grid across the ground baiting network. It is designed to provide a high degree of confidence of eradication success within the ground-baiting network when activated for a prescribed duration following last known rodent presence. Targeted and intensive rodent removal efforts have greatly benefited from the detections on the REAMG.

Detections have been immediately followed up with biosecurity dog searches, additional toxic bait replenishment and placement, and trapping efforts. This is an extremely successful methodology that has proven valuable in detecting and removing rodents and dens before the young mature. Detector dogs are also valuable in detecting and removing any rodents not interacting with monitoring devices, or in detecting rodents in an area where monitoring devices have indicated rodent activity.

Following a detection on the REAMG, a live rat was detected and killed by a detector dog team on 16 Sept 2019. On 9th Oct, three relatively fresh rat carcasses (~3 days old) were found by a detector dog team in one small location. All had substantial amounts of bait in their stomach contents.

To increase the certainty around success of the project, an operational decision was made at this point in consultation with the expert advisory panel and the project Steering Committee to extend the REAMG for another 6 weeks past the scheduled end of baiting (1 Nov 2019). Concurrently a decision was made to invest in additional rodent detection dog and handler capacity during this time to increase search and detection effort in the settlement area. This has provided capacity to conduct multiple property searches over a reduced duration, conduct searches on properties with multiple dogs, and concurrently search adjacent properties. These techniques all provide increased likelihood of detecting any remaining rodents, and, with information from the REAMG, provide much greater confidence that no rodents are present.

The additional monitoring and dog searches have not uncovered confirmed evidence of rodents since finding the three carcasses on 9 Oct 2019. Monitoring and dog searches will continue until 13 Dec 2019.

Several reports of potential rodent sightings have been received by the Board over the last few months. All of these have been investigated intensively and again no confirmed evidence of rodents has been detected.

The time since last detection, combined with monitoring and search effort applied provides a high level of confidence that the LHI REP has achieved its goal of rodent eradication (i.e. removal of every remaining individual rodent on the island). It should be noted however that success cannot be declared until intensive monitoring with no rodent detections is repeated two years after the completion of aerial baiting (Aug 2021).

2) Captive Management Update

Bird Health

Birds have generally remained healthy in captivity with isolated incidents managed by Taronga staff. Since the previous report two woodhens have died as a result of injuries sustained through cage mate trauma. Whilst these deaths in captivity are unfortunate, it should be remembered that a normal wild population has regular deaths.

Woodhen breeding activity has commenced and Taronga staff are taking active measures to disturb and discourage breeding.

No further deaths of currawongs in captivity occurred since the previous update.

Scheduled release:

As reported previously, ten Currawongs fitted with radio tracking devices were released on 2 Sept. Tracking showed all birds were alive and well after 2 weeks and a decision was then made to release the rest of the currawongs. All birds have been released at point of capture between 21st to 24th Sept and appear to have settled well. Some breeding has been observed.

48 mountain woodhens were released back to point of capture on Mt Lidgbird, Mt Gower and Big Slope on the 14th Nov 2019 by an OEE, Taronga Zoo and LHIB team. Some mating behaviours were immediately observed.

Ten sentinel woodhens were released at capture locations around the Waste Management Facility precinct on the 18th Nov. Bait had been removed from this area more than 10 days earlier. These birds will be monitored for two weeks before recapture to take blood samples for brodifacoum before releasing the rest of the settlement birds (~6 Dec 2019).

3) Pack down and demobilisation

The last day of scheduled baiting occurred on 1st Nov and pack down of the bait station grid and associated equipment commenced on 3rd Nov and was completed on 22nd Nov 2019. This was a mammoth task.

The REP pack down team has now commenced cleaning bait stations for on-selling to the Waiheke Island eradication project in New Zealand.

Stocktake of remaining equipment has occurred ready for divestment and disposal. There may be some items available to the community through expression of interest / bidding process.

Options for the Captive Management Facility are presented in a separate paper.

4) Community Engagement Update

Information continues to be provided to the community and visitors via householders, newsletters, The Signal and information sheets for all arriving passengers. This includes specific information to chicken and livestock owners regarding reintroduction.

The community should be applauded for their contribution to the success of the project.

The Conservation Volunteers 2019 program has been completed. The program's value was evidenced best through recognition in the recent Lonely Planet Top 5 Destination listing.

5) Transitions to Biosecurity

The REP team continues to provide assistance to the Environment and Community Services unit in finalising immediate biosecurity actions (such as the permanent surveillance network) and developing capability before the REP expertise departs. Additional information will be provided to the community over the coming weeks and months.

6) Staffing

The vast majority of the project team will finish on either 1 Dec or 15 Dec. Remaining tasks are being handed over to the Environment and Community Services unit.

7) Regulatory Compliance

Communications and reporting has continued with various regulators and the Environment Protection Authority conducted another site visit in early November. No concerns were raised. Final post baiting reporting will be completed soon.

8) Masked Owl Eradication

A total of 15 Masked Owl carcasses have been found to date. A few birds persist and will be hunted over the coming months, particularly once providence petrels depart the island.

9) Risk Mitigation and Monitoring

The final round of environmental sampling is currently being conducted with results expected in the next few weeks. This includes samples of seawater, freshwater, groundwater, soil, pasture, milk, eggs and fish.

Non-target species (NTS) searches began on 13 June 2019 when the first aerial bait drop had been completed. Searches were conducted every two days until weekly walks began in the Northern Hills from 10/07/2019 and from 28/07/2019 on the remaining walks. Weekly walks continued for four months from the commencement of baiting. Total NTS searches covered 243.5 ha of PPP and involved 565.5 person-hours. Walks involved two people walking at a slow pace (approximately 2 km per hour) along the designated tracks with each person searching either the left or right side only. The additional search area within the bait-station grid was searched during regular servicing of bait-stations.

No non target species mortality has been recorded since the last report. The threshold for mitigation activities to be implemented was not reached for any permit listed non target species (see Table 1 below).

Table 1 Permit listed non-target species, their threshold number, and the cumulative total found to have died from Brodifacoum poisoning within survey areas.

Species	Threshold	Total Found
Golden Whistler	20	1
Silvereye	40	2
Lord Howe Currawong	8	4
Buff-banded Rail (Settlement)	103	49
Buff-banded Rail (PPP)	2	0
Purple Swamphen	12	2
Australian Kestrel	3	0
Sacred Kingfisher (PPP)	3	0
Sacred Kingfisher (Settlement)	93	0
Pacific Black Duck	2	0

10) Budget

The budget has been regularly reviewed and adjusted over the past months. The CEO continues to work with the broader Department on solutions for the budget shortfall.

SUMMARY

The baiting phase of the project is nearing completion with focus on monitoring and packdown. The project will then move into a biosecurity surveillance and rodent monitoring phase over the next 18 months. Biodiversity benefits monitoring will continue over that time.

RECOMMENDATION

That the Board:

1. Note the update to the project

Prepared: Andrew Walsh, Rodent Eradication Project Manager

Endorsed: Peter Adams, Chief Executive Officer



Project status update

Lord Howe Island Rodent Eradication Project Review

—

7 November 2019

DRAFT FOR DISCUSSION

Background

Background

- The Rodent Eradication Project (REP) on Lord Howe Island (LHI) is the largest eradication project ever attempted on a permanently-populated island. The project was first proposed to the LHI Board in 2001 with various feasibility studies and cost-benefit analysis taking place over several years. The project was entered into from the perspective that the REP was the only viable option for long-term ecological benefit of Lord Howe Island. The original funding for the project was received between 2010 and 2015 through submissions to the Commonwealth and State governments for funding.
- The REP was originally budgeted at \$9.5 million project and was funded 50/50 by the Commonwealth, through the Department of the Environment, Water, Heritage and the Arts, via the *Caring for our Country (CFOC)* program and the NSW State Government Environmental Trust (ET).
- As budget shortfall was predicted in September 2017 (4%) and September 2018 (10%), funding requests were submitted to various Commonwealth and State Government grant programs, conservation organisations and private donors.
- Additional funding of \$1.1m was received in April 2019 from the Commonwealth (through the Department of Environment and Energy), via NSW Local Land Services.
- Another budget shortfall of \$860,000 was raised to the project Steering Committee (SteerCo) in July 2019 and in September 2019 the estimated cost overrun in the order of \$4 million was flagged to Chair of the Board. KPMG was engaged to review the project.
- The timeline below provides a high-level overview of the key points in the project.



Note: The above timeline does not include planning activities carried out prior to 2009 as well as a two-year monitoring period that is required after the completion of the operational phase of the project on 1 November 2019.

Scope and approach

Scope

The key objectives of our review are to:

- Determine the amount of the overspend (based on the available data);
- Review the relevant governance, monitoring and reporting processes and controls and identifying any gaps or control failures; and
- Determine the reasons and root causes of the overspend.

Note: The review does not cover any of the technical or environmental aspects in relation the operational delivery of the project and will not provide commentary on any of the environmental or local community impacts.

Approach

The following activities have been undertaken to date:

- Reviewed key project documentation including various versions of operational plans and supporting budgets prepared by the Project Manager, reports to the LHI Board, SteerCo and the funders, minutes of SteerCo and Board meetings, independent consultant reports, various supporting documentation (contracts, invoices, etc).
- Interviewed key personnel including the LHI Board Chief Executive Officer (CEO), Chief Financial Officer (CFO), REP Project Manager and three members of the SteerCo, including the technical adviser, Keith Broome.
- Performed a site visit on Lord Howe island to conduct the interviews, review available documentation and obtain data from the financial systems.
- Performed an analysis of the financial data (refer to Appendix 1 for a high-level overview).

Preliminary observations

The REP is a unique and highly technical project. It is focused on achieving a single critical outcome (i.e. complete eradication of rodents).

In performing our review we noted the following in relation to each of the scope objectives:

Overspend

- The total project expenditure as at 23 September 2019 was \$13.3 million. This is \$2.7 million over the \$10.6 million (original \$9.5 million plus additional \$1.1 million) received for the project. We were advised that the shortfall has been financed from LHI Board funds.
- In addition, an estimated \$2.183 million is estimated as still required to complete the project taking the overall projected overrun to \$4.883 million against \$10.6 million of funding received. It should be noted that approximately \$1 million of interest was received through the life of the project up to year-end FY19.
- The figure for expenditure incurred to date only includes costs actually charged to the project and not those that were incurred by the LHI Board on behalf of the project.
- In reviewing the cost estimates to complete the project prepared by the Project Manager, we were unable to validate \$1.749 million of the \$2.183 million figure. The table below summarises the key cost estimates to complete:

Categories of expenditure	\$'000
Committed – e.g. validated through a Purchase Order	434
Estimates (cannot be validated)	1,749
Total	2,183

- The main cost estimates that could not be verified against supporting documentation relate to monitoring activities required over the next two year period including staff salaries, the biodiversity action plan and the reintroduction of cattle. The Project Manager advised that figures are based on 'best guess estimates'.
- Without more detailed information, the estimates to complete may be understated (e.g. only \$247k and \$227k estimated for FY20 and FY21 respectively).
- The estimate to complete also assumes a successful outcome (i.e. all rodents eradicated by 1 November) without needing further baiting. There is no contingency built into the estimate to address any potential incursion event post 1 November 2019.

- The CFO has indicated that on current projections the Board's bank account will overdrawn by \$318k as at 30 June 2020. The impact of the project overrun on the finances of the Board has not been formally reported nor has a detailed cashflow analysis been undertaken or reported.

Governance and monitoring

- REP activities were reported to both the SteerCo and the LHI Board.
- The REP SteerCo (first established in 2012) is comprised of representatives of the funding bodies, the LHI CEO, a technical adviser to the project and one of the elected Board members.
- The SteerCo acted as an 'advisory body' to the project rather than a monitoring function. It provided recommendations to the LHI Board and was not closely involved in the detailed operational or financial monitoring.
- The SteerCo members advised that the key focus of the SteerCo was on the achievement of the project outcomes. There has been limited financial focus and review of detailed financial information (e.g. during the major scope change).
- The minutes of LHI Board and SteerCo meetings contain limited evidence of detailed discussions of project financials. The SteerCo and Board reports reviewed contained only high-level budget breakdowns. The financial risks, especially those associated with the major scope changes, were not highlighted in the project risk registers presented to the Board and SteerCo.
- There were significant changes within the project leadership as well as LHI Board and the SteerCo throughout the life of the project. There were also changes of LHI Board CEO and CFO (both in 2018). Key changes are included in Appendix 2.
- We noted the following in relation the overall financial management and monitoring of the REP:
 - There has been little linkage of finances and project activities. There was no dedicated finance/accounting resources allocated to the project. The responsibility for the production of budgets and financial reporting resided with the Project Manager (who does not have an accounting background).
 - There has been a lack of actual vs budget expenditure reporting or cash forecasting.
 - Key information impacting the financial outcome is not available. As an example, we were unable to obtain and validate the number of personnel involved in the project. Headcount data has not been tracked. This impacts salary and accommodation costs.

Preliminary observations (cont.)

Root causes of overspend

The main causes of overspend included:

- Delays in the project (over a 4-year period) associated with the need for extensive community consultations, obtaining relevant permits (e.g. the Australian Pesticides and Veterinary Medicines Authority permit that was granted, revoked and re-issued) and legal actions. These delays resulted in additional costs which were not originally budgeted for (e.g. salaries of permanent staff, accommodation cancellations, etc.)
- A major scope change in March 2018 in response to community concerns and legal action. This included a change from hand broadcasting of bait to using more bait stations (an increase in bait stations from c2,000 to c23,000). According to Project Manager's estimates, hand broadcasting costs were \$86/ha, whereas bait station servicing costs were \$1866/ha. However, the impact to the budget (i.e. additional time and resources including staff and materials) were not fully costed or considered in detail at the time .
- Various 'unbudgeted expenditure' items which occurred during the course of the project (e.g. over \$200k for the engagement of a contract to remove household waste from residents' properties). Another major cost was legal expenditure (approx. \$470k).
- The various impacts of these changes and delays were not fully assessed from a financial perspective.

Key considerations and next steps

Currently, as there are no robust financial projections to complete the project available, it is unclear what the total cost to complete the project will be and how much more funding is needed.

Short-term actions

In the short term, the following urgent actions should be considered:

- Preparation of accurate cost projections for the remaining costs to completion, including contingency amounts and an estimate of what will be needed if further baiting or actions are required due to the continued presence of rodents past 1 November.
- Formal detailed assessment of the impacts of REP on the LHI Board finances and preparation of the detailed cashflow for reporting to the Board.
- Securing additional funding for the shortfall and determining how the project should be funded going forward.

Consideration should also be given to providing financial management support to the REP team (at least through FY20) which would include allocation of a resource to assist with:

- Robust forecasting of the cost to complete including close collaboration with the technical and operational staff involved in the project and/or engagement of additional technical specialists to validate/challenge key assumptions (e.g. time / number of personnel required for each budgeted activity);
- Maintaining comprehensive financial records; and
- Providing financial administrative support (e.g. preparation of periodic budgetary reports and forecasts to the Board and to the SteerCo).

Long-term considerations

In the longer term, the following key questions should also be considered:

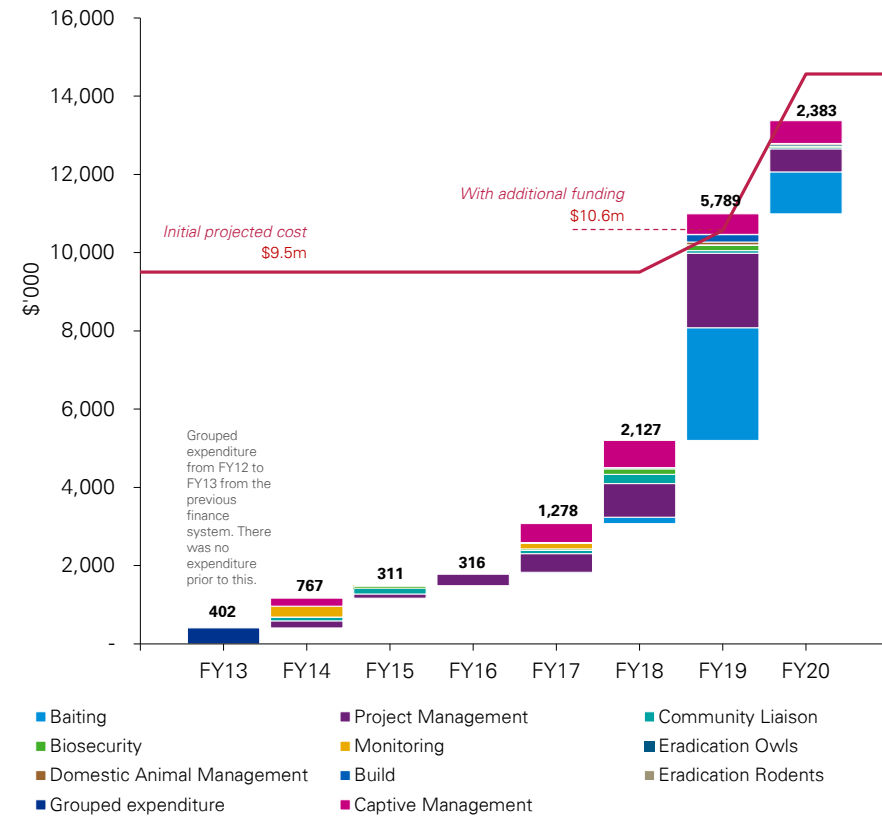
- What specific activities (if any) can be de-scoped / reduced over the two-year monitoring period without affecting the overall outcome of the project? This should be carefully assessed in consultation with the technical experts.
- What is the level of longer term financial support and expertise required to complete the project? Can this be provided remotely?
- What changes in the governance arrangement should be made to ensure successful completion of the REP (i.e. what further oversight and monitoring mechanisms are required over the financial expenditure on the project?)

It should also be determined to what extent the LHI Board has financed the REP overrun and through what means these funds can be recouped.

Appendix 1 - Spend profile

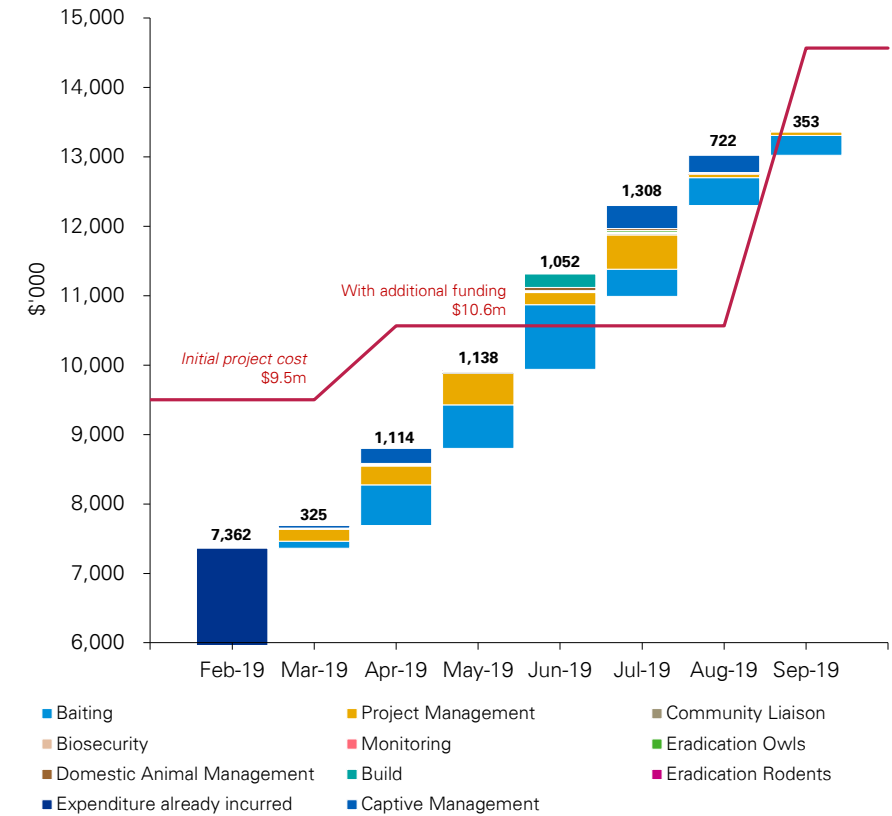
This chart breaks down the actual spend by activity type across FY13 to FY20 (as at 23 September 2019). Total spend per financial year is also provided.

Note: The LHI Board migrated to a new finance system in FY14. Expenditure prior to FY14 have been grouped together (a total of \$0.4 million) showing as a FY13 below.



This chart breaks down spend by activity type across the operational (baiting) period, from April 2019 to 23 September 2019.

Note: Costs prior to March 2019 have not been broken down for the analysis below.



Source: LHI Board's financial systems.

Source: LHI Board's financial systems.

Appendix 2 – Key governance and project leadership changes

Summarised below are the key changes in the project governance and leadership arrangements since 2015:

Lord Howe Island Board (7 members)

- 5 out of 7 Board members changed including Chair
 - 3 x elected Board Members changed Feb 2018
 - 1 x appointed member ~ Sept 2018
 - Chair change between May and Sept 2019

Lord Howe Island Board Administration – Senior Management Team (4 members)

- 2 x CEOs. Change ~ Jun - Jul 2018
- 2 x CFOs (Manager Business and Corporate Services). Change ~ Jun - Jul 2018
- 3 x Manager Environment and Community Development. Change ~ Nov 2016 and Jun - Jul 2018
- 3 x Manager Infrastructure and Engineering Change ~ Aug 2017 and Jul 2019

Project Steering Committee (5 members)

- 2 x Commonwealth Funding Rep. Change ~ May 2016
- 3 x NSW Funding Rep change Jan and May 2019
- 2 x LHIB Rep Mar 2018
- 2 x LHIB CEO (as above)

3 x Commonwealth Environment Ministers

3 x NSW Environment Ministers

Project Leadership (throughout the project)

- 2 x Technical Advisors
- 2 x Assistant Project Manager – Community
- 2 x Assistant Project Manager – Operations
- 2 x Ground Baiting Manager
- 2 x GIS Manager



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LORD HOWE ISLAND BOARD

Business Paper

ITEM

Rodent Eradication Project (REP) – budget shortfall update

RECOMMENDATION

That the Board note progress on addressing the budget shortfall for the REP.

BACKGROUND

In June 2012, the Commonwealth and NSW Governments announced joint funding of \$9.5M for the REP on Lord Howe Island (LHI). Since then, several change events have impacted the project delivery and budget. These include:

- Time delays in commencing the project and additional costs to facilitate community consultation, address community concerns and reaffirm the project scope.
- The costs and time impacts arising from delays and legal challenges in obtaining permits from the Australian Pesticide and Veterinary Medicines Authority (APVMA).
- Additional costs arising from scope changes to the previously designed and costed baiting methodology in response to community concerns and legal actions. This meant that in a large section of the island, where residences are concentrated, bait stations were used instead of hand broadcasting. Hand broadcasting can cover more area in a relatively short period and is less resource intensive. The change in methodology meant that the project experienced increased procurement and servicing costs. The number of bait stations required increased from approximately 2000 to approximately 23,000 and servicing cost increased from \$86/ha to \$1,866/ha.
- A range of day-to-day contingencies in managing a large-scale project in a tight, season-bound timeframe.

In August 2018, the project team reported a \$1.4M shortfall in project budget to the REP SteerCo and received an additional \$1.1M funding from the Commonwealth Government.

As most of the baiting (and project cost) occurred in the winter period of 2019, the full cost impact surfaced in August 2019, resulting in a potential shortfall of a further \$4.5M. The project costs have been funded through the LHI operational accounts for the time being, pending further funding being secured.

CURRENT POSITION

In response to the issue, the LHIB Chair initiated the following to address the shortfall:

- Commissioned KPMG to review and report on total required expenditure and contingences, and assist with the planning for the next phase of work. This work has confirmed the estimate of the likely shortfall; and
- Engaged the Delivery Office within DPIE to
 - work with Board staff on a funding proposal (including 'in-flight' project assurance, costing of a detailed project plan for next phase and contingencies for any incursion event) to take to funding partners to secure additional funds, and
 - to provide project management support and governance going forward.

RECOMMENDATION

That the Board note progress on addressing the budget shortfall for the REP.

Prepared & Endorsed: Peter Adams, Chief Executive Officer