

***Note: Due to expected public interest in the Rodent Eradication Program decision, Agenda Item 8 (i) will be considered as the first item of the Open Session.**

LORD HOWE ISLAND BOARD

BOARD MEETING AGENDA

MEETING DATE:	MEETING LOCATION:	MEETING TIME:
Monday 11 September 2017	Public Hall, Lord Howe Island	Planning Session 9:00 am to 11:00 am
Monday 11 September 2017	Public Hall, Lord Howe Island	Closed Session: 11:00 am to 4:30 pm
Tuesday 12 September 2017	Public Hall, Lord Howe Island	Open Session: 9:00 am to 12:30 pm

	ITEM		OPEN (O)	CLOSED (C)	ACTION Note / Decide / Recommend
SS	1	MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION	O		Note
BM	2	OUT OF SESSION MATTERS STATUS REPORT	O		Note
BM	3	ACTIONS FROM PREVIOUS MEETING – STATUS REPORT	O		Note
BM	4	CHIEF EXECUTIVE OFFICER’S REPORT	O	C	Note
BM	5	MOTOR VEHICLE IMPORTATION OR TRANSFER STATUS REPORT	O		Note
BM	6	PROPOSED ADJUSTMENTS TO ADOPTED BUDGET	C		Decide
	7	DEVELOPMENT APPLICATIONS			
JL	(i)	Owner Consent approved under Delegated Authority	O		Note
JL	(ii)	DAs Determined Under Delegated Authority	O		Note
Claire RPS	(iii)	OC2017.14 - Construction of a recreation facility - community skate park - Lord Howe Island Skate Park Association	O		Decide
Claire RPS	(iv)	OC2018.03 – Transfer Shearwater Cottage to above Infrastructure Building, Enlarge Cyclone Alley – D Owens	O		Decide
Claire RPS	(v)	DA2017.13 - Captive Management Facility – Lord Howe Island Board	O		Decide
	8	POLICY & STRATEGY			
AW	(i)	Rodent Eradication Program – Implementation*	O		Decide
BM	(ii)	Operations Plan 2016/2017 – Annual Review	O		Note
BM	(iii)	Operations Plan 2017/2018 - Draft	O		Decide
BM	(iv)	Social Media Policy	O		Decide

***Note: Due to expected public interest in the Rodent Eradication Program decision, Agenda Item 8 (i) will be considered as the first item of the Open Session.**

	<i>ITEM</i>		OPEN (O)	CLOSED (C)	ACTION Note / Decide / Recommend
BM	(v)	Review of Vehicle Importation, Transfer and Use Policy	O		Decide
JL	(vi)	Amendment - Lord Howe Island Dog Importation & Management Policy	O		Decide
	9	FINANCE AND BUSINESS MANAGEMENT			
BM	(i)	Closed Session		C	Decide
	10	LEASING & LAND ADMINISTRATION			
JL	(i)	Transfer of Perpetual Lease - BM Thompson	O		Decide
JL	(ii)	Transfer of Perpetual Lease – R & W O’Brien	O		Decide
JL	(iii)	Transfer of Perpetual Lease – GR Whitfield	O		Decide
JL	(iv)	Transfer of Perpetual Lease – Estate Late W Woolnough	O		Decide
JL	(v)	Transfer of Perpetual Lease – Estate Late J Petherick	O		Decide
JL	(vi)	Application for Permissive Occupancy – NSW Police	O		Decide
JL	(vii)	Closed Session		C	Decide
JL	(viii)	Extension of Term of Special Leases	O		Decide
JL	(ix)	Compliance with Residency Condition of Perpetual Leases	O		Decide
	11	GOVERNANCE			
BM	(i)	Attestation Statement for Financial Year Ending 30 June 2017	O		Decide
	12	OPERATIONS & SERVICES			
JT	(i)	Renewable Energy Program Update	O		Note
JT	(ii)	Airport Terminal Upgrade Project Update	O		Note
JT	(iii)	Boat Retrieval System (Slipway) Update	O		Note
	13	PUBLIC RISK and WH&S MANAGEMENT			
BM	(i)	Public Risk and WH&S Management Update	O		Note
	14	INTERVIEWS		C	
	15	GENERAL BUSINESS AND QUESTIONS ON NOTICE	O		

Board Meeting: September 2017	Agenda Number: 1	Record Number: ED17/3819
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Minutes of previous meeting – notice of adoption

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 May 2017 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: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: ED17/685 Minutes – Board Meeting – May 2017 - Closed

Board Meeting: September 2017	Agenda Number: 2	Record: ED17/3820
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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.

BACKGROUND

Since the last Board Meeting in May 2017, two matters were considered at an out of session meeting.

CURRENT POSITION

Results of the 'Out of Session' papers since the last Board meeting are shown on the attached tracking sheet.

RECOMMENDATION

Submitted for the Board's information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Results of 'Out of Session' papers since the last Board Meeting

OPEN SESSION				
No.	Date	Application	Vote	Comment
May 2017				
1	26/05/2017	MDC2017-03 Removal of trees for wastewater system	Approved: BN,CW,JK,JR,LM,RP,SS.	Result: Approved
June 2017				
1	19/06/2017	Delegations of Authority - Financial	Approved: BN,CW,JK,JR,LM,RP,SS	Result: Approved
July 2017				
Nil				
August 2017				
Nil				

Board Meeting: September 2017	Agenda Number: 3	Record Number: ED17/682
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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.

CURRENT POSITION

A list of actions from decisions of the May 2017 Board meeting, and previous meetings, is attached for the Board's information.

RECOMMENDATION

Submitted for the Board's information.

Prepared: Bill Monks, Manager Business and Corporate Services

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Action Sheet from May 2017 Board Meeting and Previous Meetings

LORD HOWE ISLAND BOARD

Action Sheet from May 2017 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
10(iv) September 2015	Review of the LEP 2010	<ol style="list-style-type: none"> Review the Vegetation Rehabilitation Plan, and Seek funding from government programs to support the LEP review process. 	December 2017	MECS	In progress. No funding available from DPE to support review of LEP	
12(v) March 2016	LHI PPP Five Year Audit	Amended PPP POM – 5 year self audit be used for basis for revision of the plan.	July 2017	MECS	Audit complete.	
12(viii) March 2016	WW Strategy Update	Implement Licence to Operate fees for High Risk Systems from 01/06/2017	June 2017	MIES	Completed	
1(i) April 2016	Budget 2016/17	Provide report in regard to community support options for Board consideration.	June 2017	CEO/MECS	Addressed as part of budget 2017/2018 Completed	
7(iv) September 2016	DA2016-31 Vessel Launching and Retrieval Facility	Deferred commencement conditions in Part 1 of the recommendation be considered out of session before proceeding to Part 2.	June 2017	MIES	See report on Agenda: 12 (iii)	
15 September 2016	General Business	Create dog-allowable serviced BBQ area on the foreshore south of the runway.	Oct 2017	MIES	In progress	
7(viii) November 2016	Rebuild Airport Terminal Building	Investigate the option of using the new terminal building for going, at least partially, off grid	May 2017	MIES	Completed. Option investigated.	

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.	December 2017	MECS	Consultation with operators undertaken. Further development work required as result	
4 (i) March 2017	Chief Executive Officer's Report	Invite new Minister to the island.	April 2017	CEO	Letters sent from Chair Completed	
7 (iii) March 2017	OC2017-07 Shearwater Cottage (Owens)	Complete a market demand study on staff and residential accommodation on behalf of the Board.	June 2018	MECS	Will form part of LEP Phase 2 review budgeted for 2 nd half 17/18 financial year	
8 (ii) March 2017	Procedure for cleaning second hand vehicles	Amend the Vehicle Policy to incorporate best practice biosecurity clearance procedures. Place on public exhibition.	September 2017	CEO	On Board Agenda Sept 2017	
10 (iv) March 2017	Review of Boatshed Foreshore Encroachments	<ol style="list-style-type: none"> 1. Amend the Lagoon Foreshore Management Plan with respect to boatshed activities. 2. Review and adjust rentals where there has been, or will be, an approved increase in the footprint area of fixed improvements. 3. Follow up anomalies identified in the assessment. 	<p>May 2017</p> <p>Ongoing</p> <p>December 2017</p>	<p>MECS</p> <p>MECS/MBCS</p> <p>MECS</p>	<p>Completed</p> <p>Ongoing</p> <p>In progress</p>	
13 (i) March 2017	Public Risk Management	Investigate the possibility of being able to turn on the sirens manually.	Oct 2017	MIES	In progress	
15 March 2017	General Business	Consider improving the community hall in order that the doors can be closed to keep out the noise from vehicles when the hall is in use. e.g. air conditioning; venting to improve airflow.	Dec 2017	MIES	Application for funding for major upgrade of community hall underway	
7 (v) May 2017	MDC2017-03: Waste Management Facility WWM System	Application be dealt with in an out of session paper as the application was still on public exhibition.	June 2017	CEO	Completed	

Agenda Item No.	Item	Actions (refer to full minutes for detail)	Estimated Completion Date	By Whom	Progress	Actual Completion Date
8 (ii) May 2017	Long Term Accommodation Policy	Include <i>"The landlord is responsible for the removal of waste from the licensed premises"</i> .	June 2017	MECS	Completed	
8 (iii) May 2017	Review of Vehicle Importation, transport and use policy.	A condition be added to the Policy stating that vehicles to be imported must be cleaned immediately prior to importation.	June 2017	CEO	Completed	
12 (i) May 2017	Rodent Eradication Program Update	Action would be taken to reduce Masked Owl numbers whether or not the Rodent Eradication Program went ahead.	August 2018	CEO	Completed	
12 (iv) May 2017	Strategic Asset Management Plan Update	Look into expediting the repairs of the jetty stairs, and follow up RMS funding for a second set of stairs.	Oct 2017	MIES	In progress	
13 (i) May 2017	WHS and Public Risk Management Update	Investigate the exposed star pickets on walking tracks issue and advise the Board out of session.	August 2017	MECS	Location of star pickets identified during 2017 Walking Track Audit. Remedial actions identified and programmed for completion by January 2018.	
15 (iv) May 2017	Island Trader Access to the Lagoon	The Board would seek a blanket approval from the relevant authority to transfer cargo by lighter from the ship on those occasions when the ship could not access the jetty due to low tides.	Oct 2017	CEO	In progress	
15 (vii) May 2017	Letters to Ministers Regarding Upcoming Project Approvals	The Board write to Ministers at the State and Commonwealth levels.	Oct 2017	CEO	In progress	

ENVIRONMENT & COMMUNITY SERVICES UNIT

8 May – 25 August 2017

Biodiversity Management

- Biosecurity detection dogs and dog handler training on island.
- Finalised year one of Saving Our Species (SOS) grant including submission of report and next year's project plan. Awaiting advice on whether we have secured next year's funds.
- Ant ID chart developed.
- Issued Penalty Infringement Notice X 2 for unapproved vegetation clearing.

Research & Volunteers

The following persons were approved to stay in the Research Station during the reporting period.

Name	No. People	No. Nights	Project	Address
OEH Nicholas Carlile/Tony Auld	4	8	Biodiversity Benefits – Rodent eradication - fauna	C/o OEH
Steve Austin	1	16	Biosecurity Detection Dogs	Dural
McDermott Air	2	5	Weed Eradication	Caloundra
BARRC	2	16	Weed Eradication	Nabiac

Rodent Eradication

- See Agenda Item - Rodent Eradication progress report.

Quarantine

- Delivery of two trained Biosecurity Detection Dogs to island and awarded dog handling positions. Training of dogs and handlers commenced on island to undertake biosecurity detection of incoming freight and passengers.
- Applications to import plant, mulch/potting medium, dog, livestock and chicken have been assessed as required and inspections carried out of imports upon arrival. Intercepted unapproved plant import.
- Maintenance of boot cleaning stations.
- LHIB staff have received training in administering the *Biosecurity Act 2015*, which repeals 10 Acts including the *Plant Diseases Act 1924* and *Noxious Weeds Act 1993*.

African Big-headed Ant Eradication

- Monitoring scheduled for summer 2017/18. If nil detection will declare ABhA eradicated from LHI. This will be the first eradication of ABhA from an oceanic island.

Weed Management

- The Board is currently running four external funded weed eradication focused grant programs (including the NSW Environmental Trust, North Coast Local Land Services, Saving Our Species, NSW Weeds Action Plan) achieving over 105 hectares of search effort in the past 4 months (based on the LHI Weeds Database inputs).
- Noxious weed inspections (80 site visits undertaken).
- Weed trees from the Settlement continue to be dismantled and removed.
- Helicopter lance spray operations undertaken to treat weeds on steep cliffs.
- Crofton Rust released in July 2016 is establishing in the southern mountains, notably at mid to higher elevation where it is resulting in the decline of Crofton Weed.
- **Green Army – Project 2 ‘Accelerating the Demise of Weeds on LHI’** completed in early June 2017. Project 3 (the final project) is in progress and will be reported in December 2017. A target of 50ha of search effort is required for this project.
- **North Coast Local Land Services ‘Progressing the treatment and eradication of invasive weeds and African Big Headed Ants’.** The 2nd year report was submitted May 31st 2017. This program has funded helicopter spray and winch programs. The LHIB are negotiating the final year contract estimated at \$65k.
- **NSW Environmental Trust ‘The Tide is Turning’.** An extension for delivering aerial weed treatment programs including Unmanned Automated Vehicles (UAV) (for mapping and development of software for plant recognition) and Herbicide Ballistic Technology has been approved up to the 31st July 2018. An extension in \$58K of funds dedicated towards labour for weed search, up to December 30th 2017 has been approved by the Trust.
- **Saving our Species LHI Threatened Species Recovery Program** was reported in July 2017, providing detail on threatened plant monitoring measures, seed banking and translocation planning and weed threat abatement. The Board is currently negotiating a four year grant, which requires completion of yearly targets.
- The **Adopt a Block Program** which aims to provide opportunities for philanthropic investment to secure long term and adequate funding base for the LHI Weed Eradication Program remains in the development stage.

Revegetation

- Maintenance of revegetation sites has been undertaken in accordance with Revegetation Work Schedule.
- Funding provided by North Coast Local Land Services for restoration of Sallywood Swamp Forest EEC at the Golf Club, and plantings established at Middle Beach and Old Settlement.
- Revegetation at Calystegia site at start of Max Nicholls track commenced via SOS funds.

Incident Management

- Nil

Community Programs & Education

- Contribute to Signal and Community Information Bulletin

Visitor Infrastructure

- General maintenance of walking tracks;
- Muttonbird Point track re-opened.
- Assist with Island wide clean up including the Lagoon Foreshore.

- Interpretation sign on Sallywood Swamp Forest being developed.

Marine Management / Moorings

- LHIB monthly mooring inspections were completed for the reporting period;
- Three yachts visited the Island and attached to LHIB public moorings during the reporting period.

Human Resource Management

- Darcie Bellanto acting ranger (part-time, temp).

Training

- Biosecurity detection dog handling training.
- Iconyx (GIS) training.
- Biosecurity Act training.

Work Health & Safety

- Nil new time-lost incidents

Environmental Assessment

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

Land Administration

- Respond to applications for suspension of residency, lease transfers, minor land transactions, subleasing and tenure related project work.
- Liaise with Department of Planning & Environment regarding Stage 1 of the review of the LHI Local Environmental Plan
- Liaison with Treasury regarding introduction of Fire & Emergency Services Levy (FESL, now deferred indefinitely)

Development Assessment

- Continue assessments for Owner Consent, Development Applications and s96 modification applications

Community Health & Wellbeing

- Continue addressing system project for the Island (implementation now possibly deferred as per FESL above).
- Complete draft Bush Fire Risk Management Plan for the Island.

INFRASTRUCTURE AND ENGINEERING SERVICES

06 May 2017 to 28 August 2017

Airport Operations

- The Annual Aerodrome Technical Inspection (ATI) was conducted on 25, 26, & 27 July 2017 by Graham Oehlerich of Airport Operational Support P/L. At the time of writing (Friday 25 August 2017) a copy of the draft report had just been received. A number of recommendations for corrective action were highlighted in the report, mainly in reference to Aerodrome Obstacles.
- The LHI Aerodrome Bird and Animal Hazard Management Committee met 6 July 2017 in preparation for the upcoming Sooty Tern breeding season. At the time of writing the Sooty Terns had not come to ground and Board staff were continuing to monitor their behaviour.
- At the time of writing (Friday 25 August 2017) there has been one (1) bird strike recorded for 2017. The bird struck was a Pacific Golden Plover. There was no damage to the aircraft recorded and the strike caused no disruption to the flight. There were 1032 aircraft movements logged for the Lord Howe Island Aerodrome from 01.01.17 to 31.07.17, excluding RAAF training movements and movements of one of the privately owned planes stationed at the airport. This equates to 0.97 strikes per 1000 movements.

For the corresponding period in 2016 there were two (2) strikes recorded. One was an unknown species as the strike occurred over the lagoon and the carcass was unable to be recovered. The other strike was a pee wee struck on landing. No damage to aircraft was recorded for either strike nor were there disruptions to the flights. With 1026 aircraft movements during the period this equates to 1.95 bird strikes per 1,000 aircraft movements.

- Due to staffing and budgetary considerations the July 2017 planned works for further Norfolk Island pine removal is now programmed for November 2017. These trees have been identified to infringe the transitional surface of the Runway and have been directed by CASA to be removed.
- In May 2017 Airworks Consulting produced plans for the RPT Apron markings to bring them into compliance with the MOS. The design incorporates parking for 2 Dash 8-200s as it is presently but also include markings for enhanced aircraft tracking ensuring correct wingtip and wheel edge clearances. It is anticipated Board staff will complete the apron marking works during October 2017.

Airworks Consulting also produced draft plans for the redesign of the General Aviation parking Apron. The new design includes parking areas for mid-sized aircraft (Code B) as well as the smaller Code A aircraft. The taxi lanes and parking positions have been designed to incorporate the amendments to the Manual of Standards (MOS) – Part 139 for taxiway widths and separation distances of 25 January 2017. There will be consultation with the local aircraft owners and regular visiting aircraft operators before the design for this Apron is finalised.

Emergency Management

- The Local Emergency Management Committee (LEMC) met on Thursday 6 July 2017. The members discussed the completion of medium and low risk Consequence Management Guides (CMGs) to progress the Emergency Management Planning for the Island.
- The NSW State Emergency Service (SES) are planning a multi-agency filed exercise to be held on Thursday 31 August 2017. The exercise will involve local members of the SES, NSW Rural Fire Service (RFS) plus LHIB staff, Hospital staff and the local Police Officer. Mainland SES and RFS representatives will be coming to the Island as Exercise Controllers and Assessors. The exercise scenario is based on Land Rescue and patient extraction.
- Air Ambulance patient retrievals year to date (Friday 25 August 2017) total six (6) which consisted of five (5) residents and one (1) visitor. All required treatment for illness bar one (1) resident who required treatment for an injury.

Patient retrievals for the same period in 2016 totalled nine (9), seven (7) of which were residents with four (4) requiring treatment for illness and three (3) for injury. Of the two (2) visitors, one (1) required treatment for illness and one (1) for an injury.

Waste Management Facility

- Installation of the new Hot Rot composting unit occurred in early July 2017. The unit is fully operational and producing superior compost. The concrete works for the associated curing bunkers have been completed with the bunker walls and roof works planned for the week of 11 September 2017. The EPA testing regime for the compost will commence once the curing bunker works are completed. This testing regime will take place over a minimum period of 6 months to ensure the quality of the compost is to a standard allowable for home use.

General items

- LHIB staff commenced sampling and testing of the Island's groundwater wells & bores on Monday 28 August 2017.
- LHIB staff continue to monitor drinking water quality for NSW Health compliance.
- LHIB staff continue to monitor mosquito larvae as per the Lord Howe Island Mosquito Surveillance and Vector Monitoring Program. This program is part of a national scheme run by the Federal Government.

During June 2017 Julian Raeside of the Australian Government Department of Agriculture and Water Resources visited the Island to conduct an audit on the Island's Mosquito Surveillance and Vector Monitoring Program. Julian was happy with the LHIB procedures and processes and was very appreciative of the Board's assistance in this National Program.

- LHIB staff continue to monitor wastewater discharge at the WMF for EPA licence compliance.

- LHIB staff continue to assist residents and businesses with their onsite wastewater management system installations and/or upgrades.
- LHIB staff continue to conduct building inspections and provide certification for Construction Certificates as part of the Development Application process.

Airport Works

- Construction of 7 x 7 metre shelter marquee in order to offer protection to visitors waiting for aircraft.

Building Construction Maintenance and Management

- Pro-dive shed façade replaced to allow full head height entry. Asbestos removed as per regulation. Area between Greenback and Pro dive boatshed stabilised and protected with railing. New guttering fitted to Pro Dive shed.
- Met 2 and 3 paths cleaned due to excessive build up – trip hazard
- New solar hot water system installed Met 3 roof.
- Painting of SEO residence (doll's house). Installation of ceiling to improve liveability.
- Quote received for painting and repair of nurses flats.
- Hospital. Assistance in removing vegetation to WMF for processing. Applying non-slip paint to rear veranda and stairs. Installation of examination roof mounted light in treatment room.

Emergency Management

- Continued successful testing of emergency siren 1000 hrs each Wednesday.
- August 18, 19, 20 SES responded to fallen tree removal due to severe weather.
- Island emergency exercise conducted 31 August 2017 with SES, RFS, LHIB, Hospital and Police involvement. 5 mainland observers in attendance from SES/RFS.

General items

- Purchased 3 x 10ft shipping containers to move possessions of contract LHIB staff. The use of timber packing crates has been extremely problematic with the 'flimsy' type construction failing during loading and unloading. The first of three containers were utilised to move the Logan family with great success. The containers are vermin and waterproof eliminating the time consuming tarping of crates.
- A new purpose built 6 metre aluminium punt vessel has been purchased under Capital purchases. The vessel has a drop down bow gantry door allowing less strenuous loading and unloading of materials such as timber at North Bay. The vessel will also allow effective seaside maintenance/constructing at the jetty. The

vessel will also be ideal for emergency response e.g.: oil spill containment. Expected delivery 10 weeks.

Maritime Facilities and Coastal Activities

- A new purpose built 6 metre aluminium punt vessel has been purchased under Capital purchases. The vessel has a drop down bow gantry door allowing less strenuous loading and unloading of materials such as timber at North Bay. The vessel will also allow effective seaside maintenance/constructing at the jetty. The vessel is ideal for emergency response operations such as oil spill containment. Expected delivery 10 weeks.
- The jetty stairs and boat ramp were high temperate/pressure cleaned in July however the August treatment has been postponed due to the mechanical failure of the LHIB gurney. Currently seeking alternative. Expected resolution by mid-September and subsequent treatment of areas against marine growth.
- In early September the swimming pontoon will be removed from the water for cleaning and service. The recent severe bad weather has caused the failure of the pontoon ladder. The ladder will be repaired when pontoon is out of the water. Expected to be only out of the water for 1 week.

Roads, Parks and Visitor Facilities

- Extensive road and pothole repairs were carried out during July/August.
- Potholing continues utilising Bio blend cold mix EZ street product. Awaiting delivery of alternate product to EZ street asphalt supplied by Port Macquarie based operator which contains canola oil instead of heavy hydrocarbons. Tested will be monitored and reported on.
- Over thirty (30) dangerous trees were identified and removed from locations on the island within the road reserve and commercial areas. The trees were removed without incident with the assistance of local arborist Craig Wilson. It is expected that due to the dry spell over Nov-March that many Blackbutts will die out and need safe removal. One extremely dangerous tree was removed via the man-cage attached to the crane.
- Works Staff continue with significant road verge trimming of vegetation.
- Spraying for clover and Bindi commenced early July 2017. These works were completed late August. Weed spraying continues however the vast majority of the island has been treated for road side weeds.
- Maintenance on roadside gardens have commenced with the garden 'pods' along the airport road the first to be cleaned up and mulched. Further similar works are planned for all garden areas in order to re-establish these areas and make them more visually attractive. Areas to be targeted included the old power house site and the playground.

Waste Management Facility

- General maintenance and service on all equipment has been undertaken.
- Hotrot and sludge management has occupied most of July and August with encouraging results.

ELECTRICAL SERVICES UNIT

Operation of the Powerhouse and Reticulation System for the reporting period 10th May 2017 to 24th August

Overview of Activities

- Routine maintenance on Generating Units 1, 2 and 3 was completed
- Routine maintenance on the Standby Generator was completed.
- Routine maintenance on Generator no.1, 2 and 3 battery banks was completed.
- Routine maintenance on Generator no.3 and control board battery chargers was completed.
- Routine maintenance on Generator no.1 and 2 Air Circuit Breakers was completed.
- Routine maintenance on Generator no.1 day fuel tank and pumping systems was completed.
- Routine maintenance on Substation no.5 Lagoon Road and associated distribution pillars was completed.
- Routine maintenance on Substation no.6 Middle Beach Road and associated distribution pillars was completed.
- Routine maintenance on Substation no.7 Mulley Drive and associated distribution pillars was completed.
- Routine maintenance on Substation no.8 Airport and associated distribution pillars was completed.
- Supply load surveys were carried out on Substations no.5 Lagoon Road, no.6 Middle Beach Road, no.7 Mulley Drive and no.8 Airport along with their associated distribution pillars. Distribution pillars were monitored for their voltage levels. Substations were monitored for maximum demand and voltage levels. All maximum demand and voltage levels in the surveyed areas were within acceptable limits.

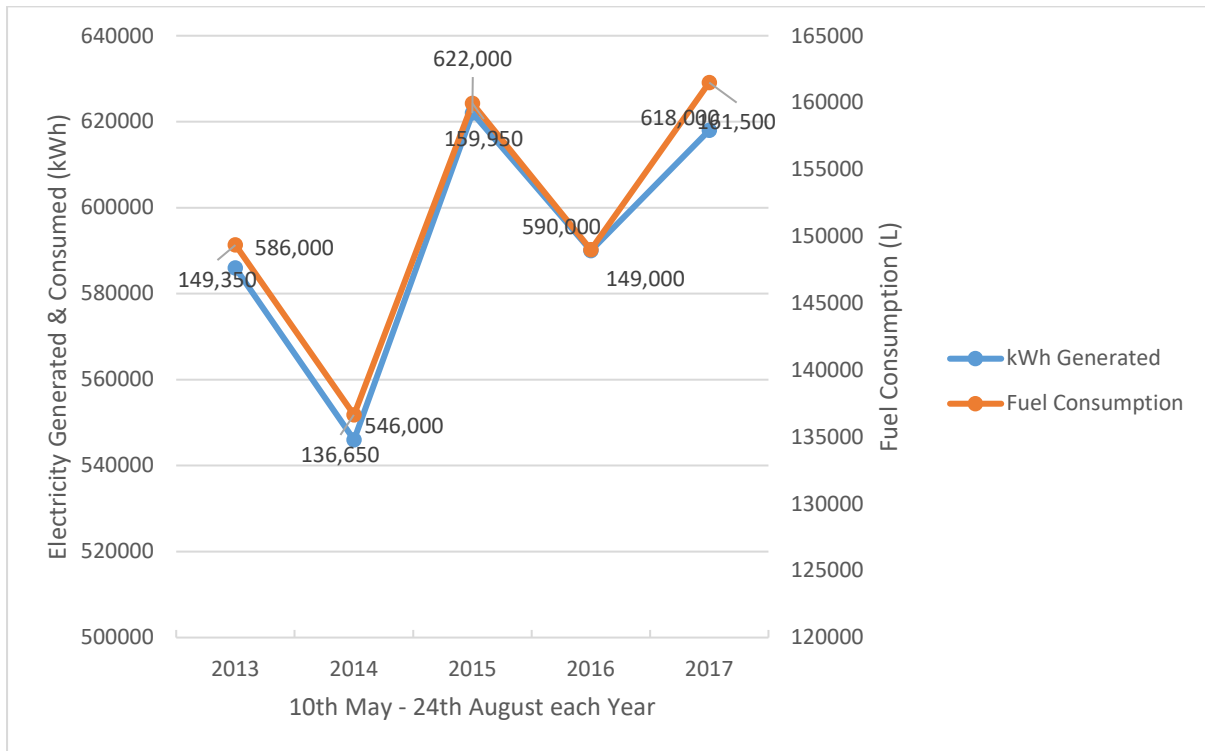
Information for Board Members

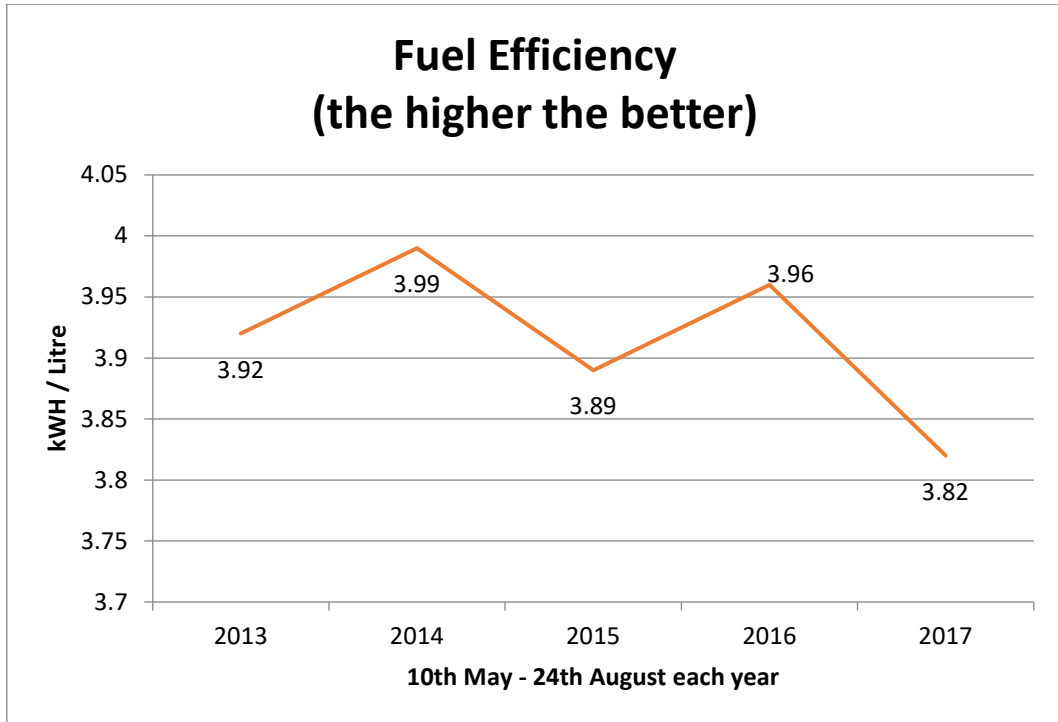
- Energy demand for the reporting period was 618 000 kWh.
- Fuel consumption for the reporting period was 161500 litres.
- Fuel energy efficiency for the reporting period was 3.82 kWh/L
- Presently there are 109 kW of privately owned solar panels connected to the electrical distribution system.
- Maximum demand for the period was 456 kW on the 7th June.
- There were no powerhouse supply interruptions during the reporting period.

- There was 6 distribution system supply interruptions during the reporting period.

All supply interruptions were the result of individual customer overloads. One specific customer experienced numerous supply interruptions. Modifications have been carried out to this customer’s circuit breaker and intensive data logging is being undertaken to identify the cause of the supply interruptions.

- One new customer was connected to the supply system. There are currently 284 customers connected to the system.
- A new boom gate was installed at the Board compound during the period. This boom gate is operated via wireless key transmitters with safety sensors installed to prevent unsafe lowering of the boom.





Board Meeting: September 2017

Agenda Number: 4

Record Number: ED17/3825

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

Chief Executive Officer's Report to September 2017 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:

Business & Corporate Service Report

Reason: Business in Confidence

MATTER	STATUS	ACTION REQUIRED BY BOARD AT THIS MEETING
Air Services	Transport for NSW has advertised the EOI for the next licence period post March 2018. The outcome of the EOI is not yet known. The Funding Agreement for the runway extension feasibility study has been signed by NSW Treasury. Tenders have been invited for the feasibility study.	For noting
Rodent Eradication Program	The Human Health Risk Assessment has been completed under the oversight of the Office of Chief Scientist and Engineer. Key approvals have been received for the program. A report is presented to the September 2017 Board meeting to enable a go or no-go decision on the project	See agenda item 8 (i)
Renewable Energy Project	The Federal Minister did not approve the wind turbine component for visual impact reasons. Consequently Funding body ARENA is reconsidering the funding for the whole renewable energy project.	See agenda item 12 (i)
Airport Terminal Upgrade	Work is progressing well with Airport Terminal Upgrade Project. Construction has commenced with completion expected in December 2017.	See agenda item 12 (ii)

Prepared: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Chief Executive Officer Report – BCS Unit - **Closed**

Attachment B: Chief Executive Officer Report – ECS Unit - Open

Attachment C: Chief Executive Officer Report – IES Unit - Open

Board Meeting: September 2017	Agenda Number: 5	Record Number: ED17/3821
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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 14 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 three vehicles (two being temporary) to the island since the last Board meeting:

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Scott Wilson	Toyota Hilux	No	Private	0	Approved 12/05/2017 Replacement
Timothy Cruikshank	Toyota Echo	No	Commercial	NA	Denied 11/05/2017
Christian Corse	Honda Motorcycle	No	Commercial	NA	Denied 12/05/2017 Eastern Airlines
Grant Devine	Boat Trailer	No	Private	0	Approved 31/05/2017 Replacement
Gary Payten	Toyota Tarago	No	Commercial	0	Approved 31/05/2017 Replacement
Ian Anquetil	Toyota Hiace SBV Van	No	Commercial	1	Temporary Approval 14/06/2017 Airport Terminal Upgrade
Dick and Noelle Hoffman	Honda Jazz Hatch	Yes	Private	0	Approved 07/07/2017 Replacement
Wayne Foss	Daihatsu Terios Wagon	No	Commercial	1	Approved 07/07/2017
Una Payten	Toyota Tarago Wagon	No	Private	NA	Denied 21/07/2017

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation	Comment
Kentia Fresh Pty Ltd	Hino 4 Cylinder Diesel Truck	No	Commercial	1	Temporary Approval 21/07/2017 Construction for Pandanus and The Nursery
Denise Tokailagi	Toyota Yaris	No	Private	0	Approved 04/08/2017 Replacement
Gary Crombie	Mitsubishi 6LX-R twin cab utility	No	Commercial	0	Approved 04/08/2017 Replacement
Leanne Hedt	Hyundai iMax People Mover/8 seat bus	No	Essential	NA	Deferral 04/08/2017
Luke Hanson	Subaru Outback 4 Cylinder Wagon	No	Private	0	Approved 15/08/2017 Replacement

As at August 2017

Registered Road Vehicles						
Essential	Commercial	Private	Hire	Plant & Equipment	Imported Without Approval	Total
23	90	145	8	26	70	362

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
163	33	50	9	30	77	362

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 has been a total of 70 vehicles imported without approval:

- 66 vehicles were imported without approval prior to 2014. The majority of these vehicles were trailers.
- One vehicle, a boat trailer, was imported without approval in 2015.
- Three vehicles, all boat trailers, have been imported without approval in 2016.

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
7	1	12	1	3	46	70

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Penny Holloway, Chief Executive

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Owner's Consent approved 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

The following Owner's Consent applications complied with the above requirements and have been processed by the CEO since the last Board meeting, as detailed below:

OC	Applicant	Site	Proposal	Zone	Decision
OC2017-15	Christopher Haselden & Jemima Spivey	Lot 355 DP 1156660	Additions and alterations to existing dwelling	Zone 2 Settlement	Approved 03/07/2017
OC2017-12	Barry & Marie Thompson	Portion 53	Addition of bedroom to existing dwelling	Zone 2 Settlement	Approved 03/07/2017
OC2017-11	Blue Lagoon	Portion 45 and Lot 214 DP14593	Installation of wastewater treatment system	Zone 2 Settlement	Approved 01/07/2017
OC2017-08	Chris & Margaret Murray	Lot 354 DP1156660	Extension and renovations to existing dwelling	Zone 2 Settlement	Approved 17/05/2017

The above applications were forwarded to the Board's Planning Consultant who assessed the proposals and recommended support to the granting of owner's consent.

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Penny Holloway, Chief Executive Officer

Board Meeting: September 2017

Agenda Number: 7 (ii)

Record Number: ED17/3823

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Development Applications determined 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

The following development applications complied with the above requirements and have been determined by the CEO since the last Board meeting, as detailed below:

DA	Applicant	Site	Proposal	Zone	Decision
DA2018.01	Christopher Haselden & Jemima Spivey	Lot 355 DP1156660	Additions and alterations to existing dwelling including additional bedroom/study room, extension of existing deck, covered deck and carport/garage.	Zone 2 Settlement	Approved 21/08/2017 subject to conditions.
DA2017.21	Roads and Maritime Services	Portion 122, Erscotts Passage	Installation of navigation leads to replace existing temporary white poles portion 122, Lord Howe Island	Zone 7 Environmental Protection	Approved 03/07/2017 subject to conditions.
DA2017.24	Des, Barry and Rodney Thompson	Portion 46 & 138	Installation of wastewater management system.	Zone 2 Settlement	Approved 26/06/2017

					subject to conditions.
DA2017.23	James Lonergan	Lot 13 and Lot 141 and 142	Installation of wastewater management system	Zone 2 Settlement	Approved 16/08/2017 subject to conditions.
DA2017.19	Jack Shick	Lot 126	Alterations and additions to an existing garage outbuilding for a new garage component	Zone 2 Settlement	Approved 19/07/2017 subject to conditions.
DA2017.17	Matthew Retmock	Lot 2 DP1106449	Construction of a garage, workshop and storage	Zone 2 Settlement	Approved 22/05/2017 subject to conditions.
DA2017.16	Rod Oxley & Lisa Makiiti	Lot 1 DP1174920	Addition of external storage cupboard to existing dwelling	Zone 2 Settlement	Approved 22/05/2017 subject to conditions.
DA2017.14	Diane Owens	Lot 10 DP1202580	Installation of pipeline and irrigation field to existing wastewater management system (commercial).	Zone 2 Settlement	Approved 22/05/2017 subject to conditions.
DA2017.15	Chris & Margaret Murray	Portion 354	Installation of a wastewater management system	Zone 2 Settlement	Approved 23/05/2017 subject to conditions

RECOMMENDATION

The report is submitted to the Board for information.

Prepared: Chelsea Holden, Administration Officer

Endorsed: Penny Holloway, Chief Executive Officer

LORD HOWE ISLAND BOARD

1.0 Item

OC2017.14 Construction of a recreation facility – community skate park – Lord Howe Island Skate Park Association

2.0 Background

The following OC application has been received by the Board.

OC No.	Applicant	Site	Proposed Development	Value (\$)	Comment
OC 2017- 14	Lord Howe Island Skate Park Association	Unidentified Crown Land. Reserve No.12 Lord Howe Island, NSW 2898	Construction of a recreation facility - community skate park.	\$180,000	Zone 7 Environment Protection. Proposed dev. permissible with Consent pursuant to assessment under clause 35 of the LHI LEP 2010.

The Minister has authorised that the Board's CEO grant owners consent to the lodgement of a development application subject to the following conditions:

1. The value of the development must not exceed \$2,000,000.
2. The application must, in the opinion of the person or entity granting owner's consent, comply with any Planning Instrument which is in force relating to the Island.
3. The owner's consent must not relate to a proposed development application for the subdivision of land.
4. The OC must not relate to the creation of new residential dwellings.

The subject OC proposal complies with the above delegations however it is referred to the full Board for determination noting the proposal relates to a matter of public interest.

3.0 Relevant History

The following history was provided in the Lord Howe Island Skate Park Project Update report;

2015

- The LHI Lagoon Foreshore Management Plan 2015 states that "the LHIB will consider the installation of a sporting facility such as a skate ramp or exercise area, subject to funding and the provisions of the LEP".

2016

- A surge in interest in skate boarding motivated establishment of a skate park association with the primary purpose of constructing a skate park on the island.
- 26 September LHISPA was registered as a NSW incorporated association.

- 18 October LHispa supporters met for the first time at the Public Hall.
- 20 October LHispa met with the Locally Elected Board Members.
- 25 October LHispa accepted a \$3,000 2016-17 LHIB Community Grant
- Late October LHispa householder survey of skate park location(s)
- 1 November LHispa obtained an ABN: 97 717 902 348
- November LHispa skaters committee developed skate park concept design
- 6 November expression of interest to build a skate park based on concept was sent to skate park construction companies
- 14 November Jason Gerialis from Civic (website) <http://convic.com/> submitted a free design and drawings and consideration.
- 17 November site survey closes: 26 returned forms; 9 for the Aquatic club (site A – page 2); 9 for the foreshore in front of the school (site B – page 2); 2 the playground; 2 for the bowl; 1 for the Passion Pit; 1 for in the scrub between the Aquatic Club and the road; 1 multiple locations (without being numbered); and 1 abusive.

2017

- 19 January Convic asked to amend the design to reduce the size and scale and include features that local skaters with a surf orientation background would prefer. (Paid for with part of LHIB 2016-17 Community Grant)
- March Convic amended design received, see page 4.

4.0 Site Description

The location of the proposed development is legally described as unidentified crown land (west of the Oval), Lord Howe Island.

It is known to the Lord Howe Island Board as part of Reserve No. 12 for the purposes of Public Recreation, Access, Shelter & Foreshore Improvement, which was Declared 11 March 1955. Reserve No.12 covers an area the length of Lagoon Road from Capella to the northern end of Old Settlement Beach between the foreshore building line and the high tide mark, in addition to the foreshore area from Neds Beach, Middle Beach and Blinky Beach.

The subject site is a portion of foreshore reserve as shown on figure 1 accessed via Lagoon Road. The portion of the land used for the site is located adjacent to the lagoon on the western shore of the Island. The site is zoned Zone 7 – Environmental Protection as shown on figure 2 provided.



Figure 1 Subject site



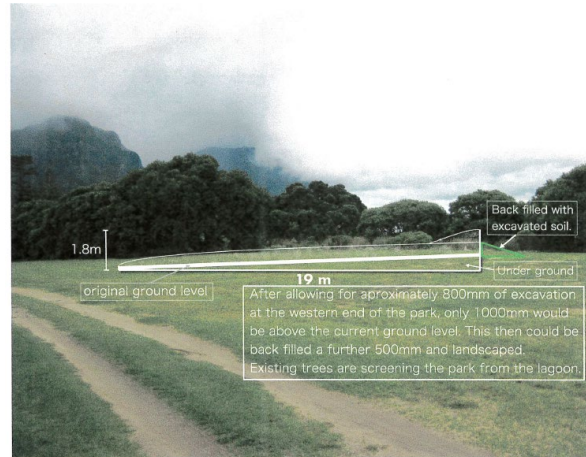
Figure 2 Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map. Appropriate site boundaries outlined in red. Yellow colour represents Zone 7 Environmental Protection.



Figure 3 Extract from the LEP 2010 SNV Map. Approximate location of subject site is identified by the red circle. Green colour represents SNV



**Figure 4 Site Locality
(supplied by Applicant)**



**Figure 5 Proposal sketchup on site
(supplied by Applicant)**

5.0 Proposed Development

The proposal is for the development for a;

- Recreational facility (skate -park) within a portion of Reserve Lot 12 as shown in the above map extracts.

The proposed development will occupy an area of 14m x 19m, 266sqm and will be situated on a portion of unidentified crown land on the western side of the island between lagoon beach and lagoon beach road.

The built form will be no higher than 1.8m as shown in figure 5 and is open at the lower end to allow for stormwater drainage.

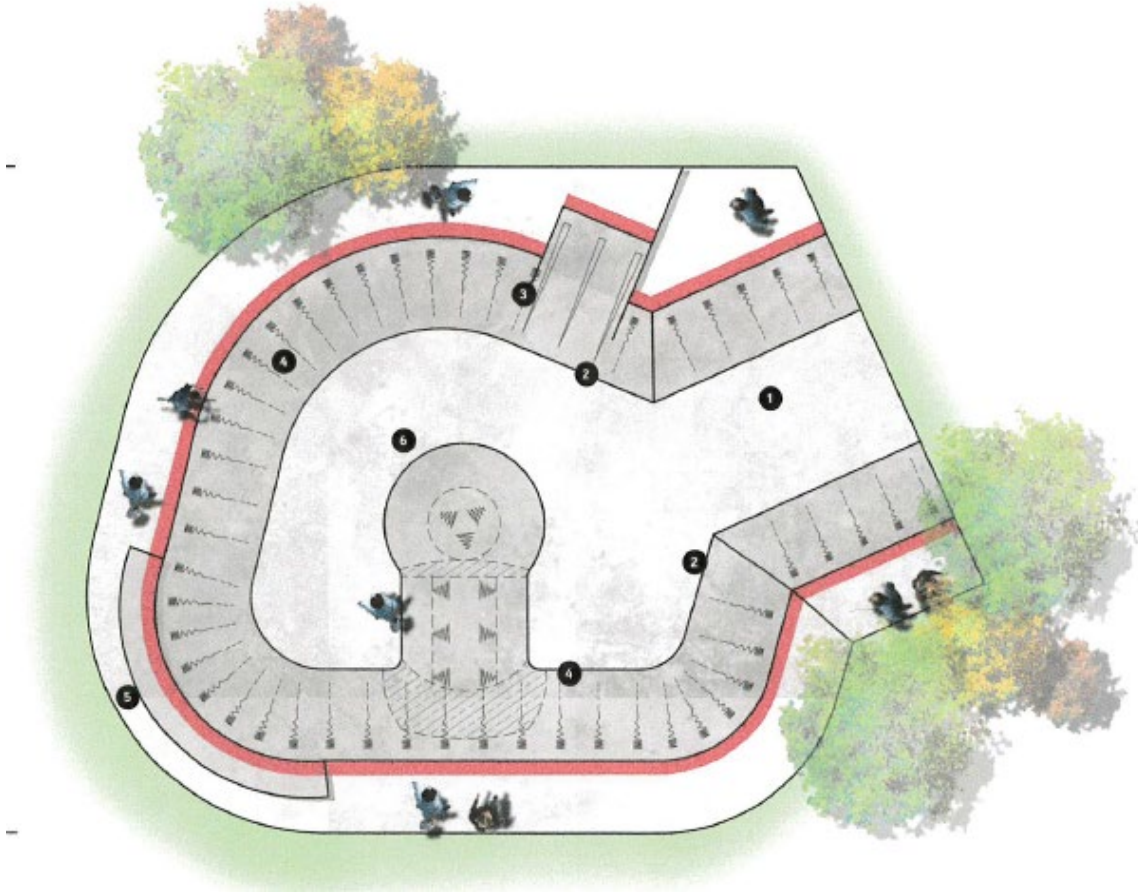


Figure 6 Architectural sketch of proposed development (supplied by Applicant)

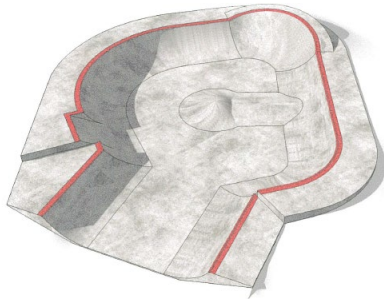


Figure 7 Perspective A (supplied by Applicant)

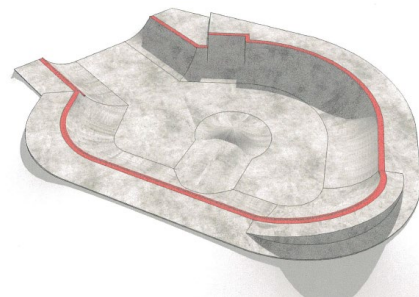


Figure 8 Perspective B (supplied by Applicant)

6.0 Preliminary Assessment Comment

6.1 Lord Howe Island Local Environmental Plan 2010

'Owner Consent' application No. 2017-14 has been assessed by the Board's Town Planning Consultant regarding compliance with the current Lord Howe Island Local Environmental Plan 2010 (LEP 2010).

6.1.1 Permissibility

Clause 35(1) of LHI LEP 2010 prohibits development in the foreshore area. Despite this prohibition, development on the foreshore area may be carried out with consent if, in the consent authority's opinion, it meets the requirements listed in Clause 35(2). An assessment against this clause has been undertaken below which concludes that the proposal meets these requirements.

The proposed skate park is subject to Clause 9, 11, 17 and 35 of the LEP 2010 being satisfied.

The clauses relevant to an OC are considered and assessed below.

Clause 9 – Exempt Development

The proposed development is not identified as exempt development under schedule 1 of the LHLEP. The proposal requires a development application be submitted by the applicant.

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 1 Clause 11 Compliance summary table

Clause 11 Requirement	Compliance Y/N	Discussion
a) 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,	Y	The subject site is zoned 7 – Environmental Protection under the LEP 2010. One of the objectives of the zone is to protect the scenic amenity of the land in the zone. Furthermore the proposal is deemed to satisfy the requirements of clause 35 and is permissible with consent.
b) There is an adequate area available for the disposal or treatment of any effluent from any disposal system and any such system will not have any adverse impact on groundwater quality,	N/A	N/A
c) No part of the proposed development: i. will result in any damage to, or removal of, significant native vegetation, or ii. will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,	NA	The proposal is outside mapped SNV as demonstrated in figure 3 above.
d) Access is, or will be, available to the site of the proposed development and the provision of any such access will not: i. result in any damage to, or the removal of,	Y	The proposal could be constructed without damage or harm to SNV.

Clause 11 Requirement	Compliance Y/N	Discussion
ii. significant native vegetation, or have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,		
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,	NA	No landscaping proposed.
f) The proposed development will not be adversely affected by any landform limitations, including flooding, landslip, unstable soils and steep slopes,	NA	There has not been any identified hazard which would adversely affect the proposal.
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,	N/A	No additional services proposed.
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,	Y	The proposed skate park is screened by existing vegetation as viewed from the Lagoon and the Lagoon Beach Foreshore. The skate park will also be partially screened as viewed from the Lagoon Road. The proposed location of the skate park will be further considered at the DA stage to ensure there is no adverse visual impact.
i) The proposed development will not cause any significant overshadowing of adjoining land,	NA	No unreasonable overshadowing will occur.
j) The proposed development will not cause any significant reduction in the privacy of occupiers of adjoining land	N/A	No privacy will be affected due to the proposed development.

Clause 17 – Zone 7 Environmental Protection

The proposed skate park is considered to fall under the definition of a recreation area.

Recreation area means:

- a) *a children’s playground, or*
- b) *an area used for sporting activities or sporting facilities, or*
- c) *an area used by a public authority to provide recreational facilities for the physical, cultural or intellectual welfare of the community, or*
- d) *an area used by a body of persons associated for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes, but does not include a racecourse, a showground or the premises of a club whether or not licensed under the Liquor Act 2007.*

A recreation area is not listed as permissible only with Consent under clause 17(2) or (3) of the LHI LEP.

Clause 17(2) and (3) of the LHI LEP refers to “Except as otherwise provided by this Plan”; clause 35 of the LEP as outlined below, allows for the consideration of additional uses if the consent authority is satisfied it meets the matters for consideration listed under clause 35(2).

Clause 35 – Foreshore development

Clause 35(1) of LHI LEP 2010 prohibits development in the foreshore area. However, development on the foreshore area may be carried out with consent if, in the consent authority's opinion, it meets the requirements listed in Clause 35(2).

Because each of the Clause 35(2) requirements are followed by an 'and', each of these must be satisfied unless irrelevant to the proposal. These requirements are considered below.

(a) the proposed development is in the public interest and does not significantly reduce public access to the foreshore, and

The proposed development is for a skate park. It is a community led initiative and has support from the community. The proposed recreation area does not reduce access to the foreshore.

The proposal will be advertised at the development application stage to determine whether it is in the public interest.

(b) the bulk and scale of the proposed development will not detract from the visual amenity of the foreshore area, and

The proposal will impact on the scenic quality of the area. However it is not considered to detract from the visual amenity of the area noting the area on which the skate park is located is screened from the Lagoon and Lagoon Beach. This can be assessed in more detail in the DA stage.

(c) the proposed development addresses any need to restore lost or disturbed plants that are native to the Island, particularly if restoring those plants may enhance visual amenity, and

Not applicable.

(d) there is a demonstrated Island community-based, or marine-based, business need for it, and

The skate park will provide an additional recreation area for which there appears to be demonstrated island community based need.

(e) the proposed development will not be adversely affected by, or adversely affect, coastal processes, and

There would be no change in this regard. The Draft Coastal Hazard Definition and Management Study does not identify this area to be at risk from coastal processes until 2050-2100. Noting the proposals setback from the foreshore and location behind vegetation and the timeframes involved it is considered satisfactory in this regard.

(f) in the case of proposed development involving the erection of a structure—the purpose of that structure could not practicably be fulfilled by an existing structure, and

Not applicable.

(g) in the case of development proposed to be carried out on land that is also within Zone 9 Marine Park—the proposed development is not inconsistent with any advice about the development that is provided to the consent authority by the Marine Parks Authority.

The proposal does not involve Zone 9 Marine Park land and therefore this is not relevant to the proposal.

It is considered that the proposal satisfies each of the relevant matters above. It is considered that the proposed development could be carried out with the consent of the Board.

Due the expressed Island community-based interest for the development and apparent lack of impact on environment, bulk and scale and does not significantly reduce public access to the foreshore, the propose complies with clause 35.

7.0 Conclusion

This application has undergone a review of relevant LEP 2010 clauses.

The application for owner's consent for the construction of a skate park in the foreshore area is supported subject to the advisory notes outlined in the recommendation below.

8.0 Recommendation

That the Board APPROVE application Owner Consent No. 2017-14 for the construction of a skate park in Reserve No.12 (unidentified crown land) with the following conditions and advisory notes as follows:

Conditions

- (1) To satisfy the objectives of Zone 7 Environmental Protection, a visual impact assessment is to be provided at the Development Application stage, which includes consideration of mitigation options to minimise impact. The visual impact assessment should also include consideration of possible future revegetation activities proposed by the Board.
- (2) The Development Application documentation shall be accompanied by a management plan which will address safety, noise and hours of operation.

Advisory Notes

Significant Native Vegetation

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

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999 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.

Report prepared by

Endorsed

Claire Muir

Date: 22 August 2017

LHI Consultant Town Planner

Penny Holloway

Date: 24 August 2017

Chief Executive Officer

Lord Howe Island Board

LORD HOWE ISLAND BOARD

1.0 Item

OC2018.03 – Transfer Shearwater Cottage to above Infrastructure Building, Enlarge Cyclone Alley – D Owens

2.0 Background

The following OC application has been received by the Board.

OC No.	Applicant	Site	Proposed Development	Value (\$)	Comment
OC 2018-03	D Owens	Lot 10 DP 1202580	<ul style="list-style-type: none"> Alterations to Cyclone Alley and Shearwater Cottage to create one (1) dwelling. Alterations and Additions to the infrastructure building to create a dwelling. 	\$50,000	Zone 2 Settlement. Proposed dev. permissible with Consent.

The Minister has authorised that the Board's CEO grant owners consent to the lodgement of a development application subject to the following conditions:

1. The value of the development must not exceed \$2,000,000.
2. The application must, in the opinion of the person or entity granting owner's consent, comply with any Planning Instrument which is in force relating to the Island.
3. The owner's consent must not relate to a proposed development application for the subdivision of land.
4. The OC must not relate to the creation of new residential dwellings.

The following report considers whether the proposal involves the new use of a building as a residential dwelling, and is referred to the full Board for determination.

3.0 Relevant History

3.1 Development Applications

The development history of the site is as follows:

- DA2014-08 for a two lot subdivision: The Board approved the application on 30 April 2014, subject to a number of conditions.
- OC2015-14 for alterations and additions to the existing residential/commercial building was approved in part subject to conditions in May 2015.
- DA2016-11 for alterations and additions to the existing residential/commercial building (substantially the same as OC2015-14).

- OC2016-25 for use of an existing staff accommodation dwelling (Cyclone Alley) as a residential dwelling was approved at the Board meeting 7 June 2016.
- MDC2017-01 for a modification to consent DA1989.01 to change the use of the staff accommodation dwelling (Cyclone Alley) to a residential dwelling, including the deletion of condition c was approved 24 August 2016 following August Board meeting.
- DA2016-26 for alterations and additions to the existing infrastructure building for a single storey garage (6.3 x 7.5m) was approved 24 August 2016 following the August Board meeting..
- OC2017-01 for the installation of pipework in SNV for upgrade to ES9000 system was approved 19 December 2016.
- MDC2017-01 for the change of use of the adjacent unit (known as Shearwater Cottage, and attached to Cyclone Alley) to purposes of long-term accommodation for persons other than staff was deferred at the March Board meeting, pending a study into staff accommodation. This application remains undermined at this time.
- OC2017-09 to subdivide perpetual lease (12,177sqm) into 2 parts A (3720.6sqm) and B (8479.4sqm) and demolish part of the dwelling on Part A was granted at the March Board meeting on 14 March 2017.
- DA2017-14 for the installation of pipework in SNV for the existing ES9000 system was lodged with the Board on the 19 January 2017, this application was approved on 12 May 2017 under CEO delegation.
- DA2017-22 for the subdivision of the perpetual lease (12,177sqm) into 2 parts A (3720.6sqm) and B (8479.4sqm) and demolish part of the dwelling on Part A was granted at the May Board meeting on 23 May 2017. An application for a subdivision certificate has been lodged with the Board, at the time of writing this report it remains undetermined.

4.0 Site Description

The subject site is legally described as Lot 10 DP1202580, Lord Howe Island. The lot is irregular in shape and has a total site area of approximately 12,177sqm. Anderson Road bisects the site, and separates Lot 10 into its southern and northern components.

The northern component of Lot 10 contains the following buildings and structures:

- Dwelling (referred to as 'Di Owens dwelling') comprising attached garage and detached shed
- Dwelling (referred to as Cyclone Alley) - As noted above, on 24 August 2016, the Lord Howe Island Board advised approval of a development application for the modification of consent issued under DA 1989.01 to change the approved use of the staff accommodation unit "Cyclone Alley" to a residential dwelling.
- Tourist accommodation reception and restaurant area (including coolroom, kitchen and bathroom) attached to Di Owens dwelling. It is noted the restaurant is not currently in operation.
- Staff accommodation building – comprising one unit referred to as "Shearwater Cottage".
- Tourist accommodation units, and transit lounge; and
- An infrastructure building.

The southern component of Lot 10 is not developed and heavily vegetated. Both components of the site are zoned 2 Settlement. Mapped significant native vegetation (SNV) is identified in the north and north-eastern parts of the northern component, and wholly across the southern component (Figure 1 and 2). The subject building is outside of mapped SNV. Vehicular access to the northern component of Lot 10 is provided via an existing Right of Way (ROW) of variable width located in the south-western corner of Lot 174 from Anderson Road.

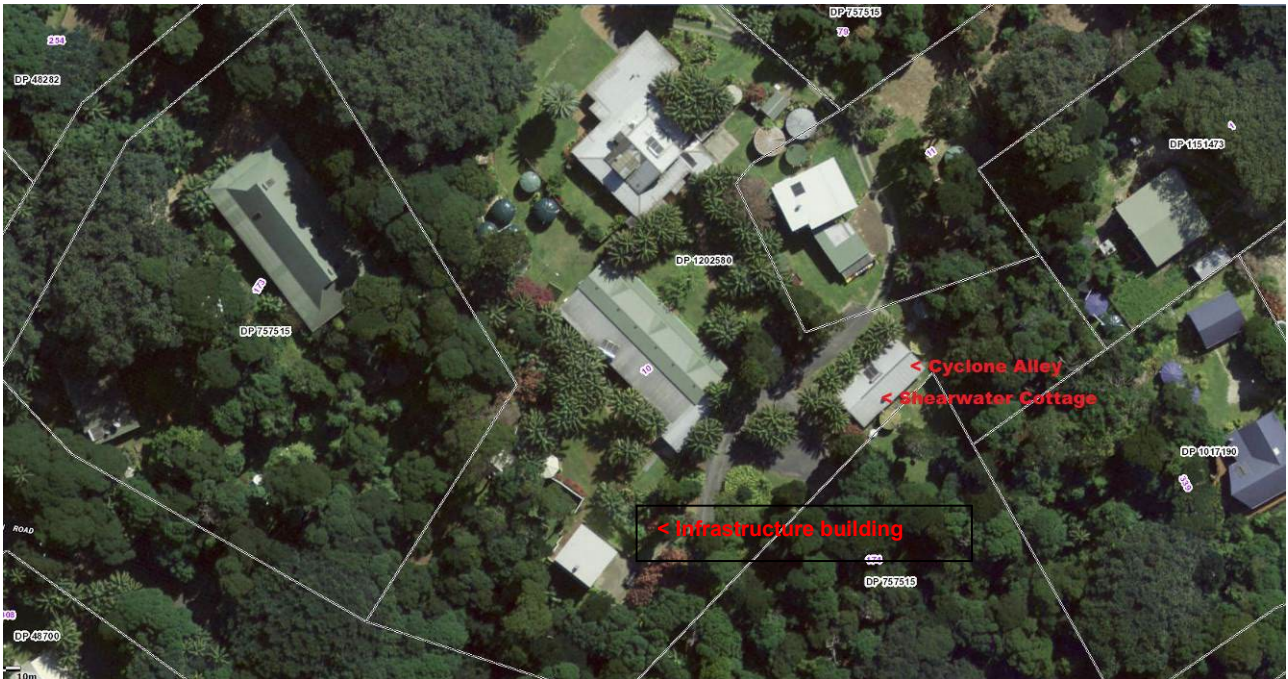


Figure 1 Location of existing Shearwater Cottage within the site and the Infrastructure Building. Infrastructure building shown above.

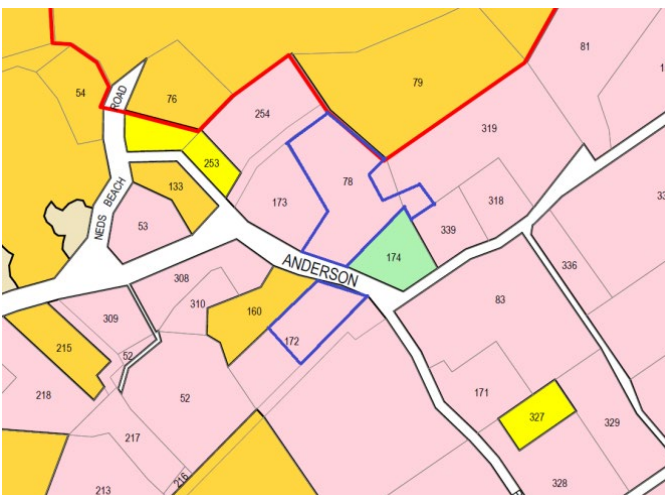


Figure 2 Extract from the Lord Howe Island Local Environmental Plan 2010 (LEP 2010) Zoning Map. Appropriate site boundaries outlined in blue. Pink colour represents Zone 2 Settlement.

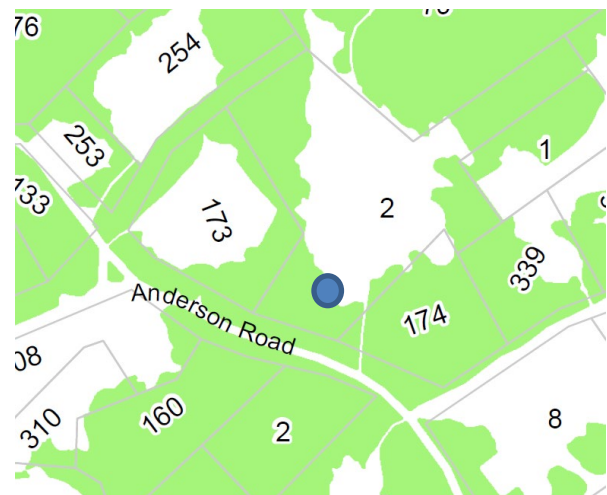


Figure 3 Extract from the LEP 2010 SNV Map. Approximate location of infrastructure building identified by blue circle. Green colour represents SNV.



Figure 4 Former Staff accommodation unit



Figure 5 - Locally Mapped SNV



Figure 6 Di Owens dwelling



Figure 7 Infrastructure building that is the subject of this application



Figure 8 Staff accommodation units



Figure 9 Tourist accommodation units

5.0 Proposed Development

The proposal involves:

- The “transfer” of Shearwater Cottage staff quarters to above the yet to be built garage extension of the Infrastructure building. The garage extension was approved by the Board pursuant to DA 2016-26 on 24

August 2016 (no form of accommodation was approved under DA2016-26);

- Alterations and Additions to the infrastructure building to create the accommodation; and
- Alterations to Cyclone Alley dwelling for a new laundry and door through building to encompass Cyclone Alley dwelling and Shearwater Cottage as one consolidated building.

Figure 1 shows the location of the Infrastructure building and the location of the extension upon which the new Shearwater Cottage dwelling will be built.

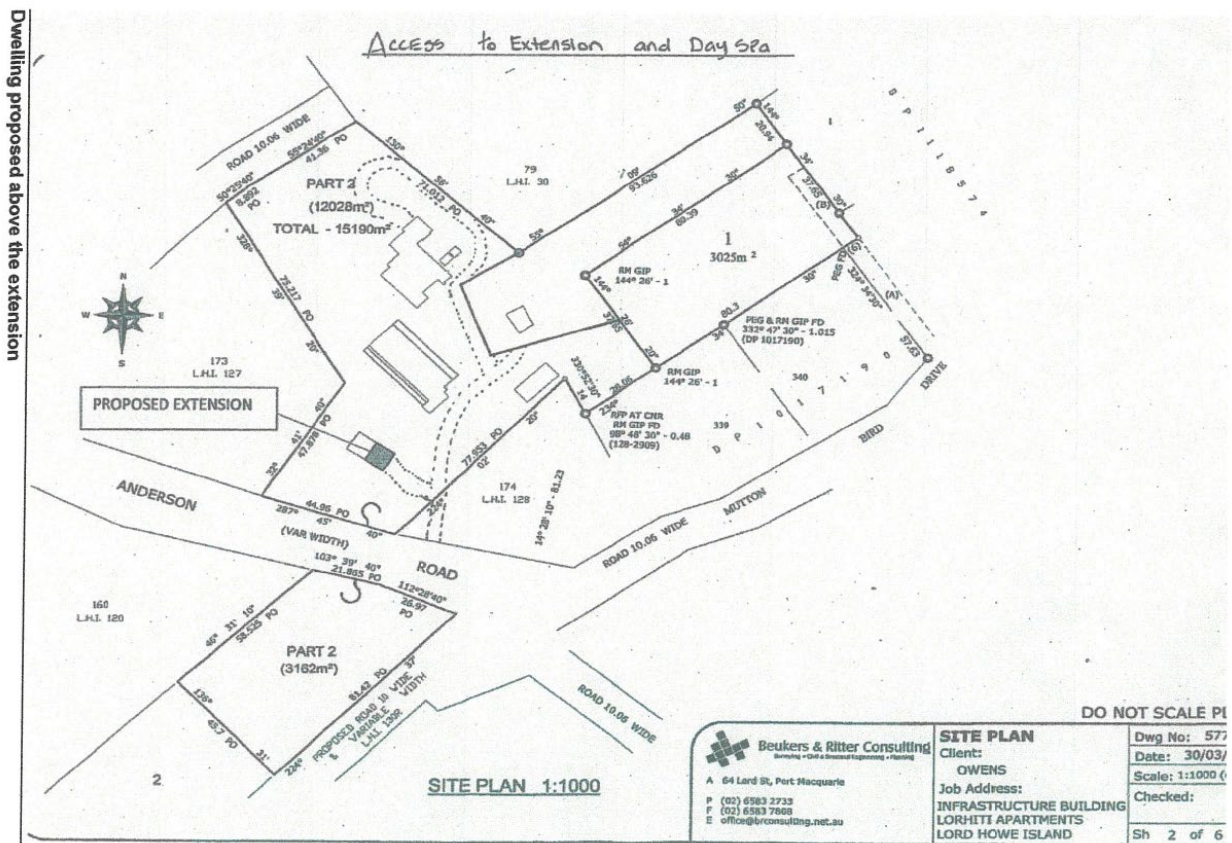


Figure 10 Site plan showing location of Infrastructure building

Figure 11 shows the floor plan of the extension of the Infrastructure building, and the proposed works on the first floor. The elevations of the proposed works is shown in Figure 12 and the roof plans are shown in Figure 13.

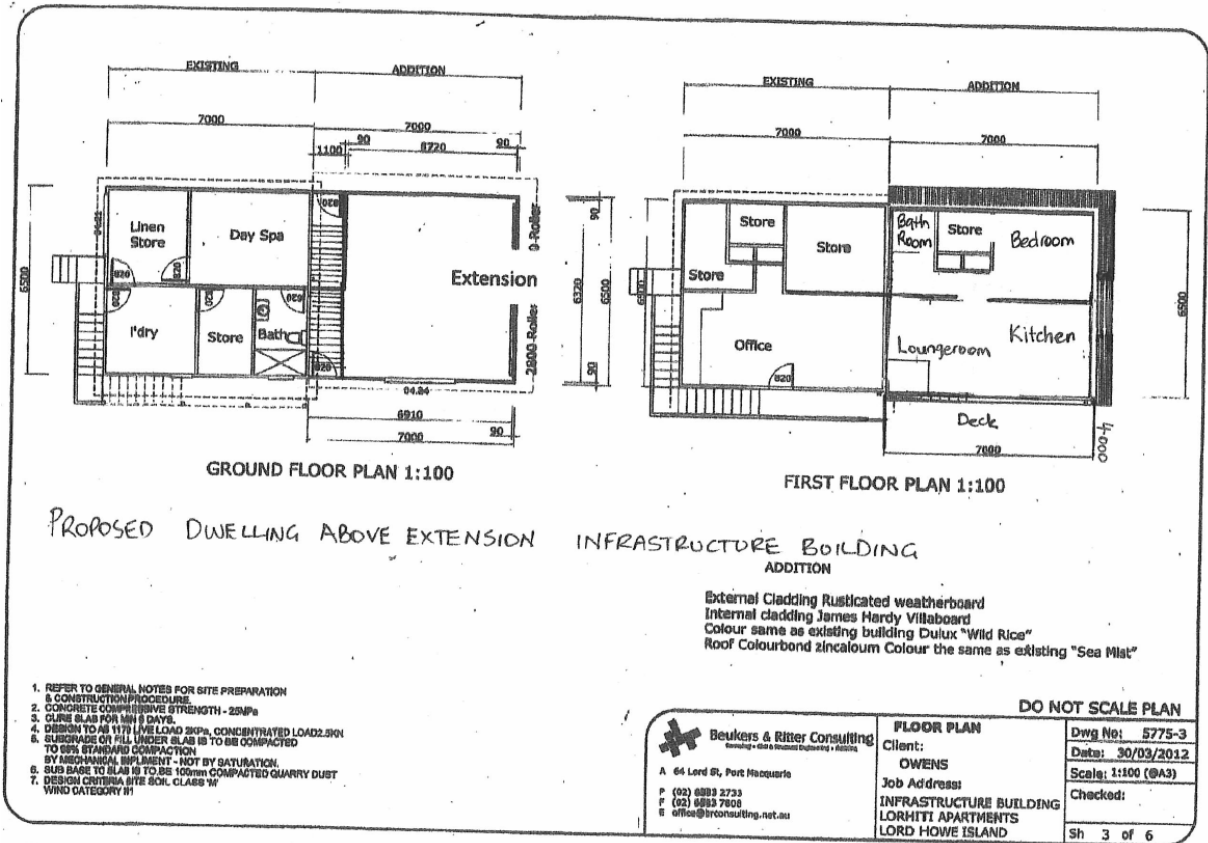


Figure 11 Infrastructure building floor plans

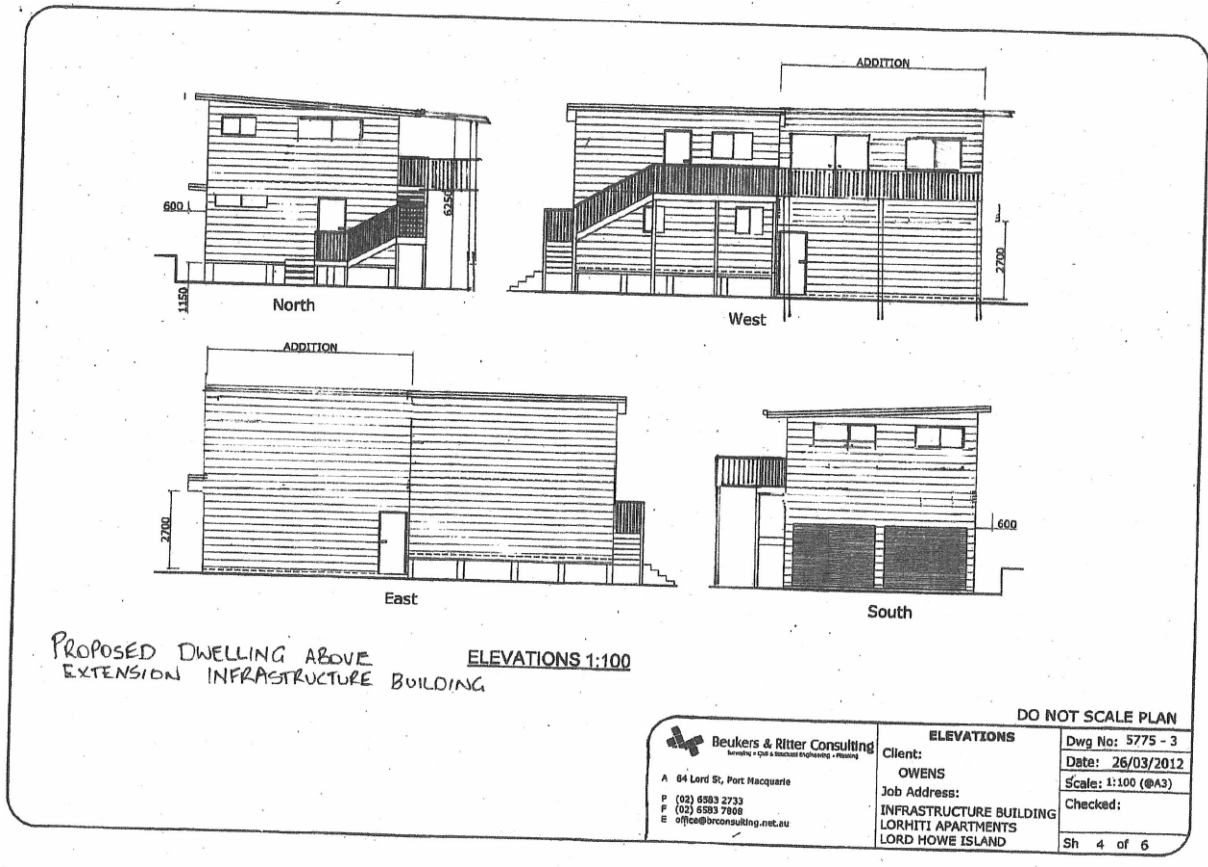


Figure 12 Infrastructure building elevations

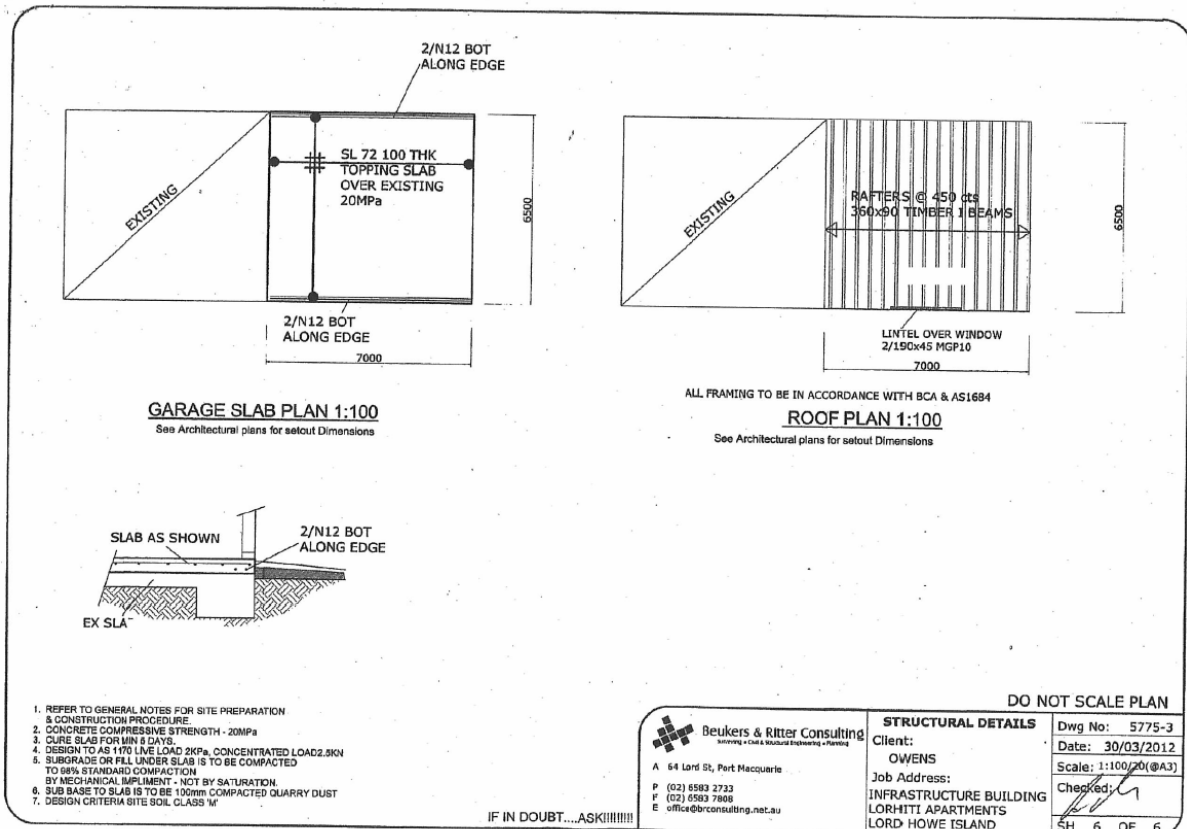


Figure 13 Infrastructure building roof plan

The second part of the proposal involves alterations and additions to the Cyclone Alley building to accommodate a new laundry, as well as a new door to connect it to the adjacent Shearwater Cottage. The proposal seeks for these to then be considered as one consolidated dwelling. Figure 14 shows the original site plan of Cyclone Alley and Shearwater Cottage, and Figure 15 shows the proposed works – incorporating the two units into one dwelling.

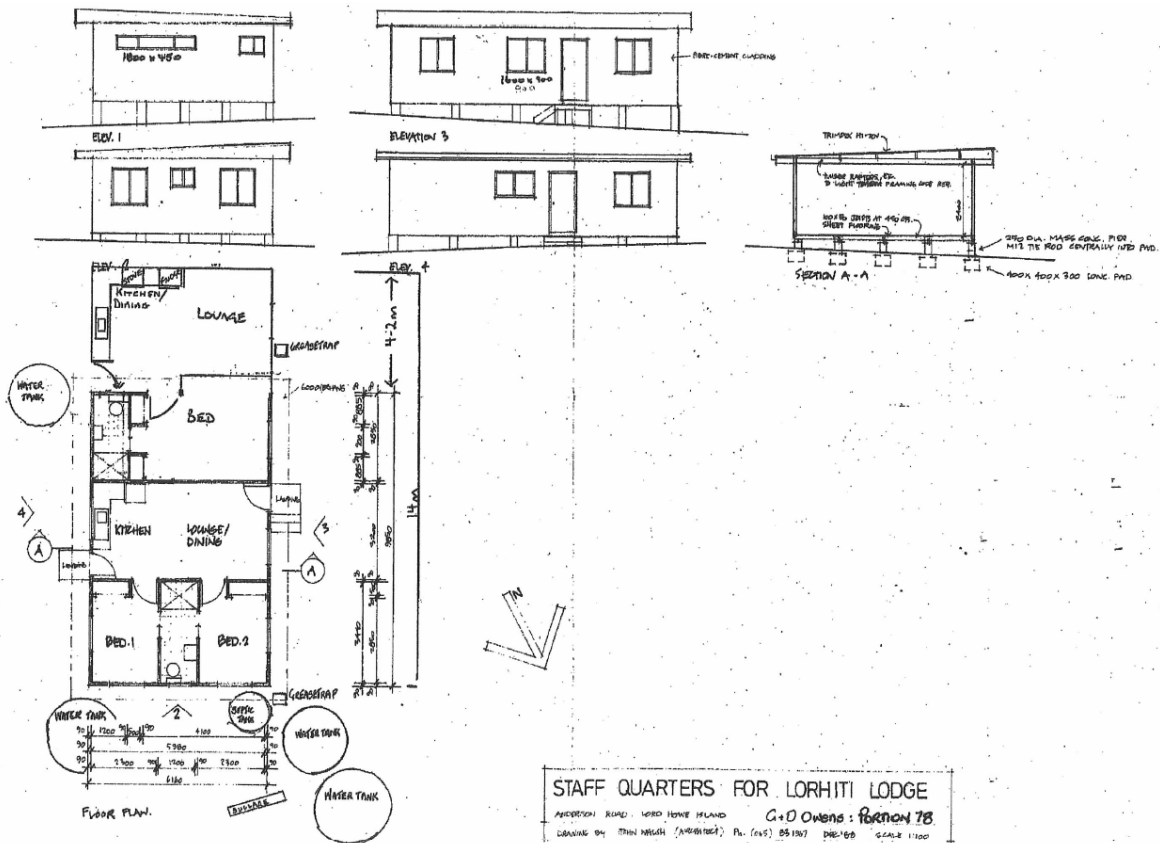


Figure 14 Shearwater Cottage and Cyclone Alley at present

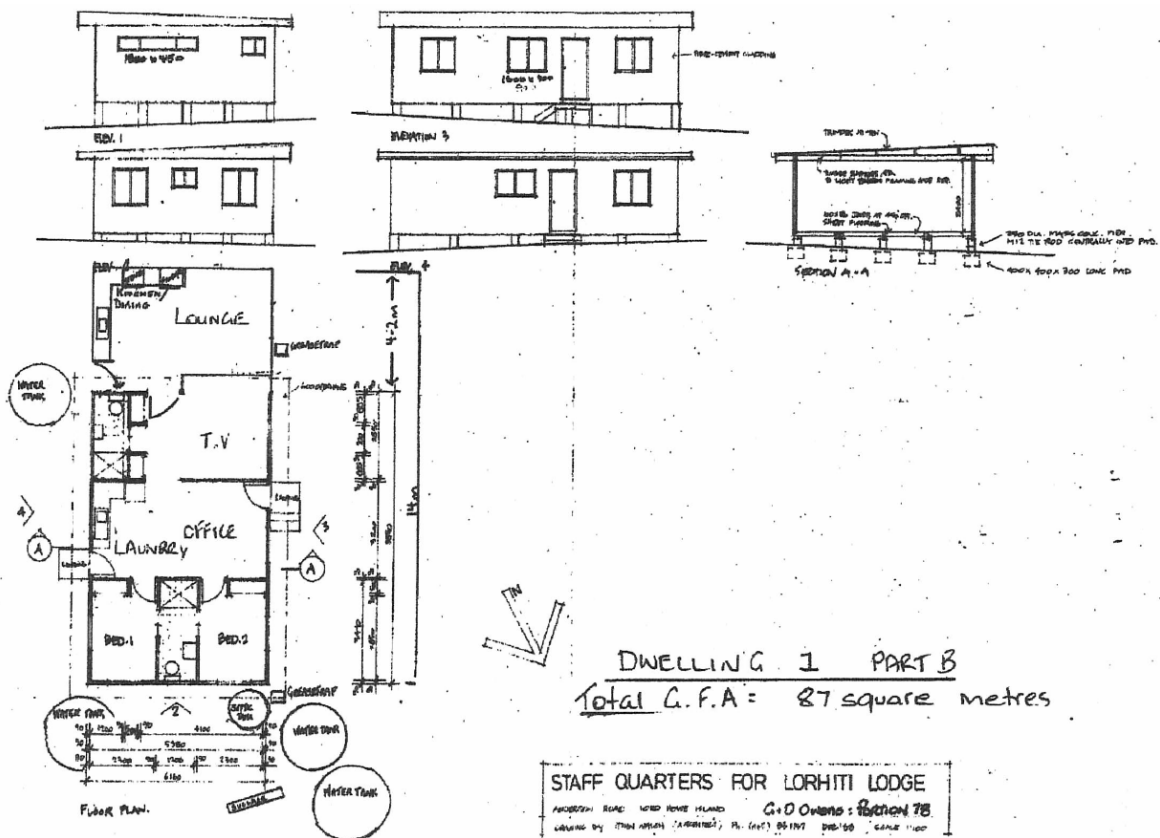


Figure 15 Proposed works to Cyclone Alley/Shearwater Cottage including to create one dwelling.

6.0 Preliminary Assessment Comment

6.1 Permissibility

The application was accompanied by a letter from Christopher Shaw of Shaw Reynolds Lawyers dated 31 March 2017 which concluded the following;

16. *Shearwater Cottage's DIA14.92 consent does not contain a condition equivalent to the deleted condition (c) included in Cyclone Alley's DA1989.01 which sought to restrict the use of the dwelling.*
17. *Shearwater Cottage's DIA14.92 consent grants approval to extend staff quarters for Lorhiti Lodge, an adjacent self-contained staff accommodation unit. This amounts to approval for Shearwater Cottage to be used as a dwelling.*
18. *As Shearwater Cottage's DIA14.92 consent does not contain any conditions restricting its use, except for condition (d), which prohibits its use to the accommodation of tourists, no further amendments or approvals are required to enable Shearwater Cottage to be used as a dwelling.*
19. *There being no application for a new use of Shearwater Cottage, recent applications by Precise Planning concerning deletion of the reference to 'staff quarters' in the introductory sentence of DIA14.92 is not required. It may be used as a dwelling without qualification pursuant to the existing DIA14.92 consent, without the need for any modification or further approval. Further modification of the use of Shearwater Cottage to enable it to be used as residential accommodation is therefore not required.*

As there has been no further consent since the original in 1992, the Board considers that Shearwater Cottage is “staff quarters”. Therefore the subject OC application hinges on outcomes of any consent which may arise after OC2017-07 is determined.

As this application touches on a number of threshold issues which require clarification it is recommended that the application be deferred for review.

7.0 Conclusion

Due to the threshold concerning the characterisation of the development and an associated dwelling entitlement it is recommended that this application be deferred pending a review.

8.0 Recommendation

That Owner Consent No. 2018-03 for alterations to Cyclone Alley and Shearwater Cottage to create one (1) dwelling, transfer of shearwater cottage's accommodation to the infrastructure building and alterations and additions to the infrastructure building to create a dwelling at Lot 10 DP 1202582, Anderson Road, Lord Howe Island (LHI) be deferred as follows:

- 1. That the application be subject to a review notably that further advice be sought on the issue of the characterisation of Shearwater Cottage and the threshold issue of development consent.**

Report prepared **Claire Muir**

28 August 2017

Approved **Penny Holloway**

LORD HOWE ISLAND BOARD

Planning Assessment Report

Item: DA2017.13 – Captive Management Facility – Lord Howe Island Board

1.0 Summary Assessment Report

Assessment Officer	Claire Muir – Consultant Planner
Address/Property Description	Lot 2, DP 1202416 – Nursery Access Road
Proposal	Construction of temporary aviaries and pens to house Lord Howe Island Woodhen and Lord Howe Island Currawong for the captive management program which is integral to the Rodent Eradication Program.
Development Application No	2017-13
Applicant	Lord Howe Island Board (LHIB)
Owner Consent Granted	The land is crown land under the care control and management of the Board. Owners consent is granted by virtue of the LHIB lodging the application
Estimated Cost of Development	\$400,000
Site Inspections	A site inspection has been carried out.
Zone	Zone 2 Settlement. Proposed development is permissible with the consent of the LHI Board within the zone.
Significant Native Vegetation Map	No Significant Native Vegetation (SNV) will be damaged or removed as part of this application.
Notification	The development application was placed on public exhibition from 20 January 2017 to 03 February 2017.
Submissions Received	No (0) submission were received.

2.0 Consent Authority

The proposal is a Board proposal and is therefore referred to the Board for determination.

3.0 Site Description

The site is located in the central part of the settlement area located off Nursery Access Road and Middle Beach Road. The site is legally referred to as Lot 2, DP 1202416 (Figure 1).

The site contains the Lord Howe Island Board's plant nursery and food production garden. There is a commercial lease on the site, held by Kentia Fresh Pty Ltd. Uses on the site include:

- Palm nursery
- Fruit and vegetable production and associated greenhouse

- Packing sheds

The Lord Howe Island Board's Research Facility is also located on the site and is located approximately 70m away from the nursery and associated structures in the south-west corner.

Surrounding uses include the Stevens Reserve to the north, which is under the LHI Act for public benefit and the Leanda Lei tourist accommodation to the south, located at DP 1131292 and held under perpetual lease by Wilson/Riddle.

The site is zoned Zone 2 Settlement under the Lord Howe Island Local Environmental Plan (LEP) 2010, Amendment 1. The site contains Significant Native Vegetation (SNV) as shown in Figures 1 and 3. The site is not considered to be flood prone land.



Figure 1 Location Map (site outlined in red)



Figure 2 Extract from the LEP 2010 Amendment 1 Zoning. Zone 2 Settlement coloured in pink.

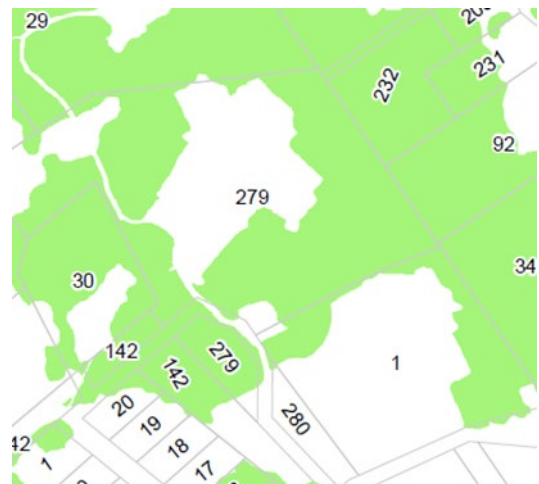


Figure 3 Extract from Significant Vegetation (SNV) Map. SNV coloured in green.

4.0 Proposed Development

The proposed development involves the modification of part of the existing nursery site to provide temporary housing in the form of aviaries and pens for captive Lord Howe Island Woodhen and Lord Howe Island Currawong, which will be held during the rodent eradication program.

This development application is for the structures for the captive management program which is a part of the rodent eradication project.

The rodent eradication project, which includes the captive management plan for Woodhen and Currawong, received approval with conditions under the Environment Protection and Biodiversity Conservation Act (1999) (The EPBC Act) on 18 August 2017. The Species Impact Statement for the project under the Threatened Species Conservation Act 1995 was approved by the NSW Office of Environment and Heritage on 22 August 2017. A decision on the remaining outstanding referral, approval of the Australian Pesticides and Veterinary Medicines Authority for use of rodenticide, is expected imminently.

The proposal will occupy approximately 1830.44m² floor area (excluding access roads, walkways and water tanks) to a maximum of 3m height in two (2) separate locations as shown in Figure 4.

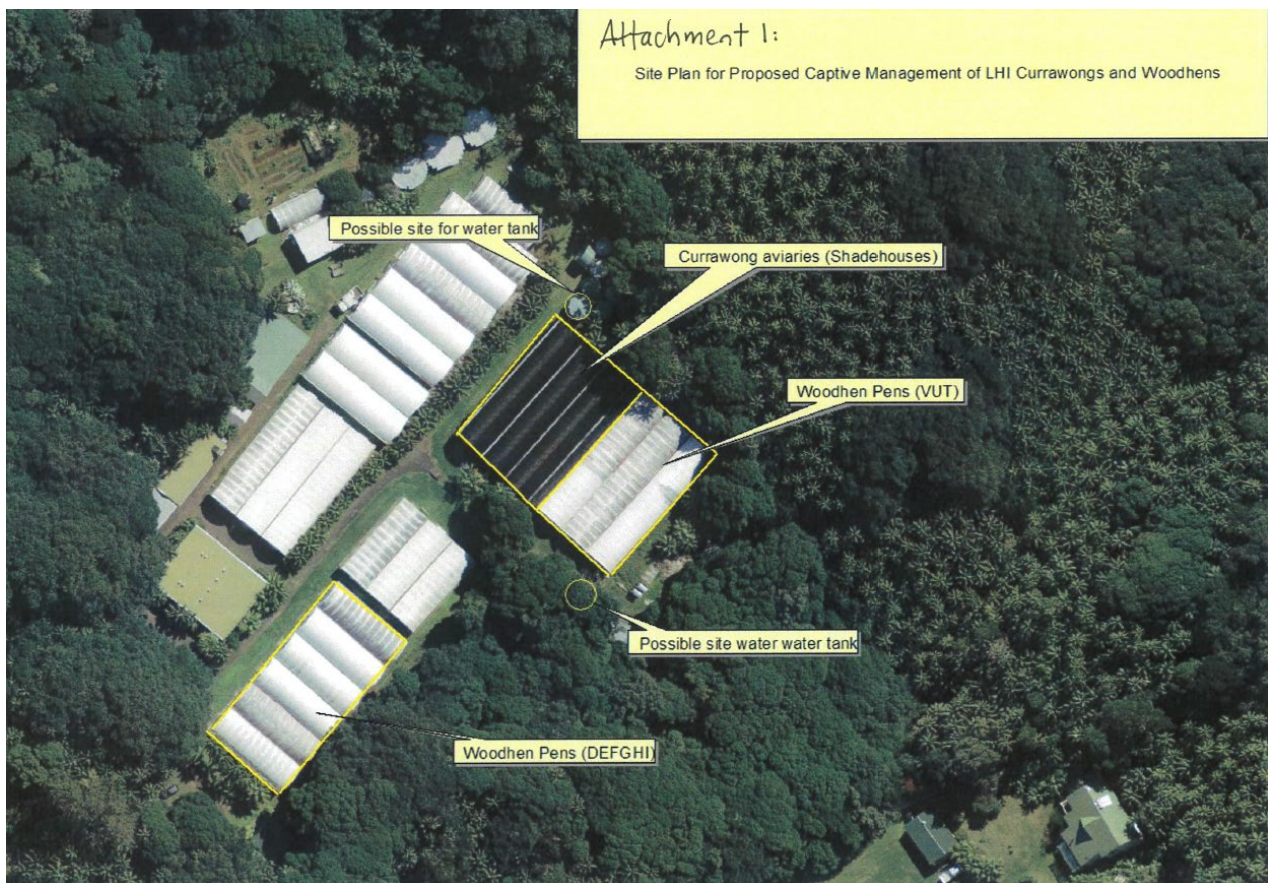
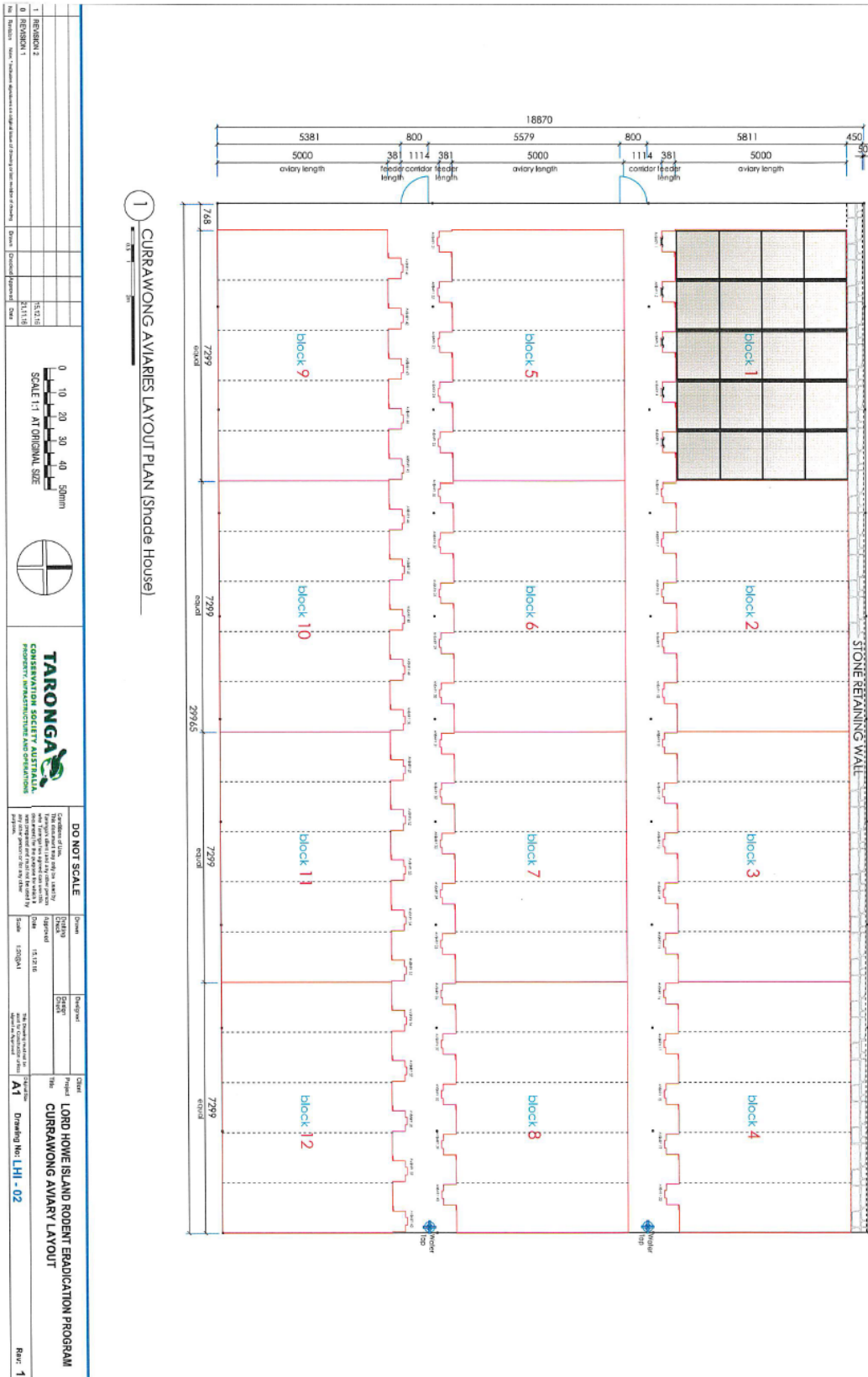


Figure 4 Site Plan

The LHI Currawong aviary (shadehouse) has a total area of 565.44m². The aviaries consist of 12 blocks, each consisting of 5 individual aviaries. Each block is approximately 36.50m² and each individual aviary is approximately 7.3m². The LHI Currawong aviaries layout plan is shown in Figure 5 overleaf.



- NOTES:**
- a. Aviaries one to be built in a block of 5
 - b. All the pens should be less than 10mm

Figure 5 LHI Currawong Aviaries Layout Plan

There are two separate pens for LHI Woodhen. The two Pens are known as Pens V, U & T and Pens D, E, F, G, H). One is located adjacent to the LHI Currawong aviary, known as Pens V, U, T.

Pens V, U, T is located adjacent to the LHI Currawong aviary and has a total area of 660m². It consists of six individual pens each with an area of 99.88m². The plans for Pens V, U, T is shown in Figure 6.

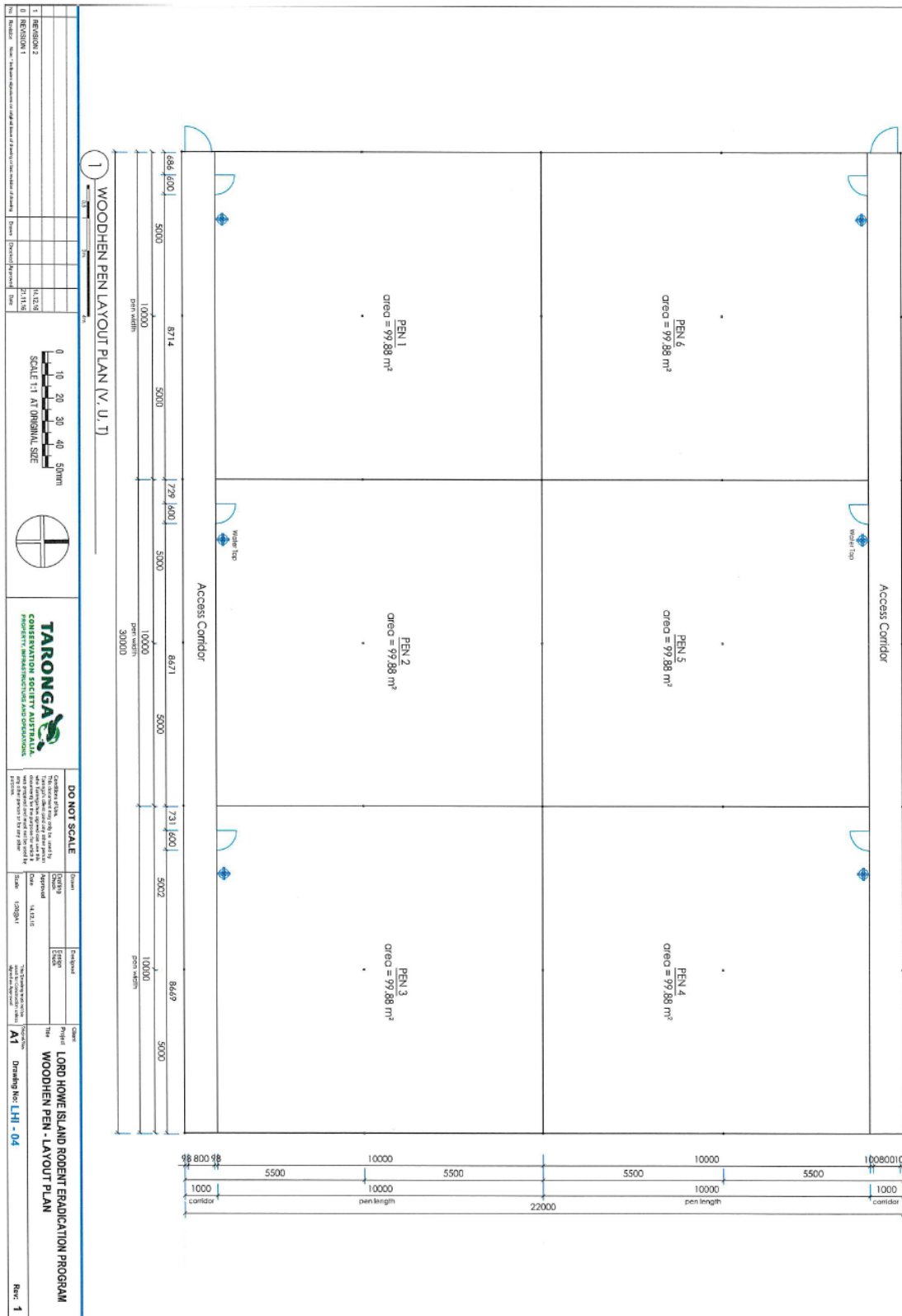


Figure 6 LHI Woodhen Pens V, U, T layout

The LHI Woodhen Pen V, U, T roof plan is shown in Figure 7.

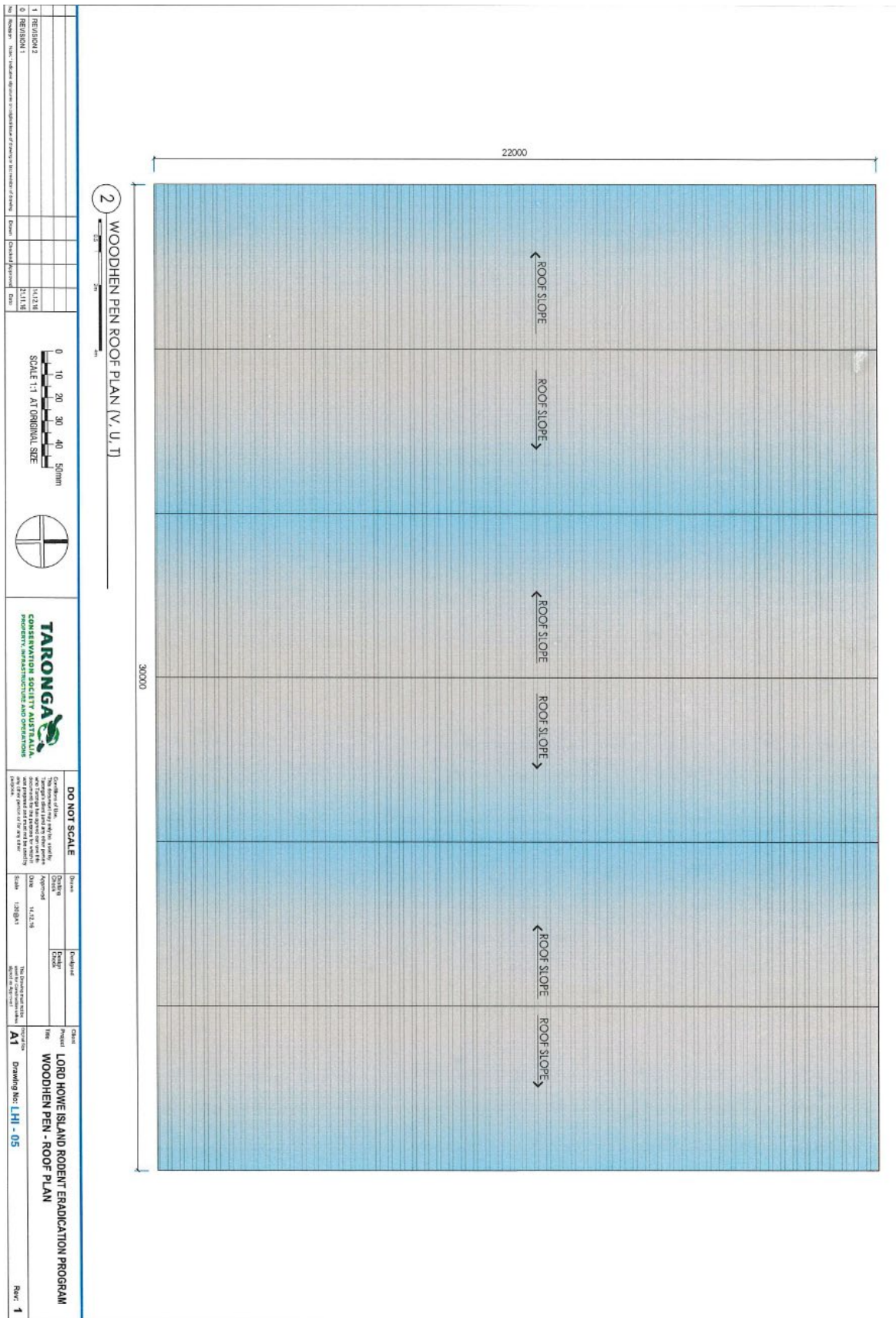


Figure 7 LHI Woodhen Pen V, U, T Roof Plan

The elevations for Woodhen Pen V, U, T is shown in Figure 8.

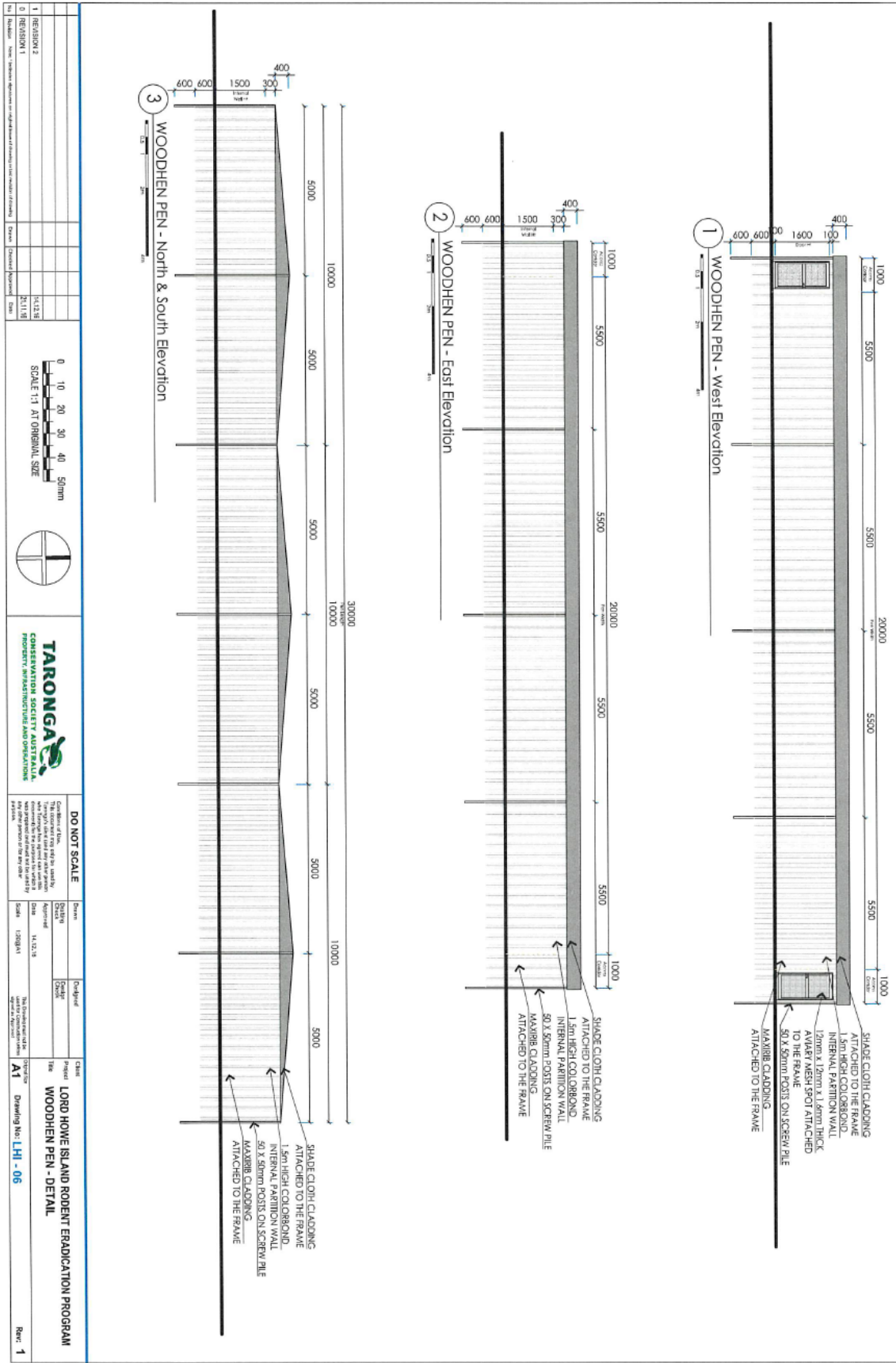


Figure 8 LHI Woodhen Pen V, U & T Elevations

The other LHI Woodhen pen, known as Woodhen Pens D, E, F, G, H, I has a total area of 604.99m². Two of the pens have been split into six smaller quarantine pens with areas of 18.38m², 18.38m², 18.37m², 18.40m², 18.38m² and 18.33m² respectively. There are four larger pens remaining, with areas of 115.08m², 113.14m², 105.69m² and 115.08m². The plans for Woodhen Pens D, E, F, G, H, I is shown in Figure 9.

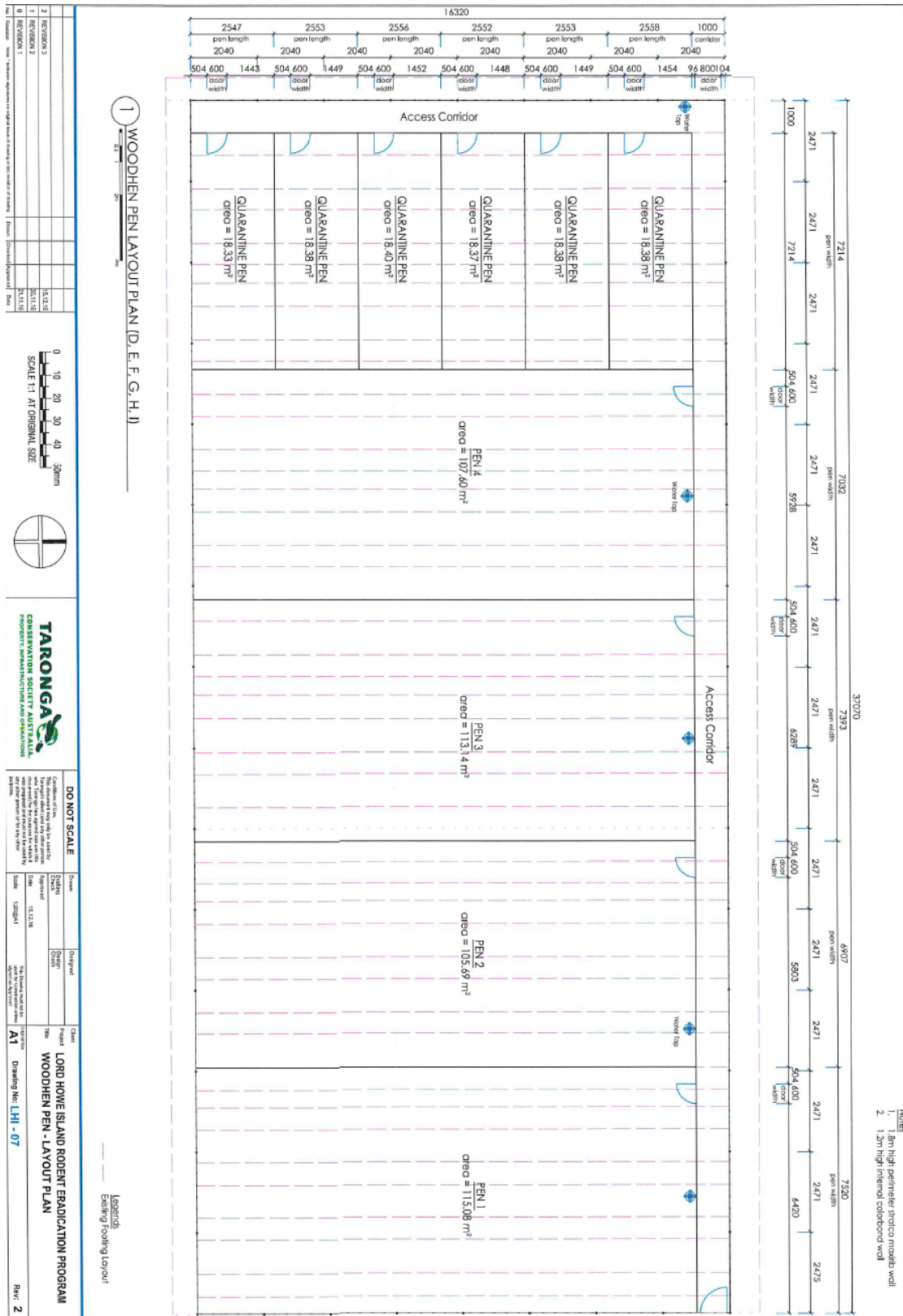


Figure 9 LHI Woodhen Pen D, E, F, G & I Layout Plan

Other existing sheds and outbuildings associated with the existing nursery on the site may be used for food preparation, veterinary inspections and administration.

The proposed infrastructure for the captive management program is located entirely within existing nursery infrastructure located on site and will not require the removal of any natural habitats or SNV. The LHI Currawong aviaries and LHI Woodhen pens will be constructed within the footprint of the existing nursery shadehouses, which will require the removal of existing internal framing and benches to enable the construction of the prefabricated aviaries and pens.

The proposed development will house LHI Currawong and LHI Woodhen for the duration of the active baiting period. This is expected to be between 3-6 months depending on when the bait used is found to have sufficiently broken down and it is deemed safe to commence returning animals back to the natural environment.

Following their successful release, the aviaries and pens will no longer be required for the project – they will be either reused in-situ for other purposes or dismantled for reuse elsewhere.

5.0 Referrals

The LHIB has advised that the application was distributed to the relevant internal specialists for review. No objections to the proposal were raised. Table 1 outlines the issues raised by these specialists and the response.

Table 1 Comments received from internal specialists

Specialist	Issue	Comment
Manager Environment World Heritage (Hank Bower)	<p>Background The Lord Howe Island Board (LHIB) is in receipt of a Development Application (DA), DA2017 – 13 from the LHIB to construct aviaries and pens on Portion 279, DP 48688 Lord Howe Island for the captive management of Lord Howe Island Currawong <i>Strepera graculina crissalis</i> and Lord Howe Island Currawong <i>Gallirallus sylvestris</i> during the active baiting phase of the Rident Eradication Program.</p> <p>The LHIB is required to form a view as to whether there is likely to be a significant effect on any Threatened species, populations or ecological communities, or their habitats from any proposed developments.</p> <p>This review assessed direct and indirect impacts of the proposed development to native vegetation, native fauna and species, populations and ecological communities listed as Threatened under the NSW Threatened Species Conservation (TSC) Act 1996 and the EPBC Act 1999. It also assessed the potential impacts of the proposed development to Significant Native Vegetation (SNV) and modelled LHI Placostylus Placostylus bivaricosus habitat according to the Lord Howe Island Local Environmental Plan 2010.</p> <p>This review assessed the Statement of Environmental Effects within the Development Application. The DA did not provide a 7 part test of significance to determine whether the application would have a significant effect on threatened species. The proposal will not impact on native vegetation, native fauna and species, populations and ecological communities listed as Threatened under the TSC Act.</p> <p>The following terminologies, as defined in the Threatened Species Assessment Guidelines (2007) have been used as they are considered essential to understanding how they apply to the assessment.</p> <p>Subject site: means the area directly affected by the proposal.</p>	Noted and recommended accordingly

Specialist	Issue	Comment
	<p>Study area: means the subject site and any additional areas which are likely to be affected by the proposal, either directly or indirectly. The study area should extend as far as necessary to take all potential impacts into account.</p> <p>Direct impacts: are those that directly affect the habitat and individuals. They include, but are not limited to, death through predation, trampling, poisoning of the animal/plant itself and the removal of suitable habitat. When applying each factor, consideration must be given to all of the likely direct impacts of the proposed activity or development.</p> <p>Indirect impacts: occur when project-related activities affect species, populations or ecological communities in a manner other than direct loss. Indirect impacts can include loss of individuals through starvation, exposure, predation by domestic and/or feral animals, loss of breeding opportunities, loss of shade/shelter, deleterious hydrological changes, increased soil salinity, erosion, inhibition of nitrogen fixation, weed invasion, fertiliser drift, or increased human activity within or directly adjacent to sensitive habitat areas. As with direct impacts, consideration must be given, when applying each factor, to all of the likely indirect impacts of the proposed activity or development.</p> <p>Comment The site is zoned Zone No 2 – Settlement under the Lord Howe Island Local Environmental Plan 2010 and the proposal is consistent with the objectives of this zone.</p> <p>The proposal will not require the removal of any native vegetation as it is located within an existing development footprint. Consequently, the proposal will not result in the removal or damage of any SNV.</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 of aviaries and pens for captive management of Currawong and Woodhen. A Species Impact Statement has been prepared to cover the capture and housing of these species and addresses all other aspects of the rodent eradication program.</p> <p>Recommendation</p> <ul style="list-style-type: none"> • That the development be approved subject to gaining all other relevant approvals including the Species Impact Statement. 	
Team Leader, Compliance & Projects (Kate Dignam)	<p>I have assessed the applicant's DA and note the following:</p> <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, if any, 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>Notices and Inspections requirements The following are required as Conditions of this Consent:</p> <ul style="list-style-type: none"> • Seven (7) days notice to be given to the LHIB of intention to commence construction/installation. • With 48 hours notice given, a pre-commencement and site set out inspection must be undertaken by an LHIB Officer. 	Noted and recommended accordingly

6.0 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.

6.1 Commonwealth legislation

6.1.1 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.

As previously noted the rodent eradication program, including the captive management plan, has received conditional approval under the EPBC Act.

6.2 NSW legislation

6.2.1 Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* (NSW) (TSC 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 TSC 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.

The proposed aviaries and pens are within mapped SNV, as shown in Figure 4. The proposal will not result in the removal or adversely affect any SNV, native or threatened fauna and their habitats, subject to the conditions in the recommendation below.

The species impact statement for the rodent eradication program has been approved by the NSW Office of Environment and Heritage.

6.2.2 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.

6.3 Local Statutory Plans and Policies

6.3.1 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.

Table 2 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 help to protect threatened species and facilitate the proper management, development and conservation of the Island's World Heritage natural environment, noting the proposal is integral to the rodent eradication project. The proposal is therefore consistent with the aims of the plan.
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 Lord Howe Island Act 1953.
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.
10.	Development not prohibited, or otherwise restricted, by this Plan	Y	The proposal is permissible with consent, as the proposal falls under the definition of a ' <i>premises of a public authority</i> '.
11.	Matters that must be satisfied before development consent granted	Y	All relevant matters are satisfied. Refer to section 6.3.1.2 below.
Part 2 General Provisions applying in particular zones			
12.	Land Use Zones	Y	The site is zoned Zone 2 Settlement.
15.	Zone 2 Settlement	Y	The proposal is permissible with development consent of the LHI Board. The proposal is consistent with the objectives of the zone, noting that the proposal utilises existing structures; the land is capable of supporting the proposed development and does not result in the loss of significant native vegetation or any habitat for animals native to the island.

LEP 2010 Clause		Compliance Y/N	Comment
			The subject site is capable of supporting the proposed development and is essential to ensure the community's needs are met in a manner sympathetic to the natural environment of the island subject to the conditions recommended in this report.
Part 3 Special Provisions			
Division 1 Provisions for particular kinds of development			
29.	Maximum height of building	Y	The proposed aviaries and pens do not exceed the maximum height of more than 7.5 metres.
Division 2 Provisions that apply to particular land			
32.	Setbacks of buildings in Zone 1,2 or 5	N/A	The proposed aviaries and pens will be built in the existing structures on the site. Therefore, all existing setbacks will be retained.
34.	Land adjoining Zone 7 or 8	N/A	The site adjoins Zone 7 to the north. The proposal will not impact on any existing SNV or any other vegetation. The proposal is to be located within an existing building footprint in an area separated by other existing buildings from the adjoining site which is zoned no.7 Environmental Protection.
Division 4 Miscellaneous			
41.	What DA's are required to be advertised?	Y	The application was formally advertised from 20 January 2017 to 03 February 2017. No submissions were received.
42.	Requirement for environmental report	N/A	An environmental report pursuant to clause 42 of the LEP 2010 is not required. The applicant has submitted a statement of environmental effects which concludes that the proposal is unlikely to have a significant environmental impact.

6.3.1.2 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	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	Extensive studies have concluded that the proposal will not result in a significant impact on any threatened species or listed ecological communities.
b) <i>There is an adequate area available for the disposal or treatment of any effluent treatment of any effluent treatment or disposal system and any such system will not have any adverse impact on groundwater quality,</i>	N/A	Sewerage facilities are not required by the proposal. All waste generated from the proposed aviaries will be organic in nature and disposed of at the LHIB Waste Management Facility
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>	Y	The proposed works will not result in any adverse impacts on any

CLAUSE 11 REQUIREMENT	COMPLIANCE Y/N	DISCUSSION
ii. <i>will have a significantly adverse impact on the habitat of any plants, or animals, that are native to the Island,</i>		threatened species or listed ecological communities.
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 the current vehicular access arrangements is proposed. The construction of the aviaries does not impact on any existing SNV or habitat as the proposal utilises the existing footprint of existing structures.
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>	N/A	The Woodhen pens will need to be planted with native vegetation. The applicant has stated that plants grown at the Nursery will be used in this regard.
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 proposed works will not be adversely affected by any natural hazard. The subject site is not identified as being affected by flooding, landslip, unstable soils or steep slopes.
g) <i>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	No additional infrastructure services are required.
h) <i>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 LHI Currawong aviaries and LHI Woodhen pens will be constructed entirely within the footprint of existing nursery infrastructure.
i) <i>The proposed development will not cause any significant overshadowing of adjoining land,</i>	Y	No overshadowing will occur as a result of the proposed development.
j) <i>The proposed development will not cause any significant reduction in the privacy of occupiers of adjoining land</i>	Y	No reduction in in visual or acoustic privacy will occur for occupiers of adjoining land as a result of the proposed development. The proposal will not generate excessive noise over and above existing bird noises or the current general operation of the nursery.

6.3.2 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. DCP 2005 applies to the site and an assessment of the provisions of the DCP relevant to the subject proposal is included in the following table.

Table 4 DCP Compliance summary table

DCP 2005 Clause	Compliance Y/N	Comment
Part 1 Introduction		
1.2	Plan Objectives	The proposal is to protect and re-establish environmental integrity.

DCP 2005 Clause		Compliance Y/N	Comment
1.4	Where does the plan apply?		This DCP applies to the subject site.
Part 2 Design Principles			
2.1	Introduction	Y	Noted
2.2	Objectives	Y	All works are to be conducted within the footprint of the existing nursery structures. No changes to the design or scale of the buildings are proposed.
2.3	Design Context	NA	See above
2.4	Bulk and Scale	NA	See above
2.5	Building Forms	NA	See above
2.6	Building Materials & Colours	NA	See above
2.7	Energy and water efficiency	NA	The proposed works do not involve an increase in energy or water usage.
2.8	Landscaping design	NA	The proposed works are limited to the footprint of the existing nursery structures. No landscaping is proposed.
2.9	Site access and parking	NA	No additional parking or changes to access to the site is proposed.

7.0 Environmental Effects

7.1 Environmental Planning and Assessment Act 1979

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

- (a) *the provisions of:*
- i. *any environmental planning instrument*
 - ii. *any draft environmental planning instrument that is or had been placed on public exhibition and details of which have been notified to the consent authority, and*
 - iii. *any development control plan*
 - iiia *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - iv. *any matters prescribed by the regulations that applied to the land to which the development relates*
 - v. *any coastal zone management plan (with the meaning of the Coastal Protection Act 1979)*

- (a)(i) The key relevant planning instrument is the LEP 2010. The proposal has been assessed against all the relevant planning instruments (see Section 6.3) and is found to comply.
- (a)(ii) No draft environmental planning instruments apply.
- (a)(iii) The proposal has been assessed against the LHI DCP in Section 6.3.2 and is found to comply.

- (a)(iii) There are no planning agreements relevant to the application.
- (a)(iv) There are no relevant matters prescribed by the regulations.
- (a)(v) 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*

The environmental impacts of the proposal have been considered in Section 7.0. The table below provides further assessment of any likely impacts.

Table 5 Likely Environmental Impacts

Potential Impacts	Proposal
<i>Access, Transport and Traffic</i>	The proposed works will not have an impact on the existing access to the site, transport or traffic.
<i>Public Domain, Visual and Streetscape</i>	The works are to be conducting within the existing structures on the site and therefore won't have an impact on the existing public domain or streetscape.
<i>Ecological</i>	The ecological impact from the construction of the structures is satisfactory. The ecological impact of the overall rodent eradication project of which these structures are integral has been assessed as part of the EPBC Act 1999 referral process and found to be satisfactory subject to conditions.
<i>Heritage</i>	The subject site is not listed as a heritage item.
<i>Views</i>	Views will not be impacted by the works.
<i>Privacy</i>	The proposal will not impact privacy as outlined above.
<i>Open Space</i>	Open space will not be impacted by the proposal.
<i>Noise and Vibration</i>	The separation between the neighbours and the aviaries and pens are heavily vegetated, mitigating any potential noise or vibration impacts as a result of the development. The proposal will not generate excessive noise over and above existing bird noises or the current general operation of the nursery.
<i>Construction</i>	Potential impacts from construction activities will be minimised through the recommended conditions of the approval.

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

The site is suitable for the proposed development for all the reasons explored throughout the above table and Section 6.0 of this report.

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

No submissions have been received.

- (e) *the public interest*

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

8.0 Conclusion

This application has been assessed with regard to the provisions of Section 79C of the *Environmental Planning & Assessment Act 1979*, the *Lord Howe Island LEP 2010*, the *Lord Howe Island DCP 2005* and the relevant codes and policies of the Lord Howe Island Board.

The application for the modification of part of the existing nursery site located at Lot 2, DP 1202416 to provide temporary housing in the form of aviaries and pens for captive LHI Woodhen and LHI Currawong, to be held during a rodent eradication program on the Island is recommended for approval subject to conditions.

9.0 Recommendation (Conditional Approval)

That Development Application No. DA 2017-13 for construction of temporary aviaries and pens on Lot 2, DP 1202416 – Nursery Access Road to house Lord Howe Island Woodhen and Lord Howe Island Currawong for the captive management program which is integral to the Rodent Eradication Program 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 2017-14 as listed below and endorsed with the Lord Howe Island Board's stamp, except where amended by other conditions of consent.

- a) Completed Development Application Form prepared by H Bower dated 18 January 2017
- b) Statement of Environmental Effects in the Development Application Form prepared by H Bower dated 18 January 2017.
- c) The following plans
 - Proposed Captive Management – Site Plan, undated.
 - Drawing No LHI-02 rev 1 dated 15 December 2017 prepared by Taronga Conservation Society Australia
 - Drawing No LHI-04, 05, 06, rev 1 dated 14 December 2017 prepared by Taronga Conservation Society Australia
 - Drawing No LHI-07 rev 2 dated 15 December 2017 prepared by Taronga Conservation Society Australia

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

2. Biodiversity

The following measures are to be undertaken during construction;

- *All building materials and building activity are restricted to being stockpiled on cleared open areas.*

Reason: To ensure the proposal does not have adverse impacts on threatened species.

3. Construction

- *No excavation to be carried out until the site is inspected by the LHIB Senior Electrical Officer.*
- *Installation of any additional electrical supply required for the system is to be carried out by a licensed electrical contractor.*

- *An Electrical Certificate of Compliance is to be provided to the Board within 10 days of completion of the works.*

4. Waste Management

- *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, if any, 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.*

5. Notices and Inspections requirements

The following are required as Conditions of this Consent:

- *Seven (7) days notice to be given to the LHIB of intention to commence construction/installation.*
- *With 48 hours notice given, a pre-commencement and site set out inspection must be undertaken by an LHIB Officer.*

6. 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.

Advice to Applicant:

Significant Native Vegetation

Damage to, or removal of Significant Native Vegetation is prohibited, as per Clause 11 of LEP 2010. Section 97 of the EP&A 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 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: Clair Muir

Date: 24 August 2017

Endorsed: Penny Holloway



**Chief Scientist
& Engineer**

Report on the Human Health Risk Assessment for the Lord Howe Island's proposed Rodent Eradication Program

NSW Chief Scientist & Engineer

July 2017



www.chiefscientist.nsw.gov.au/reports/independent-review-of-the-lord-howe-island-rodent-eradication-project



Chief Scientist & Engineer

The Hon. Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage
52 Martin Place
SYDNEY NSW 2000

Dear Minister,

Report – Independent Human Health Risk Assessment for the Lord Howe Island’s proposed Rodent Eradication Program

In June 2016, your predecessor wrote requesting that I assist the Lord Howe Island Board in undertaking an independent Human Health Risk Assessment for the Lord Howe Island’s proposed Rodent Eradication Program in line with the Terms of Reference (see Appendix 1). As planned, an Expert Panel was convened and a suitable firm procured (Ramboll Environ Pty. Ltd.) to undertake the Human Health Risk Assessment, with input and review of the Expert Panel.

The purpose of this report is to provide you with an overview of the process, the finding of the Human Health Risk Assessment and some observations and recommendations. The report of Ramboll’s is included as Appendix 2 of this report.

I understand that the Human Health Risk Assessment is important for the Lord Howe Island community. During discussion between the Lord Howe Island Board (the Board) and my office, the Board has expressed an interest in representatives from the Expert Panel and the Office of the Chief Scientist & Engineer attending the island to participate in a community engagement event, discussing the outcomes of the Human health Risk Assessment. I would support this suggestion and my office would be willing to assist should this occur.

I would like to acknowledge the Expert Panel members, Dr Chris Armstrong, Professor Brian Priestly and Emeritus Professor Stephen Leeder, and thank the Lord Howe Island community for their assistance and input into this project.

Yours sincerely,

Mary O’Kane
Chief Scientist & Engineer
19 July 2017

EXECUTIVE SUMMARY

At the request of the Minister for the Environment, the NSW Chief Scientist & Engineer commissioned an independent Human Health Risk Assessment for the Lord Howe Island's proposed Rodent Eradication Program. The Rodent Eradication Program proposes to use the rodenticide brodifacoum, across the island to eradicate both rats and mice. The rodenticide, in the form of Pestoff 20R, would be distributed by aerial baiting, hand distributed, and in bait stations and trays.

Ramboll Environ Pty. Ltd. was engaged to undertake the Human Health Risk Assessment. An Expert Panel was convened to oversee its development and to review the Human Health Risk Assessment.

The Human Health Risk Assessment looked at a number of potential exposure pathways of the rodenticide to humans, including exposure through soil, air (dust), sediment, surface water, tank water as well as food sources such as seafood and locally grown fruits and vegetables. Potential risks from these pathways were then considered for those most sensitive, which included toddlers, school children, pregnant women and adults spending large amounts of time outside.

A quantitative risk assessment of these exposure pathways and population groups concluded that exposure to brodifacoum from all potential sources are below those likely to result in adverse health effects.

The Human Health Risk Assessment also assessed potential exposure due to ingestion of pellets and found that ingestion of one or a few pellets by a child is unlikely to result in observable anticoagulant effects.

While exposure to the rodenticide via the Rodent Eradication Program was not likely to result in adverse health effects, the pathways contributing most to projected exposure included:

- ingestion of soil
- ingestion of tank water
- dermal contact with soil
- inhalation of airborne dust during aerial operations.

The Human Health Risk Assessment report (the Report) was reviewed by the Expert Panel. The Expert Panel supported the conclusions of the Report noting that while adverse health effects are not expected, identification of the major pathways can allow those concerned with exposure to implementation mitigation strategies.

The Expert Panel noted that community concerns are greater than the scope of the Human Health Risk Assessment. These concerns include issues around health and wellbeing (e.g. anxiety and stress) and the implementation of the Rodent Eradication Program, such as the likelihood of success and possible need to undertake further eradications at a later date. It is clear that the Rodent Eradication Program is a divisive issue for the island, which has potential to affect social cohesion. Enhancement of community consultation and engagement may assist with alleviating some of these concerns, although expert advice or assistance from professionals should be considered to assist with health and wellbeing related concerns.

Planning for the case of the rats re-emerging will be considered through the Lord Howe Island Board's rodent detection monitoring program. In such a case, measurement and monitoring should enable early intervention, and consideration of other possible approaches. Further, resistance to brodifacoum has been considered and if necessary additional strategies will be implemented to address this issue. Finally, should the Rodent Eradication Program need to be repeated at a later date, new technologies that are currently being

researched (including reproductive technologies) may be considered noting that further research and commercialisation is required before being available commercially.

It is understood that other relevant approvals processes will look at environmental outcomes (effect of brodifacoum on non-rodent species), likelihood of success of the eradication, and approval of helicopter operations during the Rodent Eradication Program (Civil Aviation Safety Authority). The results of these approvals and the recommendations of this report will be considered by the Lord Howe Island Board.

1 RECOMMENDATIONS

Recommendation 1

That the Lord Howe Island Board note the Human Health Risk Assessment report and its advice that the proposed Rodent Eradication Program is not expected to result in adverse health effects for any individual due to exposure to brodifacoum.

Recommendation 2

Noting the considerable remaining community concern on Lord Howe Island, that the Minister request the Lord Howe Island Board to deliver:

1. a communication strategy for the period before and during the Rodent Eradication Program that clearly articulates the following:
 - the reason for the eradication and approach chosen
 - guidance to residents and visitors on actions that they should and could take during the Rodent Eradication Program to minimise exposure to brodifacoum
 - plans for follow-up measures that will be taken after the eradication program
2. a monitoring strategy to measure the outcomes and impacts of the Rodent Eradication Program, including for re-emergence of rodents, as well as triggers that would lead to further action
3. reports to the Minister following the Rodent Eradication Program on community and environmental outcomes, at designated timeframes, such as one month after the second bait distribution, one month after re-introduction of birds and cattle, and two years post the Rodent Eradication Program.



Department of Conservation
Te Papa Atawhai

General Manager
Lord Howe Island Board
PO Box 5
Lord Howe Island 2898
NSW

15th August 2017

Our ref: DOC-3141548

Dear Penny,

You have asked the Island Eradication Advisory Group to comment on the technical feasibility of eradicating rodents from Lord Howe Island. The group has supported the project with peer review of the operational planning for several years and members are familiar with the current state of the planning through discussions with Project Manager Andrew Walsh and my involvement on the project steering committee. Below is our current assessment of the feasibility from what we know today. Technical feasibility is assessed dispassionately with a focus on what needs to be done to give the best chance of success.

The eradication of rodents is in our view, the only viable option for long-term ecological benefit on Lord Howe Island. It remains technically feasible assuming the operational plan can be delivered to a high standard and the basic principles of eradication success are adhered to; i.e.,

- all individual target animals are exposed to the methods;
- they are killed at a rate higher than their ability to reproduce at all densities; and
- the risk of reinvasion is managed.

The likelihood of success will largely depend on the ability of the team to implement the plan to the required standard of excellence. Continued attention to detail in the planning and preparation, including building a strong and motivated project team and strong support from the LHIB and community will be critical to success. There is much still to be done before next winter but the fundamental design and the preparation to implement that design we have seen so far gives every indication that eradication is achievable. A more thorough evaluation closer to the time of fieldwork beginning is advisable.

Yours Sincerely

A handwritten signature in blue ink that reads "Keith Broome".

Keith Broome
Chair,
Island Eradication Advisory Group

Hamilton Office
Private Bag 3072, Hamilton 3240, New Zealand

Ref	Activity / Potential Impact	Impact Description	Category	Unmitigated Case						Mitigated Case			
				Consequence	Consequence Rating	Likelihood	Likelihood Rating	Unmitigated Risk Rating	Unmitigated Risk Level	Mitigation	Mitigated Likelihood	Mitigated Likelihood Rating	Residual Risk Level
1	Not proceeding with the eradication												
1.01	Ongoing rodent predation to threatened species	Continued impacts to threatened species including species extinctions	Environment	Severe	21	Likely	7	28	Very High	Ongoing control even at increased densities will not mitigate the risk sufficiently	Likely	7	Very High
1.02	Ongoing rodent predation to threatened species	Impact to World Heritage values	Reputation	Major	16	Possible	5	21	High	Ongoing control even at increased densities will not mitigate the risk sufficiently	Likely	7	High
1.03	Risk of rodents developing resistance to currently available poisons	Increased impacts to threatened species including species extinctions	Environment	Severe	21	Likely	7	28	Very High	No alternate technologies currently available	Likely	7	Very High
1.04	Ongoing accidental poisoning of non target threatened species	Continued deaths to species such as the woodhen	Environment	Moderate	11	Almost certain	9	20	High	Mitigation as per current. Doses of vitamin K if possible	Possible	5	Medium
1.05	Ongoing use of Poison	Economic costs of rodent control in perpetuity	Financial	Minor	6	Almost certain	9	15	Medium	Cost likely to increase not decrease	Almost certain	9	Medium
1.06	Accidental exposure to significant amount of poison	Potential risks to human health	Human Health / pets	Moderate	11	Unlikely	3	14	Medium	Mitigation as per current parental vigilance and treatment	Rare	1	Low
1.07	Accidental exposure to significant amount of poison	Domestic Animals	Human Health / pets	Minor	6	Possible	5	11	Medium	Mitigation as per current owner vigilance and treatment	Unlikely	3	Low
1.08	Non compliance with legal obligations	Monetary or reputational damage to the LHIB	Legal	Moderate	11	Possible	5	16	Medium	No mitigation	Possible	5	Medium
1.09	Visitor experience	interaction with rodents spoils visitor experience and incurs reputational damage to the island	Reputation	Minor	6	Likely	7	13	Medium	No mitigation	Likely	7	Medium
2	Proceeding with the eradication												
2.01	Accidental poisoning of non target threatened species	Potential risks to threatened species including woodhen and currawong	Environment	Major	16	Likely	7	23	High	Mitigation in place including captive management and monitoring	Rare	1	Medium
2.02	Accidental poisoning of other non target species	Potential risks to other non-target species	Environment	Minor	6	Possible	5	11	Medium	Mitigation in place including captive management and monitoring	Unlikely	3	Low
2.03	Accidental poisoning of the environment	Pollution of soil or water	Environment	Minor	6	Unlikely	5	11	Medium	Extensive mitigation and monitoring in place	Rare	1	Low
2.04	Accidental exposure to significant amount of Brodifacoum	Potential risks to human health	Human Health / Pets	Moderate	11	Possible	5	16	Medium	Extensive mitigation and monitoring in place	Rare	1	Low
2.05	Accidental exposure to significant amount of poison	Domestic Animals	Human Health / Pets	Minor	6	Likely	5	11	Medium	Extensive mitigation and monitoring in place	Rare	1	Low
2.06	Captive Management	Harm to species in captivity	Environment	Minor	6	Possible	5	11	Medium	Expert care in place	Rare	1	Low
2.07	Project failure -rats	Project fails for various reasons	Operational	Major	16	Rare	1	17	Medium	technical advice and operation review by eradication experts	Rare	1	Medium
2.08	Project failure - mice	Project fails for various reasons	Operational	Moderate	11	Possible	5	16	Medium	technical advice and operation review by eradication experts	Rare	1	Low
2.09	Reinvasion	Rodents invade the island	Operational	Moderate	11	Unlikely	3	14	Medium	Upgraded biosecurity and detection network	Rare	1	Low
2.1	Legal Challenge	Delays or upholds the project	Financial	Minor	6	Possible	5	11	Medium	legal advice that if challenge was overturned, costs could be reduced	Unlikely	3	Low
2.11	Rodent predation to threatened species	Impacts from rodents to threatened species removed	Environment					0		Positive impact			
2.12	Visitor experience	Visitor experience enhanced by improved world Heritage values	Reputation					0		Positive impact			
2.13	Compliance with legal obligations	No non compliance and enhanced reputation of the LHIB	Legal					0		Positive impact			
2.14	Economic impacts	17:1 Benefit to Cost ratio. Delivers wide economic benefits	Reputation					0		Positive impact			

Board Meeting: September 2017	Agenda Number: 8 (i)	Record Number: ED17/4297
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Lord Howe Island Rodent Eradication Program (REP) Final Go / No Go Decision.

RECOMMENDATION

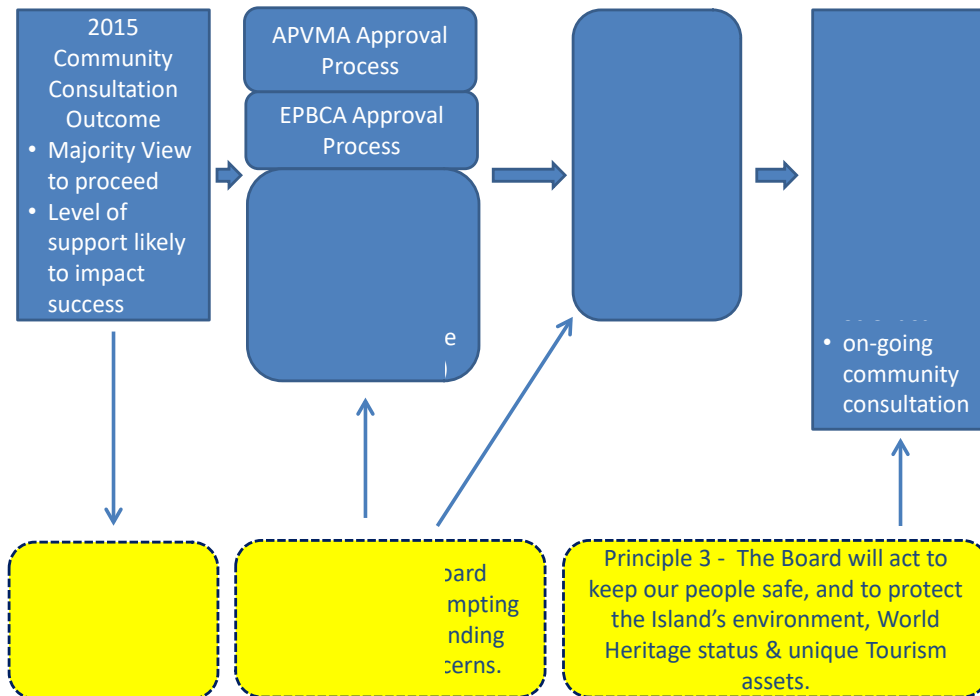
That the Board proceed to Stage Three of the LHI Rodent Eradication Program (REP) with implementation scheduled for winter 2018.

BACKGROUND

On 18 May 2015, the LHI Board decided to proceed with the planning and approvals stage of the REP in accordance with the process for resolution outlined in Figure 1.

Figure 1: Process for Resolution

Process for Resolution



The rodent eradication program has now been divided into three stages:

Stage One: Preliminary planning and community consultation

This stage has previously been completed. It involved undertaking required initial trials including captive management and toxin resistance trials as well as initial operational planning. It included the biosecurity review and progression of biodiversity outcome monitoring. Finally it included the community consultation and engagement process and the community survey.

Stage Two: Planning and Approvals

This stage is now complete. The key tasks during this stage were:

- Assembling key personnel to undertake the work on the next stages
- Reviewing the Rodent Eradication Plan to ensure that it takes into consideration all new information since it was drafted in 2009
- Developing individual property and livestock management plans, which inform the eradication plan and the approval process. This involved a detailed property by property consultation with individual leaseholders and residents.
- Continue working with community to fully understand the programs objectives
- Undertake any necessary studies required for the approval process, including independent human health risk assessment
- Continue the relevant baseline outcome monitoring
- Further develop detailed planning and all necessary risk assessments;
- Obtain required permits and approvals,
- Update operational details;
- Prepare key tender documentation

Final Go / No Go Decision

The Board must now make the final go / no go decision on whether to proceed with the REP considering:

1. The status of key approvals
2. Safety of the environment
3. The advice of the NSW Chief Scientist and Engineer regarding a further independent Human Health Risk Assessment
4. Social Acceptability
5. Budget considerations
6. Technical Feasibility
7. Steering Committee recommendation

Stage Three: Implementation and evaluation of the eradication plan

This Stage will not happen unless the decision to proceed is made.

Stage Three will involve the eradication plan being implemented in winter 2018 over an approximate three month period. Key elements are:

- Finalise detailed logistics and operational planning

- Assemble and train remaining resources
- 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

1. Status of Required Approvals

A range of approvals is required for the project, the status of which is detailed in Table 1 below.

All key approvals that formed part of the 2015 Process for Resolution above have been received.

A decision on the Development Application for the captive management facilities associated with the REP is required in this Board meeting (see separate report). Minor approvals remaining will be sought once the final decision to proceed is made.

Table 1: Approvals requirements and status

Agency / Legislation	Requirement and considerations	Received	Key Approval Conditions
<p>Australian Pesticides and Veterinary Medicines Authority (APVMA)</p> <p><i>Agriculture and Veterinary Chemicals Code Act 1994</i></p>	<p>Minor Use Permit for use of the pesticide in Australia specifically for the LHI REP.</p> <p>Considers:</p> <p>Safety</p> <ul style="list-style-type: none"> • Human health • Environment <p>Efficacy</p> <ul style="list-style-type: none"> • Effectiveness of the product 	Y	<ul style="list-style-type: none"> • Development of Risk Mitigation Plan • Education programme and information sheets for community and visitors
<p>Department of the Environment and Energy</p> <p><i>Environmental Protection and Biodiversity Conservation Act 1999</i></p>	<p>Approval for an “action” that will have or is likely to have a significant impact on any of the matters of national environmental significance.</p> <p>Considers:</p> <p>Matters of National Environmental Significance</p> <ul style="list-style-type: none"> • Threatened and migratory species • World Heritage values • Commonwealth Marine Area 	Y	<ul style="list-style-type: none"> • Establishment of Technical Advisory Group • Development of Monitoring and Mitigation Plan • Development of Biosecurity Management Plan • Reporting of non-target impacts • Reporting of post operational monitoring results
<p>Department of Agriculture and Water Resources</p> <p><i>Biosecurity Act 2015</i></p>	<p>Permit to import the bait into Australia.</p> <p>Considers:</p> <ul style="list-style-type: none"> • Biosecurity of the bait 	Y	<ul style="list-style-type: none"> • Manufacturer’s Declaration
<p>Civil Aviation Safety Authority</p> <p><i>Civil Aviation Safety Regulation 1998</i></p>	<p>Pilot Licensing and Aerial Operator’s Certificate (held by helicopter contractor)</p> <p>General permit for flight lines</p>	<p>Y</p> <p>To be submitted once decision is made to proceed</p>	
<p>Department of Primary Industry – Fisheries</p> <p><i>Fisheries Management Act 1994</i></p>	<p>Section 220ZW Licence authorising an action that is likely to result in harm to a threatened species, population or ecological community.</p>	Y	<ul style="list-style-type: none"> • Marine spill containment and clean-up plan

	<p>Considers:</p> <ul style="list-style-type: none"> NSW listed threatened marine species 		<ul style="list-style-type: none"> Marine research and monitoring plan Reporting of marine non target impacts Operational report
<p>Department of Primary Industry – Marine Park Authority</p> <p><i>Marine Estate Management (Management Rules) Regulation 1999</i></p>	<p>Consent to harm animals and plants in all zones of the Lord Howe Island Marine Park (NSW)</p> <p>Considers:</p> <ul style="list-style-type: none"> The Lord Howe Island Marine Park (NSW) 	Y	
<p>Office of Environment and Heritage</p> <p><i>Threatened Species Conservation Act 1995</i></p>	<p>A Species Impact Statement and Section 91 Threatened Species License to harm or pick a threatened species, population or ecological community* or damage habitat.</p> <p>Considers:</p> <ul style="list-style-type: none"> NSW listed threatened species, populations and ecological communities 	Y	<ul style="list-style-type: none"> Reporting of non-target deaths Operational report
	License to capture listed threatened species (Covered under existing LHIB licenses)	Y	
	Captive holding permits (held by Taronga Zoo as captive management contractor)	Y	
<p>Lord Howe Island Board</p> <p><i>Environmental Planning and Assessment Act 1979 (Part 4)</i></p>	<p>Development consent for construction of the captive management facilities.</p> <p>Considers:</p> <p>Local Environmental Plan 2010</p>	Decision required as part of this Board Meeting	
<p>Environmental Protection Agency</p> <p><i>Pesticides Act 1999</i></p>	Pesticide use license for prescribed pesticide works to cover ground application.	To be issued once ground staff in place. EPA will train and license staff on LHI May 2018	
	Chemical distribution license (Business and pilot). Held by helicopter contractor.	Y	

2. Safety of the Environment

Potential environmental impacts of not undertaking the REP are compared to the potential impacts and benefits from proceeding with the REP below.

Potential Environmental Impacts of Not Proceeding with the REP

The devastating impacts of introduced rodents on offshore islands around the world are well documented. The presence of exotic rodents on islands is one of the greatest causes of species extinction in the world. Ship rats alone are responsible for the severe decline or extinction of at least 60 vertebrate species and currently endanger more than 70 species of seabird worldwide (Jones *et al.* 2008)¹. They suppress plants and are associated with the declines or extinctions of flightless invertebrates, ground-dwelling reptiles, land birds and burrowing seabirds. Mice have also been shown to impact on plants, invertebrates and birds (Angel *et al.* 2009)².

On LHI, rats are implicated in the extinction of five endemic bird species, at least 13 species of endemic invertebrates, and two plant species. Rodents are also a recognised threat to at least 13 other bird species, 2 reptiles, 51 plant species, 12 vegetation communities, and seven species of threatened invertebrates on LHI (DECC, 2007)³. Rodents have therefore not reached equilibrium with native species on LHI.

Failure to proceed with the REP will result in continuing adverse consequences to biodiversity, and World Heritage values on LHI through:

- Ongoing impacts to biodiversity as a result of rodent predation and competition.
- An increased extinction probability for several species including seven species listed as Critically Endangered (probability of extinction in the wild is at least 50% within 10 years)
- An increased risk that several species could experience population declines and become eligible for higher or new threatened species status listing representing a higher degree of endangerment
- Continuation of the current rodent control program (and the continuous presence of poison baits in the environment) essentially in perpetuity. This presents an ongoing risk of poisoning for non-target species and potential for development of rodent resistance to poison.
- Potential further degradation of World Heritage values (including endemic and threatened species) and the potential for the LHIG to be inscribed on the “World Heritage in Danger List”.

¹ Jones, H. P., Tershy, B. R., Zavaleta, E. S., Croll, D. A., Keitt, B. S., Finkelstein, M. E. and Howald, G. R. (2008). Severity of the effects of invasive rats on seabirds: a global review. *Conservation Biology* **22**, 16-26.

² Angel, A., Wanless, R. and Cooper, J. (2009). Review of impacts of the introduced house mouse on islands in the Southern Ocean: are mice equivalent to rats? *Biological Invasions* **11**, 1743-1754.

³ DECC. (2007) Lord Howe Island Biodiversity Management Plan. Department of Environment and Climate Change, Hurstville.

Potential Environmental Impacts of Proceeding with the REP

The potential environmental impacts arising from the proposed REP were extensively assessed through the various environmental approval documents and processes. These included:

- Pollution of soil, air or water
- Bioaccumulation
- Mortality of non-target species due to primary poisoning from consumption of bait pellets
- Mortality of non-target species due to secondary poisoning from consumption of poisoned rodents, fish or invertebrates
- Bird strikes and collisions from helicopter activity
- Disturbance from helicopter activity
- Potential impacts as a result of handling and captive management during the captive management program
- Long term changes to ecological relationships affecting threatened species following the eradication of rats, mice and owls.

Based on evidence from similar eradications around the world, studies done on LHI, the physical and chemical properties of the bait and toxin and the relatively small quantity used in a one-off eradication, the risk to the environment and most species from the REP was shown to be very low.

The only species considered to be at significant risk from the REP were the LHI Woodhen and LHI Currawong. Mitigation is in place to manage risks to these two species through a detailed plan to manage large proportions of the populations of these two species in captivity during the REP. The captive management component of the REP will be managed by animal husbandry experts from Taronga Zoo including vets, vet nurses and experts in bird management. Both species have previously been held in captivity before with no observable ill effects. With the captive management in place, it is considered unlikely that the REP will have a significant impact on woodhens or currawongs.

An extensive monitoring program will be conducted before, during and after the REP. This includes

- Monitoring of weather in the lead up to and during the REP. This will ensure bait can be distributed safely and effectively and not during adverse weather conditions.
- Monitoring for non-target species deaths after bait distribution to ensure there are no unexpected impacts to endemic species.
- Monitoring breakdown of baits after distribution. This will provide confidence in bait breakdown prior to release of captive managed species.
- Soil monitoring before and after bait distribution. This will provide evidence that pollution has not occurred.
- Random sampling will be conducted on water bodies on the island to monitor Brodifacoum levels before and after the bait drop. This will provide evidence that pollution has not occurred and water is safe to drink.

- Monitoring of fish, milk and eggs to monitor Brodifacoum levels before and after the bait drop. This will provide evidence food is safe to eat.
- Monitoring of Woodhen post release. This will provide evidence of recovery.
- Monitoring of free-ranging currawong and captive Currawong LHPC post-release. This will provide evidence of impacts and recovery.

Potential Environmental Benefits from proceeding with the REP

The many successful rodent eradication programs undertaken on islands around the world have shown that the benefits to native plants and animals are both significant and immediate (Jones *et al*, 2016)⁴. Benefits include:

- significant increases of seeds and seedlings of numerous plant species on islands after the eradication of various rodent species
- rapid increases in the number of ground lizards (e.g. geckos, skinks) following removal of rats – including a 30-fold increase in one case
- dramatic increases in the numbers of breeding seabirds and fledging success
- rapid increases in forest birds and invertebrates.

The anticipated benefits specifically relating to the REP on the LHIG include:

- recovery of a range of species and ecological communities directly at risk of extinction due to rodents such as the cloud forest snail species, LHI Placostylus, Little Mountain Palm, Phillip Island Wheat Grass and Gnarled Mossy Cloud Forest
- a marked increase in birds, reptiles and insect density, diversity and distribution – this boost in diversity will increase food resources for predatory terrestrial vertebrates and potentially lead to population increases which will enrich the experience of both island residents and tourists
- increases in the abundance of plants, seeds and seedlings, thereby enhancing the process of forest regeneration
- removal of the economic and environmental burden of the ongoing control currently in place, eliminating the need for the ongoing use of rodent poisons in the environment and their associated long-term risks to native species, pets, livestock and people
- the ability to return species (or closely related surrogates/ecological equivalents) that have long been absent due to the predation of rats and mice, such as the Island gerygone, grey fantail, Boobook Owl, LHI Wood-feeding Cockroach and LHI phasmid
- Long term positive impacts for tourism through protection and enhancement of World Heritage values and improved visitor experience of a rodent free World Heritage Area.

⁴ Jones H. P., Holmes N. D., Butchart S. H., Tershy B. R., Kappes P. J., Corkery I., Aguirre-Monoz A., Armstrong D. P., Bonnaud E., Burbidge A. A., Campbell K., Courchamp F., Cowan P. E., Cuthbert R. J., Ebbert S., Genovesi P., Howald G. R., Keitt B. S., Kress S. W., Miskelly C. M., Opper S., Poncet S., Rauzon M. J., Rocamora G., Russell J. C., Samaniego-Herrera A., Seddon P. J., Spatz D. R., Towns D. R. and Croll D. A. (2016) Invasive mammal eradication on islands results in substantial conservation gains. *PNAS* **113**, 4033-8

The eradication of rodents is consistent with numerous local, state, commonwealth and international plans and obligations. Eradication of exotic rodents from high priority islands (including LHI) is the first objective in the Commonwealth *Threat Abatement Plan to Reduce the Impacts of Exotic Rodents on Biodiversity on Australian Offshore islands of Less than 100 000 Hectares*⁵.

Environmental Summary

There is a clear and demonstrated need for the REP based on documented evidence of significant impacts of rodents both globally and on LHI at the species and ecosystem level, even in the presence of ongoing rodent control. There are unacceptable consequences of failing to proceed with the REP.

The REP is essential and beneficial. Risks have been addressed through proposed mitigation to the point where they are considered to be very low. Any potential impacts are localised and short term and far exceeded by the benefits that will be provided by implementation of the REP. Potential impacts of the REP are also considerably less than the ongoing impact of failing to proceed.

3. Advice of the NSW Chief Scientist and Engineer regarding an additional Human Health Risk Assessment (HHRA)

In line with the agreed Process for Resolution above, in June 2016 the NSW Minister for the Environment (on behalf of the LHIB) requested that the NSW Office of the Chief Scientist and Engineer (OCSE) oversee an additional independent Human Health Risk Assessment for the project.

The OCSE was requested to convene an Expert Panel to:

1. Provide advice to the Board on processes for commissioning the HHRA including identification of suitable experts and scope of the request for proposal
2. Convene an Expert Panel to review proposals to undertake the HHRA and select a preferred candidate; review project plans and methodologies; and review draft and final reports of the HHRA as required
3. Provide advice to the Minister for the Environment on the HHRA
4. Respond to media enquires as they relate to the Terms of Reference for the Expert Panel

The Expert Panel consisted of:

- **Professor Mary O'Kane, Chair**
Mary O'Kane is the NSW Chief Scientist & Engineer.
- **Dr Chris Armstrong, Deputy Chair**
Chris Armstrong is the Director of the Office of Chief Scientist & Engineer, NSW.
- **Professor Brian Priestly**
Brian Priestly is Director of the Australian Centre for Human Health Risk Assessment

⁵ DEWHA, (2009). THREAT ABATEMENT PLAN to reduce the impacts of exotic rodents on biodiversity on Australian offshore islands of less than 100 000 hectares. Department of Environment Water, Heritage and the Arts, Canberra

(ACHHRA) associated with the Monash University School of Public Health & Preventive Medicine and an Independent Environmental Services Professional.

- **Emeritus Professor Stephen Leeder**

Stephen Leeder is an emeritus professor of public health and community medicine at the University of Sydney. He is also currently chair of the Western Sydney Local Health District Board.

The Expert Panel (with the assistance of two members of the Community Working Group; Dr Frank Reed and Mr Robert Rathgeber) selected Ramboll Environ Pty Ltd to undertake the HHRA.

The HHRA overseen by the OCSE and undertaken by the Ramboll Environ concluded that a comprehensive evaluation of the environmental releases from the REP **did not** identify exposures expected to lead to adverse health effects. The overall conclusion was that **estimates of exposure from all potential sources associated with the REP are below those likely to result in adverse health effects in any individuals** (Ramboll Environ, 2017).

The NSW Office of the Chief Scientist and Engineer (OCSE) has now presented its report⁶ on the HHRA prepared by the consultants Ramboll Environ in 2017 to the NSW Minister for the Environment, Local Government and Heritage.

The OCSE and Expert Panel supported Ramboll Environ's conclusions and recommended:

- a communication strategy for the period before and during the REP;
- a monitoring strategy to measure outcomes; and
- reports to the Minister on community and environmental outcomes at designated periods post REP.

The executive summary from the OCSE report is attached (Attachment 1). The Minister has now accepted the OCSE report.

A representative of the OCSE and two representatives from Ramboll Environ visited the island on the 2nd and 3rd of Aug 2017 to present the findings to community. Approximately 40 people attended the two public sessions.

The outcomes from this additional HHRA and expert panel review concur with the results of previous HHRA's undertaken by Toxikos Pty Ltd in 2010 and by Pacific Environment Ltd in 2015 that show that with the proposed mitigation in place, the **REP is safe for the community and visitors**. The executive Summary form the OCSE report is attached (Attachment 1)

4. Social Acceptability

Continued engagement with the community from 2015 -2017 via a variety of methods has resulted in steadily increasing acceptance of the REP. Whilst a small minority of the community may still be opposed to the REP, individual property management discussions have shown that even those opposed are willing to allow access to their properties for some baiting treatment method by some nominated islanders. Only one landholder has declared they will not be allowing access to their property for baiting, citing concerns about potential impacts to human

⁶ NSW Chief Scientist and Engineer (2017). Report on the Human Health Risk Assessment for the Lord Howe Island's proposed Rodent Eradication Program.

health and the environment. The project team will continue to work with this individual (and all residents) in the lead up to implementation to ensure we have 100% property access.

Social acceptability is supported by public submissions on key approvals documents:

- The Public Environment Report for the Department of Environment and Energy
 - 128 submissions were received with 118 (92%) of those in support of the project
- The Species Impact Statement or the Office of Environment and Heritage
 - 55 submissions were received with 52 (95%) of those in support of the project.

Support for the REP has been received from major organizations including:

- World Wildlife Fund Australia (WWF)
- BirdLife Australia and the Australasian Seabird Specialist Group
- Island Conservation
- International Union for the Conservation of Nature (IUCN) Invasive Species Specialist Group
- The Invasive Species Council
- CSIRO
- Taronga Conservation Society Australia
- Zoos Victoria
- Australia's Threatened Species Commissioner

A detailed economic evaluation of the project was undertaken in November 2016 (Gillespie, 2016)⁷. The study showed that the REP has a Benefit to Cost ratio of 17:1, resulting in an estimated net social benefits of \$142M with \$58M of that returning directly to LHI residents. Hence the REP is justified on economic efficiency grounds.

It is anticipated that acceptance and tolerance in the community will increase further still once a final decision to proceed has been made and outcomes of the approvals process and HHRA can be communicated to residents.

If the decision to proceed is made, the REP staff will continue to engage with the community via a variety of methods including one on one property discussions in the lead up to, during and after the implementation. PR consultants (also used by the LHI Tourism Association) will continue to provide assistance for on and off island stakeholder engagement.

A contingency has been put in place to cover the loss of project team member Anthony Wilson through use of Islanders in ongoing consultation. Anthony has also committed to returning to the island for implementation of the REP.

It should be noted that the REP does not need 100% acceptance to proceed or to be successful, rather it needs 100% property access (or with appropriate risk mitigation for any residual properties).

⁷ Gillespie Economics Pty Ltd. (2016). Economic Evaluation of LHI Rodent Eradication Project. Final Report Unpublished report for the Lord Howe Island Board

Property Access Options

Access to leases and residents properties will at all times be in accordance with “*LHIB Procedure for Access to Leasehold Land*” and the individual Property Management Plan negotiated with owners/occupiers for the Project. No access to residential dwellings will occur without approval from owners / occupiers. Options to ensure we have adequate bait coverage and property access are outlined below and in Figure 2.

Preferred Option

The LHIB’s preferred option for accessing properties (including access to residential dwellings) is to continue to negotiate with leaseholders and residents to gain consent for access to distribute bait during the REP. During the negotiations we will continue to discuss issues such as:

- Individual property areas of concern such as children, pets and vegetable gardens.
- The outcome of approvals applications, the Human Health Risk Assessment and the LHIB’s final Go/ No Go decisions. Some people are awaiting the outcomes of all of these before granting access to properties.
- Individual preferences for nominated persons to undertake the baiting on individual properties. Some people have expressed concern with certain individual staff from the LHIB conducting baiting on their properties or inside dwellings. The REP will employ approximately 30-40 staff during implementation, many of these will be locals. It is highly likely that local staff will be employed on the REP with whom individual residents are comfortable to grant property and dwelling access to for baiting.

Potential Alternative Access Options

The options below are *not preferred* but could be pursued if necessary.

Powers of Entry to Access to Properties

Under various pieces of legislation (outlined in the “*LHIB Procedure for Access to Leasehold Land*”), the LHIB has Powers of Entry to access all lease types on LHI (perpetual leases, special leases and permissive occupancies) in order to exercise functions of the LHIB. Where access is denied the LHIB can access leases after providing written notification of intent to enter. The REP, once approvals have been received and the decision to proceed is made, would be a valid function of the Board. Therefore access to properties can be obtained for the REP if necessary by providing written notice of intent in accordance with the access procedure.

Access to Residential Premises (Dwellings)

The LHIB’s Powers of Entry cannot be used in relation to residential dwellings except:

- a) with the permission of the occupier
- b) if entry is necessary for the purpose of inspecting work being carried out under an approval,
- c) under the authority conferred by a search warrant

Where permission to enter residential premises is not granted, the LHIB does not have the ability to obtain warrants under the LHI Act and would not be seeking warrants under other legislation for this purpose.

If there continues to be a small number of residents who refuse access to dwellings, there is potential to negotiate the use of alternate methods of rodent destruction on those premises. This could include the use of commercially available rodenticides such as Talon (which most islanders are familiar with and many currently use in their homes) on those properties. It could include the use of other methods such as rodent traps or clearance of the property with detector dogs. There may also be an option of extended baiting and surveillance monitoring (traps, cameras and detector dogs) at the perimeter of the residential dwellings where consent is not granted.

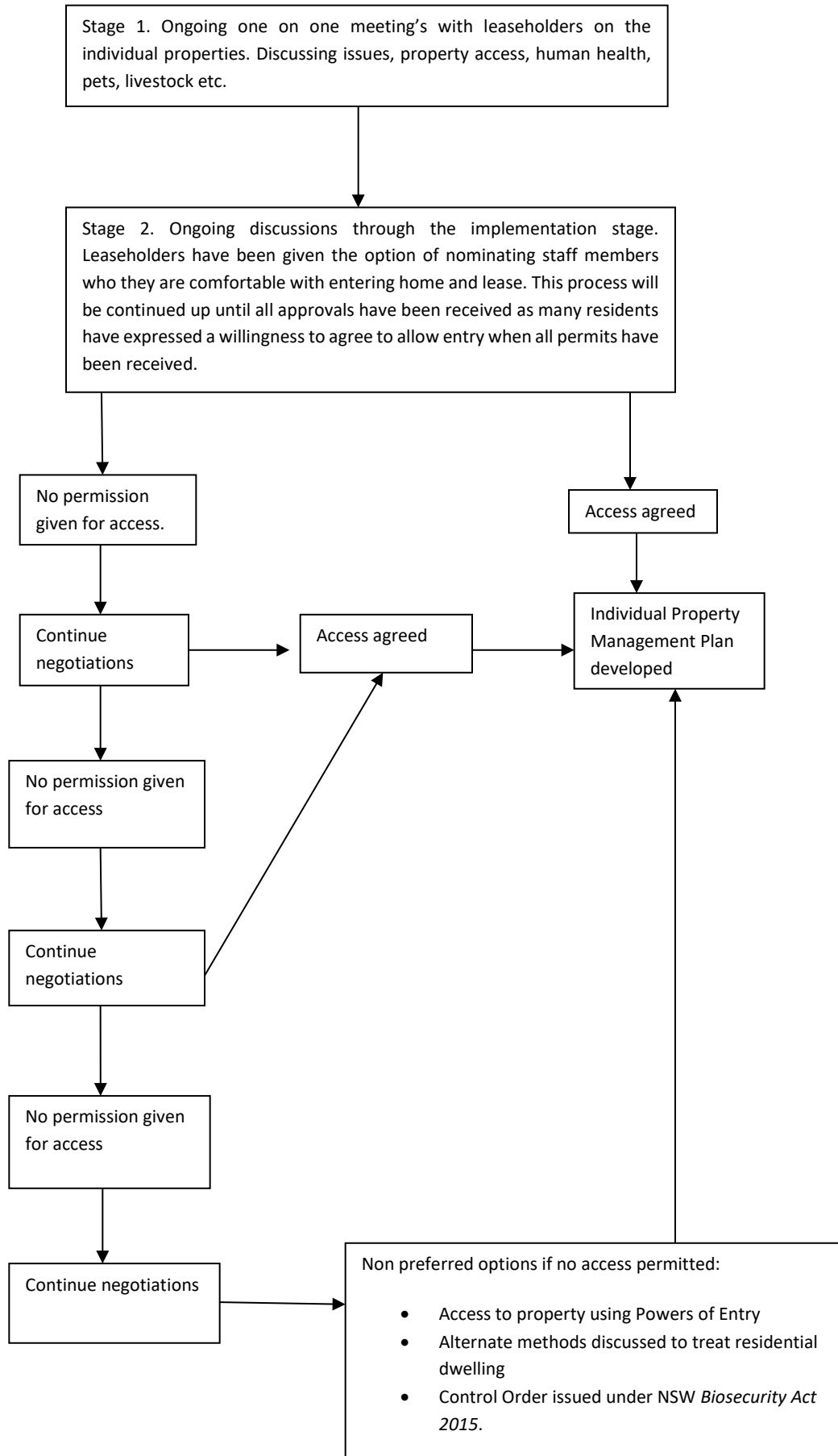
Biosecurity Act Control Order

With enactment of the new NSW *Biosecurity Act 2015* and development of the *Biosecurity Regulations 2016*, which came into force on 1 July 2017, new legislative options are available to deal with biosecurity risk matter.

The LHIB has been in discussion with NSW Department of Primary Industries about how best to manage all biosecurity risks for Lord Howe Island. Consideration is currently being given to having Lord Howe Island declared as a "Biosecurity Zone" or the ability to declare particular species that are considered biosecurity risks to Lord Howe Island and not mainland NSW (i.e. rats and mice) as Biosecurity Risk Species for Lord Howe Island only.

If the eradication proceeds, a Control Order establishing control zones or specific control measures can be issued to individuals or groups with particular control measures to be specified (i.e. baiting) for treatment or destruction of rodents. This would place the responsibility of complying with the control order on residents (i.e. residents would be responsible for baiting within their homes, not LHIB staff), therefore allowing effective bait coverage within properties and inside dwellings. Penalties are available under the act for non-compliance with a control order.

Figure 2 Property Access Flowchart



5. Budget Considerations

Both funding partners, the Australian Government National Landcare Program and the NSW Environmental Trust have recently extended the funding agreements for the project through to end of June 2019, ensuring continued availability to the previously allocated grant funds for the duration of the REP. Both funding partners have strict accountability and audit processes in place to ensure transparent and efficient management of government funds.

The Project budget has regularly been updated as the REP has progressed. Current estimates at completion of the REP show a final overrun of approximately 4% of total project budget. This is below the standard (and expected) 10% variance for a project of this size. At present there is still uncertainty in many individual line items until final costs are known (for example: sufficient budget has been allowed for helicopter time that includes extended weather delay, however this may not be required). It is highly likely that the budget will reduce over time as line item costs are confirmed.

In the event that minor additional funding is required, a funding strategy has been developed outlining various potential sources that can be pursued. This will be implemented if the REP proceeds. The strategy includes seeking additional funding (or alternate support such as resource sharing) through:

- Other relevant Commonwealth and State government grants programs including submitted and pending applications
- Conservation organizations including WWF, Birdlife Australia, Royal Society for the Protection of Birds, Island Conservation, Friends of Lord Howe and the Foundation for Australia's Most Endangered Species,
- High Net Wealth philanthropic donors with an interest in conservation or LHI.
- Crowd funding models such as "Go Fund Me" and "Pozzible"
- Corporate conservation investment/finance
- Volunteer positions on REP during implementation and follow up monitoring

It is expected that any minor budget shortfall can be addressed through a combination of the above sources if required.

It should be noted that if the decision not to proceed is made, all remaining grant funds will need to be returned to the funders. The funding cannot be used to fund other projects on Lord Howe Island.

LHI Rodent Eradication Project										
Balance										
			Balance on Hand 1 Jul 15	Balance on Hand 1 Jul 16	Balance On Hand 1 Jul 17	Balance Estimate 1 Jul 17- 30 Jun 18	Balance Estimate 1 Jul 18 - 30 Jun 19	Balance Estimate 1 Jul 19 - 30 Jun 20	Balance Estimate at Completion	
			\$ 8,172,756	\$ 8,041,314	\$ 6,939,653	\$ 2,736,015	\$ 39,316	-\$ 437,132	-\$ 437,132	
Revenue										
Project Revenue	Total Approved Revenue		Revenue Earned 30 June 2015	Revenue Earned FY15-16	Revenue Earned FY16-17	Revenue Estimate 1 Jul 17- 30 Jun 18	Revenue Estimate 1 Jul 18 - 30 Jun 19	Revenue Estimate 1 Jul 19 - 30 Jun 20	Total Revenue Estimate at Completion	Cross Check
NSW Env Trust	\$ 4,542,442		\$ 4,542,442	\$ -	\$ -	0			\$ 4,542,442	
Caring for Our Country	\$ 4,500,000		\$ 4,500,000	\$ -	\$ -	0			\$ 4,500,000	
Interest	\$ -		\$ 610,390	\$ 177,020	\$ 176,603	\$ 58,897	\$ 846		\$ 1,023,756	
Total Revenue	\$ 9,042,442	\$ -	\$ 9,652,832	\$ 177,020	\$ 176,603	\$ 58,897	\$ 846	\$ -	\$ 10,066,198	\$ 10,066,198
Expenses										
Item	Budget Estimate	Expenses Incurred 2012/2013	Expenses Incurred 2014 to 30 June 2015	Expenses Incurred 1 Jul 15 to 30 Jun 16	Expenses Incurred 1 Jul 16 - 30 Jun 17	Expenses Estimate	Expense Estimate 1 Jul 18 - 30 Jun 19	Expense Estimate 1 Jul 19 - 30 Jun 20	Total Expense Estimate at	
Captive Management Sub Total	\$ 2,183,839	\$ -	\$ -	\$ -	\$ 485,517	\$ 817,969	\$ 630,353	\$ 250,000	\$ 2,183,839	
Community Liaison Sub Total	\$ 709,381	\$ -	\$ 327,106	\$ -	\$ 82,275	\$ 210,000	\$ 90,000	\$ -	\$ 709,381	
Baiting Sub Total	\$ 2,233,681	\$ -	\$ -	\$ 3,000	\$ 34,438	\$ 1,597,743	\$ 596,250	\$ 2,250	\$ 2,233,681	
Livestock/Animal Management Sub Total	\$ 691,189	\$ -	\$ -	\$ -	\$ 23,677	\$ 378,863	\$ 288,649	\$ -	\$ 691,189	
Operational Monitoring Sub Total	\$ 577,275	\$ -	\$ -	\$ -	\$ 84,305	\$ 54,100	\$ 402,380	\$ 36,490	\$ 577,275	
Eradicating Owls Sub Total	\$ 137,000	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 78,000	\$ 47,000	\$ 137,000	
Project Management Sub Total	\$ 2,328,952	\$ -	\$ 336,000	\$ 305,462	\$ 470,515	\$ 706,290	\$ 382,685	\$ 128,000	\$ 2,328,952	
Biosecurity Sub Total	\$ 470,244	\$ -	\$ 60,000	\$ -	\$ 42,000	\$ 294,307	\$ 61,229	\$ 12,708	\$ 470,244	
Outcome monitoring Sub Total	\$ 414,800	\$ -	\$ -	\$ -	\$ 55,537	\$ 191,263	\$ 168,000	\$ -	\$ 414,800	
Misc Sub Total	\$ 756,970	\$ 756,970	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 756,970	
Total	\$ 10,503,330	\$ 756,970	\$ 723,106	\$ 308,462	\$ 1,278,264	\$ 4,262,535	\$ 2,697,546	\$ 476,448	\$ 10,503,330	\$ 10,503,330

6. Technical Feasibility

After completing a Feasibility Study in 2001⁸, the LHIB has carefully considered and evaluated the eradication of rats and mice on the LHIG. Due to developments in eradication techniques during the past 20 years, particularly the refinement of aerial baiting methods, the eradication of both rats and mice on the LHI Group in a single operation is now considered technically feasible and achievable. A range of possible methods and mortality agents were considered for use in eradicating both rats and mice on LHI. The only method capable of removing every rat and mouse on LHI is aerial distribution, in conjunction with minimal hand broadcast and bait stations where required (i.e. the settlement area), of highly palatable bait containing an effective toxicant. Assessment of other options considered and why they were unsuitable on LHI are shown in Table 2 below.

Table 2 Assessment of Eradication Options

Eradication Technique	Suitable for eradication	Feasible for Eradication on LHI	Justification
Disease	No	No	No suitable pathogen yet developed that could eliminate all individuals.
Trapping	Yes	No	May be feasible for eradication on small islands, however may cause individuals to become trap shy. Size and inaccessible terrain of LHI makes this option unfeasible
Biological	No	No	Likely to fail to completely eradicate the target species. High likelihood of unacceptable non-target species impacts.
Fertility Control	No	No	No suitable fertility control yet developed that could eliminate all individuals.
Toxicant - Bait station / hand broadcast only	Yes	No	May be feasible for eradication on small islands. Size and inaccessible terrain of LHI makes this option unfeasible.
Toxicant – Aerial Broadcast only	Yes	No	Highly successful on uninhabited islands. Socially unacceptable on LHI.
Toxicant – Combination of Aerial and Hand Broadcast / Bait Stations	Yes	Yes	Brodifacoum in the form of Pest off 20R has been selected as the preferred toxicant on LHI considering proven success, efficacy and non-target impacts

⁸ Saunders, A. and Brown, D. (2001). An Assessment of the Feasibility of Eradicating Rodents from the Lord Howe Island Group. Unpublished report to the Lord Howe Island Board.

The eradication techniques proposed for LHI are neither novel nor experimental. They are the culmination of more than 30 years of development and implementation involving more than 380 successful eradications worldwide (Howald et al. 2007⁹ and DIISE, 2016¹⁰). Systematic techniques for eradicating rodents from islands were first developed in New Zealand in the 1980s. Since then techniques have improved significantly, and eradications are now being attempted and achieved on increasingly larger and more complex islands, including those with human populations.

Aerial broadcasting of bait using helicopters has become the standard method used in eradications, particularly those on large islands (Townes and Broome 2003)¹¹. This method has proven to be a more reliable and more cost-effective option than the previous ground based techniques. Depending on the nature of the area to be treated, aerial baiting has been combined with hand broadcasting of bait and the use of bait stations, particularly around areas of human habitation. The use of new tracking and mapping technologies such as global positioning systems and geographic information (computer mapping) systems has increased the efficacy of aerial-based eradication programmes.

The toxicant selected for the eradication of rats and mice from the LHIG is Brodifacoum, a second-generation anticoagulant. Brodifacoum has proven to be successful in over 226 eradications, in a variety of climatic conditions including those similar to LHI, and on all 14 eradications on islands greater than 500 ha in size. An evaluation of potential rodenticides for aerial control of rodents (Eason and Ogilvie 2009¹²) concluded that Brodifacoum was the best rodenticide for island eradications. The use of any other mortality agent would be largely experimental and pose unacceptable risks of failure. The Island Eradication Advisory Group for the Department of Conservation in New Zealand who are recognised as leaders in this field, is of the opinion that *“there is no other alternative rodenticide on the market anywhere in the world with which we would have the same level of confidence in using to eradicate Ship Rats and mice from an island such as Lord Howe”*.

There are three key principles of eradication that must be met in every case for all target species. The LHI REP has been designed with these principles in mind and they are discussed in further detail below.

⁹ Howald, G., Donlan, C.J., Galvan, J.P., Russell, J.C., Parkes, J., Samaniego, A., Wang, Y., Veitch, D., Genovesi, P., Pascal, M., Saunders, A. and Tershy, B. (2007). Invasive rodent eradication on islands. *Conservation Biology* **21**, 1258-1268.

¹⁰ DIISE (2016): Database for Island Invasive Species Eradications accessed January 2016: <http://diise.islandconservation.org>

¹¹ Towns, D. R. and Broome, K. G. (2003). From small Maria to massive Campbell: forty years of rat eradications from New Zealand islands. *New Zealand Journal of Zoology* **30**, 377-398.

¹² Eason, C. T. and Ogilvie, S. (2009). A re-evaluation of potential rodenticides for aerial control of rodents. DOC Research and Development Series 312. Department of Conservation, Wellington, New Zealand.

1. *All individuals can be put at risk by the eradication technique(s).*

Constraints and solutions to this principle are detailed below.

Constraint	Solution
Efficacy of the bait	<p>Brodifacoum is highly toxic to both rats and mice in minute quantities, allowing a lethal dose to be consumed in a single feed. It is also a chronic toxicant (i.e. its action is delayed) meaning the rodent does not associate any illness with the bait it has consumed. These two factors are important for avoiding the consumption of sub-lethal doses and the associated risk of bait shyness/avoidance.</p> <p>Trials on LHI have confirmed that doses available during the REP are sufficient to kill all rats and mice.</p>
Palatability of the bait and alternate food sources	<p>The Pestoff 20R bait proposed to be used is specially designed to be highly palatable to rodents and this has been shown on LHI even with alternate food available in the laboratory and in field conditions. The Pestoff 20R bait is much more palatable than commercial rodenticides containing Brodifacoum as these contain waxes to preserve life and taste deterrents to prevent human ingestion.</p> <p>Whilst LHI has alternate foods sources available, unlike tropical islands, the sub-tropical LHI has reduced alternate food availability over winter when the REP is planned.</p>
Access to baits, inter species competition and home ranges of rats and mice	<p>The LHI REP has been specifically designed to target both rats and mice considering the smaller home range of mice. Bait will be applied at a density that will allow all rats and mice access to a lethal dose. The second bait drop also acts as a contingency to ensure there are no gaps in the bait coverage and to target individuals that may have been denied access to bait distributed in the first application (by more dominant individuals that will now be dead).</p>
Island size and topography (including cliffs, crevices, caves)	<p>The aerial distribution of baits is the only realistic method of baiting a large topographically challenging island such LHI. Aerial application using a specifically designed spreader bucket has been shown to be effective in delivering a toxic dose of bait to every rodent on similar large and rugged islands (i.e. Macquarie and Campbell Islands). GPS technology will be used to ensure total bait coverage through the development of flight lines and ensuring 100% of island is bait treated. The second bait drop also acts as a contingency to ensure there are no gaps in the bait coverage.</p>
Permanent human population	<p>To minimise potential risks to human health, a combination of hand broadcasting and bait stations will be used in the settlement area. This will allow coverage to be maintained including in roofs and under buildings. A clean up of island hard waste successfully removed over 400 tonnes of hard waste that was providing potential rodent habitat.</p>

Access to individual properties has been agreed with all but one leaseholder and will continue prior to implementation. Contingency options for property access are available as discussed above.

Potential survivors

A comprehensive rodent monitoring programme has been developed for the REP. It includes intensive monitoring particularly in the settlement area immediately after the eradication and then extending to all accessible areas across the island for two years after. This approach facilitates the early detection and removal of localised survivors but will also give a high level of confidence to allow declaration of eradication success which will be declared after two years of monitoring with no rodent activity.

The detection network will include a combination of detection tools including detector dogs, chew cards, chew blocks, cameras, trakka tunnels, traps and bait stations. Response to a detection will be guided by a Technical Advisory Group (TAG) who will be on immediate standby to provide consensus advice on how to respond to any specific situation. The TAG will consist of selected experts in eradication techniques, rodent detection and rodent behaviour.

2. Rodents can be killed at a rate exceeding their rate of increase at all densities

The use of aerial baiting is the only method that can be used on an island the size and topography of LHI to ensure that rodents can be killed faster than they can breed. The time between the two bait applications is deliberately shorter than the breeding cycle of rats and mice. The second bait drop also acts as a contingency to target any young recently emerging from nests after the first application.

3. The probability of the pest re-establishing is manageable to near zero

To protect the eradication investment and manage the risk of rodents reinvading and establishing, the LHIB is:

- upgrading the Island's biosecurity system (regardless of whether or not the REP proceeds)
- establishing a rodent detection network.

Biosecurity system upgrade

In 2015 a consultant was engaged to review and update the LHI Biosecurity Strategy. Recommendations from the updated Strategy (AECOM, 2015¹³) include:

- reducing risk at the Port Macquarie wharf
- increasing education and awareness for residents and visitors pre arrival to LHI

¹³ AECOM Australia Pty Ltd (2016). Lord Howe Island Biosecurity Strategy 2016. Unpublished Report for the Lord Howe Island Board

- Increasing inspection regimes for all pathways
- pursuing legislative declaration of LHI as a Special Biosecurity Zone under the Biosecurity Act 2015
- increasing residents' awareness of biosecurity risks of plants, animals and diseases both before and after import
- being prepared to react quickly to new incursions through early detection and rapid response
- continuing with on ongoing management and eradication programs
- ensuring biosecurity is adequately resourced with realistic cost and resource estimates

Specifically in relation to rodents the following measures will be applied:

- Employment of dedicated on island biosecurity officer(s) who will have primary responsibility for biosecurity detector dogs.
- Upgrades to the shipping contract to increase emphasis on rodent prevention including requirements to:
 - have in place a Biosecurity Management Plan
 - maintain rodent baiting at the point of mainland departure
 - maintain rodent baiting and De-ratting certificates on the cargo vessel
 - report biosecurity risk cargo and incidents prior to arrival

Rodent Detection Network

A permanent rodent detection and prevention monitoring network will be established on the island to detect any possible reintroductions. The monitoring network developed for the initial follow-up monitoring and declaration of success will be modified to allow targeted monitoring of high risk reinvasion points. It will include:

- A grid network of detection tools at high risk reinvasion points such as the wharf and airport and potential areas for initial recolonisation. This will be checked at a frequency commensurate with arrivals (i.e. daily at the airport and fortnightly at the wharf coinciding with cargo vessel arrivals)
- The permanent rodent detector / biosecurity dogs based on the island will routinely screen all incoming cargo and luggage
- The permanent rodent detector / biosecurity dogs based on the island will sporadically undertake targeted searches of high risk and random areas

This methodology will allow a high level of confidence that any reinvasion would be detected. Genetic testing on LHI rodents has been undertaken. In the event that rodents are detected post REP, the genetic samples will allow determination of whether the eradication failed or the detection was a reinvasion.

Summary of Technical Feasibility

Whilst it is difficult to predict a likelihood of success, the selected eradication techniques, toxin and bait give the LHI REP the best chance of being successful given the constraints on LHI and based on global experience developed over 30 years and more than 380 successful rodent eradications worldwide. The success rate for mouse eradications from 1997-2014 on NZ islands using the same bait and technique is 100% or 11 from 11 attempts (Broome and Fairweather, 2016,) whilst rat eradications on islands over the same period have been 98% successful (37 of 39 attempts) (DIISE 2016).

The LHIB receives technical advice on the project from the New Zealand Island Eradication Advisory Group (IEAG) to ensure best practice and lessons learnt from other eradications are

considered. The IEAG have reviewed several versions of the operational plan as the project has progressed to provide advice to the Project steering committee and LHIB as part of the final decision to proceed. The IEAG advice to the LHIB is presented below and in full in Attachment 2.

“The eradication of rodents is in our view, the only viable option for long-term ecological benefit on Lord Howe Island. It remains technically feasible assuming the operational plan can be delivered to a high standard and the basic principles of eradication success are adhered to; i.e.,

- *all individual target animals are exposed to the methods;*
- *they are killed at a rate higher than their ability to reproduce at all densities; and*
- *the risk of reinvasion is managed.*

The likelihood of success will largely depend on the ability of the team to implement the plan to the required standard of excellence. Continued attention to detail in the planning and preparation, including building a strong and motivated project team and strong support from the LHIB and community will be critical to success. There is much still to be done before next winter but the fundamental design and the preparation to implement that design we have seen so far gives every indication that eradication is achievable. A more thorough evaluation closer to the time of fieldwork beginning is advisable.”

In addition the IEAG will review a final operational plan after the decision to proceed is made and an IEAG member will undertake a final operational readiness check prior to on the ground implementation in May of 2018.

7. Steering Committee Recommendation

The Steering Committee for the LHI Rodent Eradication Project was established to:

- a) Support the Board in achieving the Project Objective of eradicating all ship rats and house mice from LHI.
- b) Advise on the best use of the funding to that end.
- c) Provide direction, guidance and support to the Project team in implementing the Project to achieve the Project Objective
- d) Provide support and advice to the Board at key milestone points where decisions have to be made about the direction of the project

Current membership is:

- Federal funding partner – National Landcare Program. Joanne Nathan (Director, Natural Heritage, Department of the Environment and Energy)
- State funding partner – NSW Environmental Trust. Peter Dixon (Director Grants, OEH)
- LHIB. Penny Holloway (Chief Executive Officer, LHIB)
- LHIB. Barney Nichols (locally elected member LHIB)
- Rodent Eradication Expert. Keith Broome (Chair, Island Eradication Advisory Group, NZ Department of Conservation)

The Steering Committee has met quarterly since 2012 and is very familiar with the Project, its development over time and current status. The Steering Committee recommendation to the LHIB is presented below.

“The Steering Committee is of the opinion that the project team has now satisfied all criteria that were established in May of 2015 to allow the decision to proceed to Stage 3 implementation to be made; namely:

1. *Key approvals required have been received with conditions that are achievable and do not impact implementation of the project. This includes:*
 - *Approval (EPBC 2016/7703) from the Department of Environment and Energy under the Environment Protection and Biodiversity Conservation Act considering Matters of National Environmental Significance This includes consideration of impacts to Commonwealth listed threatened and migratory species and species endemic to Lord Howe Island as part of assessment of impact to the World Heritage values*
 - *License to Harm Threatened Species (C0002763) issued under the NSW Threatened Species Conservation Act which considers impacts to NSW listed threatened species.*
 - *A Minor Use permit from the Australian Pesticides and Veterinary Medicines Authority allowing use the bait*
 - *A permit from NSW Fisheries and Marine Parks*
2. *Risks to human health have been extensively considered and are mitigated to the point where risks are considered to be very low. The Steering Committee endorse the outcomes of the Human Health Risk Assessment process overseen by the Office of the Chief Scientist and Engineer and support the recommendations made.*
3. *Community support now appears to be sufficient to allow the project to proceed*
4. *There is committed funding, sufficient budget remaining to implement the project and a contingency funding strategy in place if required.*
5. *The Project is considered to be technically feasible by eradication experts*

On the basis of the above the Steering Committee unanimously recommends to the Board that the decision to proceed to Stage 3 implementation be made with implementation in winter 2018”

8. Summary

A summary of essential criteria for the decision to proceed is shown below

Criteria	Additional Information	Result
Is the REP safe for residents and visitors	Three separate human health risk assessments of the project have shown it be safe for resident and visitors.	Yes
Is the REP safe for the environment	Receipt of the various Commonwealth and State environmental approvals required for the project is evidence that the REP is considered safe for the environment. Environmental benefits of proceeding significantly outweigh any potential impacts. Comprehensive mitigation is in place to manage the two species considered at risk.	Yes
Have all of the key approvals been received	All key approvals required have been received	Yes
Is the REP socially acceptable	The project is now well understood and accepted by the majority of the community. Property access is available for the majority of the Island	Yes
Are there sufficient funds to implement to REP	The REP currently has sufficient funds for successful implementation. Variance is currently within standard acceptable limits with some line items still to be confirmed. A plan can be enacted to seek additional funds if required.	Yes
Is the REP technically feasible	Eradication on LHI is technically feasible and achievable.	Yes
Are all risks mitigated or reduced to an acceptable level	Risks of proceeding have been identified, mitigated or reduced to an acceptable level. Several very high risks are associated not with proceeding. A more detailed risk assessment is included as Attachment 3.	Yes
Is the REP endorsed by rodent eradication experts	The eradication is endorsed by the Island Eradication Advisory Group	Yes
Is proceeding with the REP endorsed by the project Steering Committee	The steering Committee recommends proceeding to Stage Three implementation	Yes

RECOMMENDATION

That the Board make the decision to proceed to Stage Three of the LHI Rodent Eradication Program (REP) with implementation in winter of 2018.

Prepared: Andrew Walsh, Rodent Eradication Project Manager

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Report on Human Health Risk Assessment

Attachment B: IEAG Recommendation

Attachment C: Risk Assessment



Lord Howe

I S L A N D B O A R D

OPERATIONS PLAN

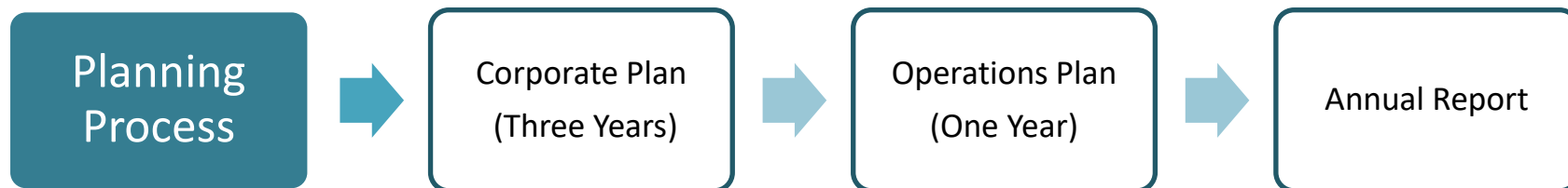
2016-2017

Operations Plan 2016-17

Within the Board’s Charter, the Corporate Plan sets the framework and the direction for the Lord Howe Island Board over the three years from 2016 to 2019.

The key performance indicators measuring the Board’s success against the Plan are incorporated into the Board’s annual Operations Plan. The Operations Plan identifies specific outputs, activities and measures that will ensure the strategies of the Corporate Plan are achieved for one year of the Plan.

At the end of each financial year, overall performance against the Operations Plan’s targets and the Corporate Plan’s key result areas are reported to the Board and the community through the Board’s Annual Report.



List of Abbreviations

AMS	Authority Asset Maintenance System	LEMO	Local Emergency Management Officer
ARENA	Australian Renewable Energy Agency	LEP	Local Environment Plan
AWHAC	Australian World Heritage Advisory Committee	LHITA	Lord Howe Island Tourism Association
BMP	Biodiversity Management Plan	MBCS	Manager, Business and Corporate Services
CAPEX	Capital Expenditure	MECS	Manager, Environment and Community Services
CASA	Civil Aviation Safety Authority	MIES	Manager, Infrastructure and Engineering Services
CEO	Chief Executive Officer	MOU	Memorandum of Understanding
DMP	Destination Management Plan	PPP	Permanent Park Preserve
EMPLAN	Emergency Management Plan	RFS	Rural Fire Services
EOI	Expression of Interest	RMS	Roads and Maritime Services
EPA	Environment Protection Agency	SES	State Emergency Services
EPBC (Act)	Environment Protection and Biodiversity Conservation	SMT	Senior Management Team
LEMC	Local Emergency Management Committee	TAMPLAN	Total Asset Management Plan

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.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.1.1	Hold Board meetings on a quarterly basis in public.	Four public meetings held per annum. Code of Meeting Practices is adhered to.	CEO / MBCS	At least four meetings have been held during the year. The Code has been adhered to at all times
Action	1.1.2	Develop and implement appropriate policies and procedures to ensure decisions are merit based, transparent and defensible.	Policies and procedures reviewed in accordance with the schedule to ensure currency and completeness.	MBCS	Reviews are occurring in accordance with the review schedule
Action	1.1.3	Ensure all conflicts of interest of Board members and staff are declared and managed in accordance with the Board's Code of Conduct.	A record is kept of conflicts of interest declared. Declarations of Pecuniary Interests are completed on an annual basis.	MBCS	Conflict of Interest declarations have been recorded and Declarations of Pecuniary Interest have been completed by Board members.
Action	1.1.4	Ensure appropriate community engagement and consultation opportunities are provided so that community input to decisions and plans is obtained and considered.	Program of meetings and engagement opportunities undertaken. Community input to policy development is sought as appropriate.	CEO	Consultation has occurred on all major projects with meetings being held as appropriate. Major policies and strategies have been placed on public exhibition.
Action	1.1.5	Implement a level of delegated authority to ensure efficient and equitable organisational operations.	Appropriate delegations of authority are enacted to provide staff with sufficient powers to enforce the LHI Act and Regulation and other legislation administered by the Board.	CEO	Delegations of authority are in place and have been followed.
Strategy	1.2	Ensure corporate governance practices meet legislative requirements.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.2.1	Work with the Audit and Review Committee (ARC) and auditors.	ARC meets four times per year. Internal audit work plan completed on time.	CEO / MBCS	Reports have been submitted to at least four ARC meetings during the year. Internal audit was completed on time.

Action	1.2.2	Provide relevant and timely advice to Government on matters affecting the management of the island.	Prepare briefings and submissions as required to the Minister, DPE, OLG and Treasury as appropriate.	CEO / MBCS	Briefings and submissions have been prepared as required and as appropriate.
Strategy	1.3	Work to achieve long term financial sustainability.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.3.1	Work with the NSW Government on a sustainable long term financial plan.	Agreement on sustainable funding is achieved. Achieve adequate capital funding to fund the total Asset Management Plan. Achieve recurrent funding that will allow the Board to meet its objectives in accordance with the Corporate Plan.	CEO / MBCS	Ongoing annual operational and capital expenditure funding has been successfully sought through the budget process for FY 2017/18 and the forward estimates period.
Action	1.3.2	Levy fees and charges at an appropriate level.	Fees and charges are in accordance with the Board's decisions.	MBCS	Fees and charges are in accordance with the Board's decisions have been applied.
Action	1.3.3	Ensure that the services delivered are provided at the appropriate level.	Service levels and service delivery monitored and reports provided to the Board on achievement of service levels.	CEO	Service levels are monitored and reports provided to the Board on a quarterly basis (CEO and Units Report)
Action	1.3.4	Seek ongoing funding from the NSW Government for the care and maintenance of the Permanent Part Preserve (PPP)	Agreement with the NSW Government on ongoing funding is achieved.	CHAIR	Has been overtaken by successful ongoing capital allocation for 2017/2018 and beyond.
Strategy	1.4	Ensure risks are properly managed.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.4.1	Implement the risk management policies and procedures.	Progress against the implementation of policies and procedures is reviewed quarterly.	MBCS	Progress against the implementation of policies and procedures is reviewed quarterly.
Action	1.4.2	Regularly review the Risk Register.	Risk Register is reviewed quarterly.	CEO	Risk register has been reviewed and transferred to new DPE template. Reviews are undertaken quarterly and reported to ARC.

Action	1.4.3	Develop Risk Treatment Plans (RTPs) to manage risk impacts.	RTPs tabled at management meetings.	CEO / Unit Managers	RTPs are being tabled as required at Managers' Meetings.
Action	1.4.4	Develop and implement a Business Continuity Plan to ensure the continuance of Board services should a significant event occur.	Business Continuity Plan completed and tested by end June 2017.	CEO	No action taken to date. Deferred to 2017/2018.
Strategy	1.5	Provide internal IT and communications systems which are secure, stable and support business operations.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.5.1	Implement ICT policies and procedures.	Projects completed on time and on budget.	MBCS	ICT projects, such as the implementation of RM8 (the new records management system) have been completed on time and on budget.
Action	1.5.2	Support and maintain corporate ICT.	Systems operational 99% of the time during business hours.	MBCS	Target has been met.
Strategy	1.6	Provide efficient and effective records management and information management.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.6.1	Review and implement policies and procedures regarding information management.	100% of staff informed of record keeping responsibilities.	MBCS	All staff required to keep records have been informed of their record-keeping responsibilities.
Action	1.6.2	Implement the TRIM electronic records management system.	TRIM is implemented and relevant staff are trained by mid-2017.	MBCS	All users have been trained in RM8, the successor to the TRIM records management system.
Strategy	1.7	Ensure effective management of human resources.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.7.1	Ensure organisational structure is aligned to strategic priorities and legislative requirements and is adequately resourced.	Review undertaken annually.	CEO	Review has been undertaken as part of budget process for 2017/2018
Action	1.7.2	Attract, develop and retain an effective workforce that delivers required outcomes.	Required recruitment process implemented. Training programs provided in line with the training budget.	CEO / Unit Managers	All recruitment actions have been carried out in accordance with GSE Act, Reg and Rules Training provided in line with Work and Development Plans

Action	1.7.3	Provide workplaces that ensure the health, safety and welfare of employees.	Risk Management Policy and Guidelines and all associated policies and procedures implemented and reviewed at appropriate intervals. WH&S Management Plan reviewed annually. Incidents and injuries are reviewed. Safe work procedures and training requirements are in place.	CEO / Unit Managers	Risk Management Policy and Guidelines have been reviewed and formally endorsed by the Board. Incidents and injuries are reviewed at every SMT meeting. Safe work procedures are in place. WH&S training scheduled for Late calendar year 2017.
Action	1.7.4	Ensure that Work and Development Plans are completed for all staff.	Work and Development Plans are completed annually, including Customer Service Objectives.	CEO / Unit Managers	Work and Development Plans are in place for all staff and are reviewed annually
Action	1.7.5	Review and implement actions from the Workforce Plan 2015-18.	Establish a Mechanic apprenticeship for 2017/18. Create a database of volunteers in appropriate areas. Develop a training calendar.	CEO / Unit Managers	Planning commenced for apprentice position recruitment, with draft Role Description completed.
Strategy	1.8	Provide timely and proactive communication to all stakeholders.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.8.1	Develop and implement a Communication / Community Engagement Strategy.	A Communication / Engagement Strategy in place by end June 2017.	CEO / MECS	Development underway. Included in 2017/18 Operations Plan.
Action	1.8.2	Promote Board programs and services through meetings, advertising and written materials.	All materials prepared as required to a high standard.	CEO / Unit Managers	Board programs and services are appropriately promoted through Signal, Community Information Bulletin, Householders and website.
Action	1.8.3	Maintain information on the Board's website.	Number of page views per month.	MBCS	The Board's website has been updated as required.
Strategy	1.9	Ensure high standards of customer service.	KPI / Measure	Responsible Officer	End of Year Review
Action	1.9.1	Provide appropriate services efficiently and effectively to the appropriate service level.	Communication of and access to information improved. Efficiency and effectiveness of employees enhanced.	CEO / Unit Managers	Communication and access to information have been improved. Efficiency and effectiveness of employees assessed through annual work and development planning process.

Action	1.9.2	Develop and implement a Customer Service Improvement Plan (CSIP).	Implement actions from the CSIP, including the following: Develop a Social Media Policy and Procedures. Review and improve the Work and Development Planning system Source and implement appropriate customer service training. Review and update Guarantee of Service Policy. Review processes and procedures to improve customer service.	CEO / Unit Managers	CSIP prepared. Social Media Policy prepared. Social Media Procedures in place for Weed, Rodent & Renewable Energy projects. Customer services training identified Work and Development Planning system reviewed on ongoing basis. G of S Policy has been reviewed Processes and procedures reviewed and streamlined.
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Strategic Direction: Strong and Sustainable Economy

Strategy	2.1	Market the island as a tourist destination.	KPI / Measure	Responsible Officer	End of Year Review
Action	2.1.1	Maintain and enhance the sustainable tourism 'product' through the provision of infrastructure, engineering and environmental services.	Direct feedback from community members and tourists.	CEO	Feedback received on an ongoing basis
Action	2.1.2	Conduct visitor surveys as required, in conjunction with partners where appropriate, to inform product planning and destination marketing.	Visitor surveys conducted, analysed and assessed to inform product planning and destination marketing.	CEO	Visitor Information Survey undertaken in conjunction with DNSW, LHITA and Qantas
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.	Regular consultation and information sharing takes place. Undertake a comprehensive visitor survey, jointly funded by Board, LHITA, QantasLink and Destination NSW.	CEO / MBCS	Regular consultation and information sharing is occurring. Comprehensive visitor survey has been completed.
Action	2.1.4	Promote the island in key source markets as resources allow.	Results of marketing activities are measured.	CEO / MBCS	Results of marketing activities are measured through website hits and visitation numbers.
Action	2.1.5	Ensure website content is current and relevant.	Website content is refreshed and updated as necessary.	Manager Admin	Website content is refreshed and updated as necessary.
Action	2.1.6	Review the Destination Management Plan (DMP) annually, in consultation with the LHITA.	The DMP is reviewed by December 2016. Those parts of the DMP for which the Board is responsible are implemented.	CEO / Unit Managers	Review of DMP undertaken in regular reports from LHITA to DNSW. New plan to be developed with Destination Network.

Action	2.1.7	Ensure efficient and effective visitor information services are provided.	Ensure that the MOU between the Board and the LHITA is implemented in a manner that achieves this outcome.	CEO / Unit Managers	MOU is in place. Visitor information services being provided in an appropriate fashion.
Strategy	2.2	Foster an environment that supports sustainable economic development.	KPI / Measure	Responsible Officer	End of Year Review
Action	2.2.1	Work with business regarding options and plans for sustainable business growth.	Support for local business development provided.	CEO	Business support provided as needed
Action	2.2.2	Pursue avenues of funding to implement economic development projects.	Funding opportunities reported.	MBCS	Funding opportunities continue to be pursued and reported.
Action	2.2.3	Develop and maintain contemporary policies to aid sustainable development.	Policies regularly reviewed and red tape reduced.	MBCS	Policies are reviewed at SMT meetings and actions taken to reduce red tape.
Action	2.2.4	Work with the Nursery lessees to support the development of a major tourist attraction.	Regular meetings held with the Nursery lessees and plans developed cooperatively.	MBCS	Regular meetings have been held with the Nursery lessees and plans developed cooperatively.
Strategy	2.3	Effectively manage the Board's business enterprises.	KPI / Measure	Responsible Officer	End of Year Review
Action	2.3.1	Operate the LHI Liquor Store.	Budgeted revenue and expenditure targets are met.	MBCS / Liquor Store Manager	Budgeted net profit has been exceeded.
Action	2.3.2	Operate the island's airport and wharf facilities.	Airport and wharf facilities are operational when required and revenue and expenditure targets are met.	MIES / MBCS	Airport and wharf facilities have been operational when required and revenue and expenditure targets have been met.
Strategy	2.4	Effectively manage the Board's commercial leases.	KPI / Measure	Responsible Officer	End of Year Review
Action	2.4.1	Ensure that fair market rental return is achieved on commercial leases.	Commercial leases are revalued at least every three years and annual CPI increases are applied.	MBCS	Revaluations will occur in the FY 2017/18.
Strategy	2.5	Take action to ensure appropriate and adequate servicing of the island by a major airline.	KPI / Measure	Responsible Officer	End of Year Review
Action	2.5.1	Support the Air Services Working Group and negotiate with Qantas and other airlines to ensure services to the island beyond 2018.	A new Regular Passenger Transport licence is put in place with Transport for NSW during 2017 for the period after 1 March 2018.	CEO / MBCS	EOI advertised by Transport for NSW. Working Group working with TfNSW to achieve an outcome.
Action	2.5.2	Review the strategy for the future of the airport to enable continued air services.	The Air services Strategy is updated. Funding is obtained for a Feasibility Study into the extension of the runway.	CEO / MBCS	Funding obtained for Feasibility Study (Restart NSW). Requests for tender to be issued early in 2017/2018.

Strategic Direction: Sound Infrastructure

Strategy	3.1	Provide sound asset management.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.1.1	Review and update TAMPLAN annually for Board approval in March.	TAMPLAN is updated annually to support Treasury CAPEX requests.	MIES	Updated completed and approved at May 2017 Board meeting.
Action	3.1.2	Develop procedures then undertake and document preventative maintenance on all assets to reduce failures.	Progress of TAMPLAN reported at quarterly Board meetings.	MIES	Procedures being progressively prepared.
Action	3.1.3	Plan for implementing Authority Asset Maintenance System (AMS).	Planning for implementing Authority AMS completed by end June 2017.	MIES / MBCS	Planning has commenced but not initiated with Authority. Spatial data capture process through Iconyx has commenced.
Action	3.1.7	Refurbish rainwater collection at Depot \ Admin, Gov House and Public Hall to maintain supply levels.	New steel panel tanks installed at Depot \ Admin and Public Hall by March 2017.	MIES	Installation deferred until contractor on-site for wastewater install in September 2017.
Action	3.1.8	Finalise and implement walking track strategy.	Draft walking track strategy is placed on public exhibition by November 2016. Implement Commercial Tour Operator licensing system for Mt Gower Walk by 30 June 2017. Commence works to reopen Mutton Bird Point Walking Track	MECS	Complete Mutton Bird Track rectification works commenced. Track works to be completed early 2017/18.
Action	3.1.9	Replacement or new plant items.	New grader and utility vehicle purchased by end December 2016. Planning for punt, trailer & outboard purchase in place so that purchase can occur if funding available.	MIES	Grader delivered on ship in Jan 2017. Utility vehicle delivery expected August 2017. Quotes being sought for punt.
Strategy	3.2	Maintain recreational facilities for visitor and community use.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.2.1	Maintain and improve standard of recreational facilities through regular maintenance.	Recreational facilities are available for use. Electric BBQs installed at Playground by end December 2016. New treated water supply system installed at North Bay by end December 2016. New gas BBQ installed at Lover's Bay by end December 2016.	MIES	Completed and facilities available. BBQ operational. North Bay installation expected October 2017. Gas BBQ not commenced.
Action	3.2.2	Undertake improvements to Ned's Beach shed precinct.	Minor improvements and maintenance are carried by end June 2017, including new interpretations signage with Marine Parks.	MIES	Completed. Temporary interpretations signs installed by Marine Parks.

Action	3.2.3	Manage design and construction for Airport Terminal Upgrade.	Design and consent completed by end December 2016. Construction commenced prior to May 2017.	MIES	Construction underway from June 2017.
Strategy	3.3	Operate Aerodrome safely for Regular Passenger Transport (RPT) services, medical evacuations and general aviation.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.3.1	Arrange Annual Aerodrome Technical inspections and participate in CASA audits.	Annual Aerodrome Technical Inspections(ATI) and CASA Audits completed and recommendations acted on.	Aerodrome Controller / MIES	ATI Completed. CASA observations continuing to be addressed progressively.
Action	3.3.2	Review effectiveness Bird and Animal Hazard Management Plan annually.	Bird and Animal Hazard Management Plan effectiveness reviewed annually. Strategies to minimise risk of bird strike to aircraft implemented.	Aerodrome Controller / MIES	Completed and ongoing. Bird harassment effort increased from early December 16 – end January 17 following bird strikes.
Action	3.3.3	Review Aerodrome Manual annually.	Aerodrome Manual updated annually and distributed.	Aerodrome Controller / MIES	Commenced and ongoing.
Action	3.3.4	Hold Aerodrome emergency exercises annually.	Field aerodrome emergency exercise held in 2016/2017.	Aerodrome Controller / MIES	Exercise deferred several times due to weather and participant availability, and has been re-scheduled.
Strategy	3.4	Maintain road network in good condition for all road users.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.4.1	Implement road renewals as per TAMPLAN, subject to budget allocations.	Road renewals completed on budget and within timeframes.	MIES	Work to be undertaken by off-Island Contractor from September 2017.
Action	3.4.2	Regular routine road maintenance programmed.	Standard of roads is maintained or improved.	MIES	Ongoing. New grader will enhance capability.
Action	3.4.3	Lagoon Road from Public Hall to wharf is rehabilitated.	Work completed by March 2017.	MIES	Work to be undertaken by off-Island Contractor from September 2017.
Strategy	3.5	Maintain wharf to serve shipping contractor, charter operators and visiting boats.	KPI / Measure	Responsible Officer	End of Year Review

Action	3.5.1	Maintain wharf as per TAMPLAN.	Wharf is available 100% of the time when required and scheduled maintenance and upgrade works are carried out by end June 2017.	MIES	Condition assessment undertaken in Dec 2016. Works deferred while slipway and runway extension feasibility projects confirmed. Work now planned for last half of CY 2017.
Strategy	3.6	Maintain Board building and property assets.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.6.1	Maintain Board buildings as per TAMPLAN.	Buildings are maintained to an acceptable standard for commercial and residential purposes.	MIES	Completed and facilities maintained.
Action	3.6.2	Replace old Electrical Workshop roof and guttering.	Electrical Workshop roof and gutter replaced by end December 2016.	MIES	Completed.
Action	3.6.3	Depot shed extension	Work designed and consented by end March 2017. Construction completed by end June 2017.	MECS	Consent issued April 2017. Construction planned for 2 nd half of CY 2017.
Action	3.6.4	Research Facility extension	Work consented by end March 2017. Construction completed by end June 2017.	MECS	Consent issued April 2017. Construction planned for 2 nd half of CY 2017.
Action	3.6.5	Hospital garage and morgue	Agreement reached with NSW Health on funding arrangements by end December 2016. Design completed by end June 2017.	CEO / MIES	NSW Health has provided funding. Planning underway for design of garage/morgue.
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.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.7.1	Undertake detailed design, planning and construction for upgraded boat ramp and launch/retrieval system.	Subject to Board decision, upgraded boat ramp and launch/retrieval system completed by 30 June 2017.	MIES	Progress being made. Final project design to be completed in 3 rd Quarter CY 2017.
Strategy	3.8	Provide reliable and efficient electricity supply.	KPI / Measure	Responsible Officer	End of Year Review

Action	3.8.1	Maintain electricity generation and distribution system to provide a reliable and safe supply.	Unplanned electricity outages are maintained at 2015/2016 levels.	MIES	Two outages at Powerhouse due to day tank float switch failure & shunt trip coil failure in a generator circuit breaker.
Action	3.8.2	Hybrid Renewable Energy Project continues to progress.	ARENA funding agreement obligations met. Construction commences on Stage 1 Solar PV. Development consent, incl EPBC, obtained for Stage 2 Wind turbines.	MIES	LHIB consent for wind turbines achieved. EPBC referral was not approved. Awaiting advice from ARENA on future of solar only project.
Action	3.8.3	Old Powerhouse substation removed.	Work completed by end December 2016.	MIES	Completed.
Strategy	3.9	Provide efficient and environmentally sustainable waste and recycling management services.	KPI / Measure	Responsible Officer	End of Year Review
Action	3.9.1	Maintain and upgrade the Waste Management Facility using grants and allocations to improve composting and waste diversion.	Construction of new composting system completed by end June 2017. Compost is sold back to the community by end June 2017. > 90% of waste is diverted from landfill.	MIES	Contract awarded. System commissioned in mid July 2017 Sale of compost to community is dependent on EPA compost exemption order progress which will commence in August and finish in 1 st Quarter CY 2018. Currently around 80% diversion, mostly due to increased volumes from Island clean-up.
Action	3.9.2	Maintain compliance with EPA licence for waste management, with regards to PRPs.	New wastewater system installed by 30 September 2016, or advice provided to EPA. New liquid/hazardous storage area constructed by 31 December 2016. New compost system & sealed hardstand area for composting installed by 30 June 2017 or advice provided to EPA by October 2016.	MIES	Deferred with EPA to 30 June 2017 and target achieved in March 2017. Liquid \ hazardous storage area considered compliant, but more work required in last Quarter CY 2017. Compost area hardstand contract awarded, with completion by end August 2017.
Action	3.9.3	Upgrade the wastewater sludge process to increase capacity	New system designed and installed by 30 March 2017.	MIES	Quotes being sought, with decision expected Aug 2017, and installation completed between Nov 2017 and Feb 2018.

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.	KPI / Measure	Responsible Officer	End of Year Review
Action	4.1.1	Protect threatened species, populations and ecological communities, and their habitats through implementation of LHI Biodiversity Management Plan (BMP)	Significant progress against identified actions in the LHI Biodiversity Management Plan (BMP) is demonstrated. Review of the BMP is commenced.	MECS	28 new actions commenced and 6 commenced actions completed Commenced Savings Our Species (SOS) grant actions to deliver protection to threatened species BMP action table reviewed
Action	4.1.2	In accordance with the LHI LEP, manage development in order to protect landscape values and scenic features.	Development applications and activities are assessed in accordance with relevant environmental legislation, policies, and procedures.	MECS	Complete
Action	4.1.3	Contribute to World Heritage Area conservation by being a member of the Australian World Heritage Advisory Committee (AWHAC).	Active contribution to AWHAC.	CEO / MEWH	Complete
Strategy	4.2	Work to prevent the introduction of exotic pests and pathogens to and eradicate exotic pests from the Island.	KPI / Measure	Responsible Officer	End of Year Review
Action	4.2.1	Implement biosecurity measures to protect against the introduction of exotic pests and pathogens to the Island.	High priority actions identified in the LHI Biosecurity Strategy are implemented	MECS	Rapid response plan implemented for incursion of Myrtle Rust, with all known infestations treated and all leases surveyed for Myrtaceous plants. Follow up surveys suggest the treatment was successful. Revised procedures for importing second hand vehicles placed on public exhibition with 2 submissions received. Biosecurity report prepared for Port Macquarie wharf facility by CSIRO. Detector dogs acquired, dog handler positions recruited.

Action	4.2.2	Implement the LHI Weed Management Program.	Weed Management Strategy 2016 adopted. Demonstrated progress in landscape scale reduction/eradication of priority invasive weeds including the settlement area	CEO	Weed Strategy adopted at November 2016 Board meeting. Weed management action proceeding. Significant funding obtained from Saving Our Species Program (OEH).
Action	4.2.3	Eradicate African Big-headed Ants from the Island	African Big-headed Ants are eradicated by December 2016 across Island apart from Lots 208 and 209 (to be monitored until April 2018)	MECS	No ABhA detected during surveys in December 2016 and April 2017.
Action	4.2.4	Undertake Planning and Approvals stage of Rodent Eradication Program.	Planning and approval process to inform the implementation phase is complete The technical and non-technical feasibility of the program is demonstrated. Decision made to proceed/not proceed	CEO	Significant work undertaken on planning and approvals process. Some approvals obtained, waiting on others. HHRA completed by OCSE. Decision deferred to Sept 2017.
Strategy	4.3	Identify, protect and value heritage items.	KPI / Measure	Responsible Officer	End of Year Review
Action	4.3.1	Assist the LHI Historical Association and the community with conservation of heritage items	Applications for community grants and external funding for heritage conservation initiatives are supported.	MECS	Complete. Ongoing item.
Action	4.3.2	Identify and protect heritage items	Number of heritage items identified	MECS	Complete as part of Part 4 and Part 5 assessment
Strategy	4.4	Improve awareness and understanding of the environment through education and research.	KPI / Measure	Responsible Officer	End of Year Review
Action	4.4.1	Develop and implement a communication plan to increase awareness and understanding of the natural and cultural heritage values of the Island.	Communication plan completed and 25% of actions completed per year.	MEWH	No further progress. Include in 2017/18 Operations Plan. Incorporate as part of plan listed at 1.8.1.
Action	4.4.2	Encourage appropriate environmental research which is of benefit to LHI environment and community.	Support high priority research. Survey of LHI Phasmid on Balls Pyramid completed.	MECS	Complete. Ongoing action. Research expedition by Australian Museum which included survey of Balls Pyramid for LHI Phasmid and other invertebrates completed.
Action	4.4.3	Increase opportunities for the community to be involved in the protection of natural and cultural heritage.	Seek EOIs for community involvement in natural and cultural heritage protection projects	MECS / MEWH	EOI for establishment of Community Advisory Committee for the PPP POM finalised. First meeting held.

Strategy	4.5	Improve environmental sustainability of Board programs and operations (waste disposal; wastewater; renewable energy).	KPI / Measure	Responsible Officer	End of Year Review
Action	4.5.1	Develop better knowledge within the resident and tourist populations of the waste program objectives activities.	Waste data regularly updated at WMF, The Signal and/or Community Bulletin. Semi-permanent display on environmental sustainability located at the Museum.	MIES	Not commenced. Design for consistent signage to be arranged.
Action	4.5.2	Improve the sustainability of transport on the Island.	Electric vehicles can be conditionally registered on LHI on June 2017. Covered bike parking area installed at Board offices for staff and visitors.	MIES / CEO	Electric vehicles can be conditionally registered on LHI. Working with RMS to have reasonable guidelines put in place. Planned not yet commenced
Action	4.5.3	Support community in implementing On-site Wastewater Strategy.	Demonstrated progress by commercial and residential leases to upgrade wastewater systems to meet Strategy deadlines.	MIES	Progress continues
Action	4.5.4	Reduce the environmental impact of wastewater from Board properties.	All remaining Board properties which do not meet the Strategy are upgraded by end June 2017.	MIES	DR \ MEWH Houses installed & operating. MIES – new system installed but not finalised. Depot – DA approved & install planned for Sep 2017. TC Douglass – Plan\solution ready, awaiting Contractor. Research Facility & Hospital – Quotes to be obtained for new system. Hall – Delays due to Contractor availability. Planning for End Oct 2017.
Action	4.5.5	Undertake monitoring of LHI groundwater monitoring well network on annual basis and establish data management and reporting.	Data on quality and levels is collected and data is managed to enable sensible reporting.	MIES	Sampling conducted 3 times but not able to be sent to mainland laboratory. Abandoned data loggers due to failure & costly replacement. New groundwater monitoring plan to be developed by 30 Dec 2017.

Action	4.5.6	Undertake two waste audits to monitor and record waste types and volumes received from the community.	Audits completed by end June 2017.	MIES	Audits completed in September 2016 and January 2017.
Action	4.5.7	Develop a program to phase out the sale of plastic water bottles on the Island	Install one more water refill station on Island by end December 2016. Program prepared for review by Board and consultation with Island retailers by end June 2017.	MIES	Working with the community and Marine Parks on a coordinated response.

Strategic Direction: Responsible Land Management

Strategy	5.1	Design land use and development policies that balance environmental, economic and social outcomes.	KPI / Measure	Responsible Officer	End of Year Review
Action	5.1.1	Finalise Stage 1 review of the LHI Local Environmental Plan (LEP)	Planning proposal to be placed on public exhibition by DPE by June 2017	MECS	Not complete. DPE advise initial proposal requires further work. Proposal to be progressed with external assistance and substantially complete by end December 2017.
Action	5.1.2	Commence Stage 2 review of the LHI Local Environmental Plan (LEP)	Draft Planning proposal completed by June 2017.	MECS	Not yet commenced. Substantial commencement expected by end June 2018.
Action	5.1.3	Undertake a review of the Dwelling Allocation and Entitlement Policy	Dwelling Allocation and Entitlement Policy is reviewed	MECS	Not commenced. Awaiting NSW Government to finalise Handley Review
Strategy	5.2	Provide an efficient and effective development planning and assessment service.	KPI / Measure	Responsible Officer	End of Year Review
Action	5.2.1	Provide development planning and assessment through the services of an independent planning consultant.	Contract in place for planning and assessment services. Annual performance reviews of planning contract undertaken.	MECS	New contract not in place. Expected to be resolved September 2017. Otherwise complete. Ongoing action.
Action	5.2.2	Undertake audits of planning and assessment systems and processing to monitor compliance with legislative and policy matters under the control of the Board.	Biannual report of planning and assessment systems and processes undertaken.	MECS	Substantially complete. Ongoing action.
Strategy	5.3	Provide an effective lease administration system.	KPI / Measure	Responsible Officer	End of Year Review
Action	5.3.1	Administer leases in accordance with the Act.	All necessary administration undertaken accurately and in a timely manner.	MECS	Complete. Ongoing action.
Action	5.3.2	Implement recommendations from independent review of land tenure and allocation arrangements.	Priority actions from Land Tenure and Land Allocation review are implemented.	MECS	Not commenced. Awaiting NSW Government to finalise Handley Review
Strategy	5.4	Protect and manage the LHI Permanent Park Preserve in a manner that recognises the World Heritage values of the Island.	KPI / Measure	Responsible Officer	End of Year Review

Action	5.4.1	Ensure LHI Permanent Park Preserve is managed in accordance with Plan of Management.	Establish Community Advisory Committee for PPP; Commence review of the LHI Permanent Park Preserve Plan of Management.	MECS	Committee members appointed. First meeting held and review commenced.
Strategy	5.5	Protect and manage vacant crown lands.	KPI / Measure	Responsible Officer	End of Year Review
Action	5.5.1	Develop a management plan for Stevens Reserve and other vacant crown lands.	Draft Stevens Reserve Management Plan is placed on public consultation by June 2017.	MECS	Not yet commenced. Include in 2017/18 Ops Plan.

Strategy	5.6	Rehabilitate degraded areas.	KPI / Measure	Responsible Officer	End of Year Review
Action	5.6.1	Undertake rehabilitation of the Old Powerhouse Precinct to allow alternative uses.	Traffic improvements considered and planned for 2017/18. Post office relocation facilitated. Public Hall improvements considered as part of grant funding application in April 2017.	MIES	Reviewing parking arrangements around Boatsheds. No plan for other works. PO relocation planned for completion before end Oct 2017. Public Hall part of Stronger Country Communities Grant application.
Action	5.6.2	Finalise review of LHI Vegetation Rehabilitation Plan, 2003 and implement high priority actions.	Draft Vegetation Rehabilitation Plan placed on public exhibition by June 2017. Measurable improvement of condition and extent of priority sites.	MEWH	Review of plan in progress
Action	5.6.3	Implement LHI Coastal Study recommendations to manage erosion and recession risks.	Erosion protection works at Windy Point and near Pinetrees Boatshed are completed by end December 2016. Old Settlement Creek is managed to reduce erosion impacts on the northern edge. Cobby's Creeks is managed to reduce flooding impacts on properties and salt intrusion on the Sally Swamp area. If grant funding received, Sediment Tracing Study commenced.	MIES	Mostly completed, with some minor improvements planned before end Oct 2017. Old Settlement works completed & under watch. Cobby's Creek management progressing well. No funding yet for Sediment study.

Strategic Direction: Strong and Engaged Community

Strategy	6.1	Plan for appropriate services for the community.	KPI / Measure	Responsible Officer	End of Year Review
Action	6.1.1	Support a whole of government approach to the provision of health, education and other services.	Meetings held with NSW Health, RMS, Police, SES and RFS every 12 months.	SMT	Meetings held as needed.
Strategy	6.2	Improve relationship with the community through engagement and consultation.	KPI / Measure	Responsible Officer	End of Year Review
Action	6.2.1	Develop a communication / community engagement strategy to support an informed and involved community.	Communication / community engagement strategy developed by June 2017.	CEO / MECS	Development underway. Include in 2017/18 Ops Plan.
Strategy	6.3	Provide professional environmental and public health services.	KPI / Measure	Responsible Officer	End of Year Review
Action	6.3.1	Ensure compliance with public health standards for LHIB drinking water supplies, wastewater management and food safety.	Scheduled inspection and testing regime is implemented.	MECS / MIES	Completed. Ongoing action.
Action	6.3.2	Prepare and implement Drinking Water Quality Assurance Program for Board supplies.	Drinking Water Quality Assurance Program implemented and documented fully.	MIES	Continuing as per Plan. Water quality very high.
Strategy	6.4	Support capacity building in community organisations.	KPI / Measure	Responsible Officer	End of Year Review
Action	6.4.1	Make funds available under Community Grants Program for activities or projects that benefit the LHI community.	Seek Expressions of Interest for Community Grants every 12 months in accordance with Policy.	MECS	Complete. Ongoing action.
Strategy	6.5	Promote programs that provide for children.	KPI / Measure	Responsible Officer	End of Year Review
Action	6.5.1	Make funds available under LHI Scholarship Program to support the completion of tertiary education that contributes to LHI.	Provide \$10,000 pa to LHI Scholarship Program.	MECS	Complete. Ongoing action.
Action	6.5.2	Support community events.	Develop event calendar and identify priority events for Board assistance.	MECS	Complete. Ongoing Action
Strategy	6.6	Manage the Local Emergency Management Committee (LEMC) and Emergency Management Plan (EMPLAN).	KPI / Measure	Responsible Officer	End of Year Review
Action	6.6.1	Arrange quarterly meetings of LEMC.	Quarterly meetings of LEMC held.	LEMO / MIES	Completed
Action	6.6.2	Implement EMPLAN as required and coordinate annual review.	EMPLAN implemented for any emergencies and annual review completed.	LEMO / MIES	Completed and accepted at REMC.
Action	6.6.3	Install new emergency sirens.	Sirens installed by end December 2016.	LEMO / MIES	Completed

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM:

Operations Plan 2016/2017 – Annual Review

RECOMMENDATION:

It is recommended that the Board note the report on achievements against the Operations Plan 2016/2017

BACKGROUND:

In August 2016, the Board adopted the Operations Plan 2016/2017. The 2016/2017 Operations Plan identified the programs and activities that were to be undertaken to achieve the third year of the Board's Corporate Plan.

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 KRA's to the approved annual budget allocations.

At the end of the 2016/2017 financial year, a review was undertaken of progress on the activities identified in the Operations Plan.

CURRENT POSITION:

Attached is the Operations Plan 2016/2017, with comments on the full year review of progress against each of the identified actions as at 30 June 2017.

2016/2017 was a very busy year for the Board with a very wide range of activities undertaken, services provided and numerous minor and major projects commenced, progressed and/or completed. The majority of the actions identified in the Operations Plan have been successfully completed or are ongoing. In the minority of instances where actions have not been completed, there are reasons given for non-completion.

During the year, 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 year were:

- Airport terminal upgrade commenced, with demolition of the old building
- A range of asset management maintenance and upgrade works were completed (inc. old electrical workshop roof; road works)
- Upgrade to the Waste Management Facility through installation of new composting unit substantially completed
- Several wastewater systems installed at Board properties
- Walking Track Strategy 2017 was completed and adopted
- Walking track improvements were made (Mutton Bird Point Track)
- Settlement Beach and Cobby's Corner environment protection works were completed
- The Weed Management Strategy 2016 was adopted
- Significant grant funding for weed eradication received through Saving Our Species program
- Successful rapid response implemented for incursion of myrtle rust
- Significant progress was made in the planning and approvals stage of rodent eradication program e.g. completion of the independent Human Health Risk Assessment
- African big-headed ant eradication completed
- Successful research expedition by Australian Museum including survey of Balls Pyramid for the LHI phasmid
- Work on sustainable long-term financial plan with NSW Government was successful with capital funding being allocated on a sustainable basis at the end of 2016/2017
- Funding was approved for the feasibility study of the runway extension
- Announcement of conditional registration of electric vehicles on LHI
- Comprehensive Visitor Information Survey was undertaken in conjunction with DNSW, QantasLink and LHI Tourism Association
- Electronic records management system was successfully introduced

On the downside:

- Hybrid Renewable Energy Project – while development consent for wind turbine component was achieved, approval for the wind turbines was not received from the Federal Government, and the whole project's future is being reviewed by funding body ARENA

RECOMMENDATION:

It is recommended that the Board note the report on achievements against the Operations Plan 2016/2017

Prepared: Penny Holloway, Chief Executive Officer

Attachments: Attachment A: Operations Plan 2016/17 – Annual Review



Lord Howe

I S L A N D B O A R D

OPERATIONS PLAN

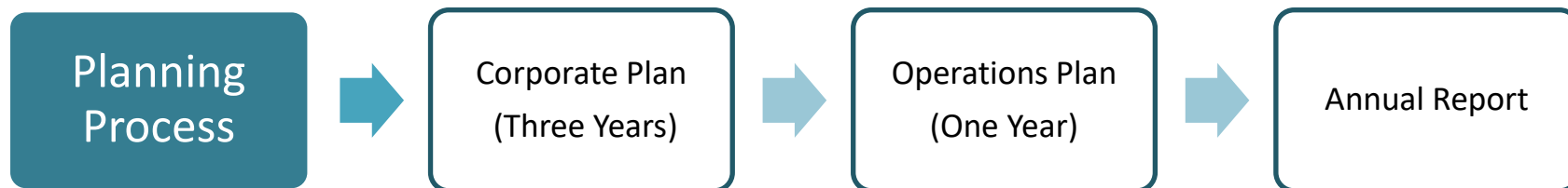
2017-2018

Operations Plan 2017-18

Within the Board’s Charter, the Corporate Plan sets the framework and the direction for the Lord Howe Island Board over the three years from 2016 to 2019.

The key performance indicators measuring the Board’s success against the Plan are incorporated into the Board’s annual Operations Plan. The Operations Plan identifies specific outputs, activities and measures that will ensure the strategies of the Corporate Plan are achieved for one year of the Plan.

At the end of each financial year, overall performance against the Operations Plan’s targets and the Corporate Plan’s key result areas are reported to the Board and the community through the Board’s Annual Report.



List of Abbreviations

AMS	Authority Asset Maintenance System	LEMO	Local Emergency Management Officer
ARENA	Australian Renewable Energy Agency	LEP	Local Environment Plan
AWHAC	Australian World Heritage Advisory Committee	LHITA	Lord Howe Island Tourism Association
BMP	Biodiversity Management Plan	MBCS	Manager, Business and Corporate Services
CAPEX	Capital Expenditure	MECS	Manager, Environment and Community Services
CASA	Civil Aviation Safety Authority	MIES	Manager, Infrastructure and Engineering Services
CEO	Chief Executive Officer	MOU	Memorandum of Understanding
DMP	Destination Management Plan	PPP	Permanent Park Preserve
EMPLAN	Emergency Management Plan	RFS	Rural Fire Services
EOI	Expression of Interest	RMS	Roads and Maritime Services
EPA	Environment Protection Agency	SES	State Emergency Services
EPBC (Act)	Environment Protection and Biodiversity Conservation	SMT	Senior Management Team
LEMC	Local Emergency Management Committee	TAMPLAN	Total Asset Management Plan

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.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.1.1	Hold Board meetings on a quarterly basis in public.	Four public meetings held per annum. Code of Meeting Practices is adhered to.	CEO / MBCS	
Action	1.1.2	Develop and implement appropriate policies and procedures to ensure decisions are merit based, transparent and defensible.	Policies and procedures reviewed in accordance with the schedule to ensure currency and completeness.	MBCS	
Action	1.1.3	Ensure all conflicts of interest of Board members and staff are declared and managed in accordance with the Board's Code of Conduct.	A record is kept of conflicts of interest declared. Declarations of Pecuniary Interests are completed on an annual basis.	MBCS	
Action	1.1.4	Ensure appropriate community engagement and consultation opportunities are provided so that community input to decisions and plans is obtained and considered.	Program of meetings and engagement opportunities undertaken. Community input to policy development is sought as appropriate.	CEO	
Action	1.1.5	Implement a level of delegated authority to ensure efficient and equitable organisational operations.	Appropriate delegations of authority are enacted to provide staff with sufficient powers to enforce the LHI Act and Regulation and other legislation administered by the Board.	CEO	
Strategy	1.2	Ensure corporate governance practices meet legislative requirements.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.2.1	Work with the Audit and Review Committee (ARC) and auditors.	ARC meets four times per year. Internal audit work plan completed on time.	CEO / MBCS	
Action	1.2.2	Provide relevant and timely advice to Government on matters affecting the management of the island.	Briefings and submissions prepared as required to the Minister, DPE, OLG and Treasury as appropriate.	CEO / MBCS	
Strategy	1.3	Work to achieve long term financial sustainability.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.3.1	Develop sustainable annual budget	Adequate capital funding achieved to fund the Total Asset Management Plan. Recurrent funding achieved to allow the Board to meet its objectives in accordance with the Corporate Plan.	CEO / MBCS	
Action	1.3.2	Levy fees and charges at an appropriate level.	Fees and charges are in accordance with the Board's decisions.	MBCS	
Action	1.3.3	Ensure that the services delivered are provided at the appropriate level.	Service levels and service delivery monitored and reports provided to the Board on achievement of service levels.	CEO	

Strategy	1.4	Ensure risks are properly managed.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.4.1	Implement the risk management policies and procedures.	Progress against the implementation of policies and procedures is reviewed quarterly.	MBCS	
Action	1.4.2	Regularly review the Risk Register.	Risk Register is reviewed quarterly.	CEO	
Action	1.4.3	Develop Risk Treatment Plans (RTPs) to manage risk impacts.	RTPs tabled at management meetings.	CEO / Unit Managers	
Action	1.4.4	Develop and implement a Business Continuity Plan to ensure the continuance of Board services should a significant event occur.	Business Continuity Plan completed and tested by end June 2018.	CEO	
Strategy	1.5	Provide internal IT and communications systems which are secure, stable and support business operations.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.5.1	Implement ICT policies and procedures.	Projects completed on time and on budget.	MBCS	
Action	1.5.2	Support and maintain corporate ICT.	Systems operational 99% of the time during business hours.	MBCS	
Strategy	1.6	Provide efficient and effective records management and information management.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.6.1	Review and implement policies and procedures regarding information management.	100% of staff informed of record keeping responsibilities.	MBCS	
Action	1.6.2	Continue the RM8 electronic records management system implementation.	Records are moved to electronic format or archived by June 2018 Alternative records system on hard drive to be reviewed by June 2018	MBCS	
Strategy	1.7	Ensure effective management of human resources.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.7.1	Ensure organisational structure is aligned to strategic priorities and legislative requirements and is adequately resourced.	Review undertaken annually.	CEO	
Action	1.7.2	Attract, develop and retain an effective workforce that delivers required outcomes.	Required recruitment process implemented. Training programs provided in line with the training budget.	CEO / Unit Managers	

Action	1.7.3	Provide workplaces that ensure the health, safety and welfare of employees and members of the public.	Risk Management Policy and Guidelines and all associated policies and procedures implemented and reviewed at appropriate intervals. WH&S Management Plan reviewed annually. Incidents and injuries are reviewed. Safe work procedures and training requirements are in place.	CEO / Unit Managers	
Action	1.7.4	Ensure that Work and Development Plans are completed for all staff.	Work and Development Plans are completed annually, including Customer Service Objectives.	CEO / Unit Managers	
Action	1.7.5	Review and implement actions from the Workforce Plan 2015-18.	Mechanic apprenticeship in place by end October 2017. Database of volunteers created in appropriate areas. Training program developed Database of young island residents who are studying at the tertiary level developed	MIES CEO / Unit Managers MECS	
Strategy	1.8	Provide timely and proactive communication to all stakeholders.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.8.1	Develop and implement a Communication / Community Engagement Strategy.	A Communication / Engagement Strategy in place by end Dec 2017.	CEO / MECS	
Action	1.8.2	Promote Board programs and services through meetings, advertising and written materials.	All materials prepared as required to a high standard.	CEO / Unit Managers	
Action	1.8.3	Maintain information on the Board's website and through social media.	Number of page views per month.	MBCS	
Strategy	1.9	Ensure high standards of customer service.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	1.9.1	Provide appropriate services efficiently and effectively to the appropriate service level.	Communication of and access to information improved. Efficiency and effectiveness of employees enhanced.	CEO / Unit Managers	
Action	1.9.2	Implement the Customer Service Improvement Plan (CSIP).	Actions from the CSIP implemented, including the following: Explore on-line services. Continue improved Work and Development Planning system Implement social media initiatives Review processes and procedures to improve customer service.	CEO / Unit Managers	

Strategic Direction: Strong and Sustainable Economy

Strategy	2.1	Market the island as a tourist destination.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	2.1.1	Maintain and enhance the sustainable tourism 'product' through the provision of infrastructure, engineering and environmental services.	Direct feedback from community members and tourists.	CEO	
Action	2.1.2	Conduct visitor surveys as required, in conjunction with partners where appropriate, to inform product planning and destination marketing.	Visitor surveys conducted, analysed and assessed to inform product planning and destination marketing.	CEO	
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.	Regular consultation and information sharing takes place.	CEO / MBCS	
Action	2.1.4	Promote the island in key source markets as resources allow.	Results of marketing activities are measured.	CEO / MBCS	
Action	2.1.5	Ensure website content is current and relevant.	Website content is refreshed and updated as necessary.	Manager Admin	
Action	2.1.6	Review the Destination Management Plan (DMP) annually, in consultation with the LHITA.	The DMP is reviewed by December 2017. Those parts of the DMP for which the Board is responsible are implemented.	MBCS	
Action	2.1.7	Ensure efficient and effective visitor information services are provided.	The MOU between the Board and the LHITA is implemented in a manner that achieves this outcome.	CEO / Unit Managers	
Strategy	2.2	Foster an environment that supports sustainable economic development.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	2.2.1	Work with business regarding options and plans for sustainable business growth.	Support for local business development provided.	CEO	
Action	2.2.2	Pursue avenues of funding to implement economic development projects.	Funding opportunities reported.	MBCS	
Action	2.2.3	Develop and maintain contemporary policies to aid sustainable development.	Policies regularly reviewed and red tape reduced.	MBCS	
Action	2.2.4	Work with the Nursery lessees to support the development of a major tourist attraction.	Regular meetings as required held with the Nursery lessees and plans developed cooperatively.	MBCS	

Action	2.2.5	Introduce Commercial Tour Operator licensing system	Commercial Tour Operator licensing system for Mt Gower Walk and other areas of PPP developed and implemented by 30 June 2018.	MECS	
Action	2.2.6	Award shipping contract	New shipping contract advertised and awarded by end December 2017	MIES	
Strategy	2.3	Effectively manage the Board's business enterprises.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	2.3.1	Operate the LHI Liquor Store.	Budgeted revenue and expenditure targets are met.	MBCS / Liquor Store Manager	
Action	2.3.2	Operate the island's airport and wharf facilities.	Airport and wharf facilities are operational when required and revenue and expenditure targets are met.	MIES / MBCS	
Strategy	2.4	Effectively manage the Board's commercial leases.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	2.4.1	Ensure that fair market rental return is achieved on commercial leases.	Commercial leases are revalued at least every three years and annual CPI increases are applied. Former Post Office building advertised for commercial opportunities by end December 2017.	MBCS	
Strategy	2.5	Take action to ensure appropriate and adequate servicing of the island by a major airline.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	2.5.1	Work with Air Services stakeholders and negotiate with Qantas and other airlines to ensure services to the island beyond 2018.	A new Regular Passenger Transport licence is put in place with Transport for NSW during 2017 for the period after 1 March 2018.	CEO / MBCS	
Action	2.5.2	Undertake Feasibility Study into the extension of the airport runway	Contract for Feasibility Study into the extension of the runway is awarded by end September 2017. Feasibility Study is progressed.	CEO / MIES	

Strategic Direction: Sound Infrastructure

Strategy	3.1	Provide sound asset management.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.1.1	Review and update TAMPLAN annually for Board approval in March.	TAMPLAN is updated annually to support Treasury CAPEX requests.	MIES	
Action	3.1.2	Develop procedures then undertake and document preventative maintenance on all assets to reduce failures.	Progress of TAMPLAN reported at quarterly Board meetings.	MIES	
Action	3.1.3	Implement Authority Asset Maintenance System (AMS).	Authority AMS is implemented by end June 2018. Spatial data on assets collected by end March 2018.	MIES	
Action	3.1.4	Replacement or new plant items.	Replacement utility vehicles (2 off) purchased by end November 2017. Replacement plant trailer and waste bins trailer on Island by end November 2017. Punt, trailer & outboard on Island by end November 2017. Yard forklift \ telehandler replaced by March 2018. Replacement tractor slasher deck on Island by October 2017.	MIES	
Strategy	3.2	Maintain recreational facilities for visitor and community use.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.2.1	Maintain and improve standard of recreational facilities through regular maintenance.	Recreational facilities are available for use. New treated water supply system installed at North Bay by end December 2017.	MIES	
Action	3.2.2	Manage construction for the Airport Terminal Upgrade.	Construction completed within budget by end December 2017.	MIES	
Action	3.2.3	Implement approved walking track strategy.	Priority walking track works as per strategy implemented in accordance with available funding.	MECS	

Strategy	3.3	Operate Aerodrome safely for Regular Passenger Transport (RPT) services, medical evacuations and general aviation.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.3.1	Arrange Annual Aerodrome Technical inspections and participate in CASA audits.	Annual Aerodrome Technical Inspections and CASA Audits completed and recommendations acted on.	Aerodrome Controller / MIES	
Action	3.3.2	Review effectiveness Bird and Animal Hazard Management Plan annually.	Bird and Animal Hazard Management Plan effectiveness reviewed annually. Strategies to minimise risk of bird strike to aircraft implemented.	Aerodrome Controller / MIES	
Action	3.3.3	Review Aerodrome Manual annually.	Aerodrome Manual updated annually and distributed.	Aerodrome Controller / MIES	
Action	3.3.4	Hold Aerodrome emergency exercises annually.	Desktop aerodrome emergency exercise held in 2017/2018.	Aerodrome Controller / MIES	
Action	3.3.5	Remove NFI Pines from within Obstacle Limitation Surface of Aerodrome.	NFI Pines removed by December 2017.	Aerodrome Controller / MIES	
Strategy	3.4	Maintain road network in good condition for all road users.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.4.1	Implement road renewals as per TAMPLAN, subject to budget allocations.	Thompson's Road rehabilitated and resealed. 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. Access to Murray/Crombie residences rehabilitated and resealed. TC Douglass Dr rehabilitated and resealed. Ned's Beach Road – Lagoon Rd to Anderson Rd rehabilitated and resealed. Cemetery Rd rehabilitated and resealed. Jetty hardstand area resealed. Smoking Tree Ride Rd- Lagoon Rd to cattle grid rehabilitated and resealed. Contractor appointed for package of roadworks and on Island by end September 2017.	MIES	
Action	3.4.2	Regular routine road maintenance programmed.	Standard of roads is maintained or improved.	MIES	

Strategy	3.5	Maintain wharf to serve shipping contractor, charter operators and visiting boats.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.5.1	Maintain wharf as per TAMPLAN.	Wharf is available 100% of the time when required and routine maintenance and works are carried out. Timber piles on low level landing are replaced. Feasibility of allowing outriggers to be further extended for crane to be investigated. Feasibility of 2 nd low level landing to be assessed.	MIES	
Strategy	3.6	Maintain Board building and property assets.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.6.1	Maintain Board buildings as per TAMPLAN.	Buildings are maintained to an acceptable standard for commercial and residential purposes.	MIES	
Action	3.6.2	Depot shed extension	Construction completed by end March 2018.	MECS \ MIES	
Action	3.6.3	Research Facility extension	Construction completed by end March 2018.	MECS \ MIES	
Action	3.6.4	Hospital garage and morgue	DA obtained in November 2017. Construction completed by April 2018.	MIES	
Action	3.6.5	Refurbish rainwater collection at Depot/Admin, Gov House and Public Hall to maintain supply levels.	New steel panel tanks installed at Depot/Admin and Public Hall by March 2018.	MIES	
Action	3.6.6	Repair and renovate Aviation Fuel Shed	Structural repairs completed by end October 2017. Other improvements such as roller doors and security improvements completed by end March 2018.	MIES	
Action	3.6.7	Facilitate relocation of Post Office to former Electrical Workshop building	Board activities related to new Post Office premises are completed by end October to allow opening at lessee's discretion.	MIES	
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.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.7.1	Undertake detailed design, planning and construction for upgraded boat ramp and launch/retrieval system.	Upgraded boat ramp completed by end December 2017. New boat launch/retrieval system design finalised by end October 2017. New boat launch/retrieval system in place by 30 June 2018.	MIES	
Strategy	3.8	Provide reliable and efficient electricity supply.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.8.1	Maintain electricity generation and distribution system to provide a reliable and safe supply.	Unplanned electricity outages are maintained at 2015/2016 levels.	MIES	

Action	3.8.2	Hybrid Renewable Energy Project continues to progress.	Project is resolved and agreement reached on next stage. ARENA funding agreement obligations met. Construction on Solar PV commenced	MIES	
Action	3.8.3	Electricity Safety Management System implemented fully and audited.	Audit of ENSMS is undertaken in accordance with IPART requirements and reported by 17 November 2017.	MIES	
Action	3.8.4	Consider second electrical officer position.	Proposal for ongoing funding of new position considered by Board in March 2018.	MIES	
Strategy	3.9	Provide efficient and environmentally sustainable waste and recycling management services.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	3.9.1	Maintain and upgrade the Waste Management Facility using grants and allocations to improve composting and waste diversion.	New composting system construction completed by end September 2017. Compost exemption order achieved by 30 June 2018. Compost is sold back to the community during 2018. > 80% of waste is diverted from landfill. New baler installed by end June 2018.	MIES	
Action	3.9.2	Maintain compliance with EPA licence for wastewater and waste management at WMF site.	Wastewater system is maintained and managed to achieve ongoing compliance with EPA licence requirements and the Island's Wastewater Strategy. Pollution Reduction Programs (PRPs) within licence are planned and executed as required.	MIES	
Action	3.9.3	Upgrade the wastewater sludge process at the WMF to increase capacity	New system purchased and installed by end March 2018.	MIES	

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.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	4.1.1	Protect threatened species, populations and ecological communities, and their habitats through implementation of LHI Biodiversity Management Plan (BMP)	Significant progress against identified actions in the LHI Biodiversity Management Plan (BMP) is demonstrated. BMP action table is reviewed	MEWH	
Action	4.1.2	In accordance with the LHI LEP, manage development in order to protect landscape values and scenic features.	Development applications and activities are assessed in accordance with relevant environmental legislation, policies, and procedures.	MECS	
Action	4.1.3	Contribute to World Heritage Area conservation by being a member of the Australian World Heritage Advisory Committee (AWHAC).	Active contribution to AWHAC.	CEO / MEWH	
Strategy	4.2	Work to prevent the introduction of exotic pests and pathogens to and eradicate exotic pests from the Island.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	4.2.1	Implement biosecurity measures to protect against the introduction of exotic pests and pathogens to the Island.	High priority actions identified in the LHI Biosecurity Strategy are implemented Procedures for use of detection dogs are developed, consulted on and approved prior to commencement of dog usage. Regular biosecurity inspections are conducted with detection dogs at high risk entry points. Boot scrub bays are maintained and monitor occurs for Myrtle Rust.	MEWH MEWH MEWH	
Action	4.2.2	Implement the LHI Weed Management Strategy 2016 and Program to eradicate high risk invasive weeds	New weed threats prevented & /or detected early and eliminated (or new weed threats prevented from establishing on LHI) Funding is sought to apply weed search across 500ha per year Downward trend in weed densities measured island scale Technical approaches to effect weed search in remote terrain employed Community engaged in managing weeds in the settlement	CEO	

Action	4.2.3	Seek philanthropic investment in the implementation of LHI Weed Management Strategy	LHI Weed Eradication Program Prospectus developed Community group supported to champion philanthropic investment in weed eradication Sponsorship received from individuals and groups towards program implementation	CEO	
Action	4.2.4	Eradicate African Big-headed Ants from the Island	Previous African Big-headed Ant infestation areas are monitored in summer 2017/18 to confirm if eradication is successful.	MEWH	.
Action	4.2.5	Complete Planning and Approvals stage of Rodent Eradication Program.	Planning and approval process to inform the implementation phase is complete The technical and non-technical feasibility of the program is demonstrated. Decision made to proceed/not proceed	CEO	
Action	4.2.6	Finalise operational planning and commence implementation of Rodent Eradication Program	Subject to decision under 4.2.5, REP is commenced by June 2018	CEO	
Strategy	4.3	Identify, protect and value heritage items.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	4.3.1	Assist the LHI Historical Association and the community with conservation of heritage items	Applications for community grants and external funding for heritage conservation initiatives are supported.	MECS	
Action	4.3.2	Identify and protect heritage items	Number of heritage items identified	MECS	
Strategy	4.4	Improve awareness and understanding of the environment through education and research.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	4.4.1	Provide regular updates on environmental programs, research and maintain interpretation to increase environmental awareness	Articles prepared for Community Bulletin, Signal and LHIB website and community consultation undertaken	MEWH, REP PM, FMO	
Action	4.4.2	Encourage appropriate environmental research which is of benefit to LHI environment and community.	High priority research supported	MEWH	
Action	4.4.3				
Strategy	4.5	Improve environmental sustainability of Board programs and operations (waste disposal; wastewater; renewable energy).	KPI / Measure	Responsible Officer	Half Yearly Review December 2017

Action	4.5.1	Develop better knowledge within the resident and tourist populations of the waste program objectives activities.	Waste data regularly updated at WMF, The Signal and/or Community Bulletin.	MIES
Action	4.5.2	Improve the sustainability of transport on the Island.	Electric vehicles can be conditionally registered on LHI by 30 June 2018. Covered bike parking area installed at Board offices for staff and visitors by 30 June 2018.	MIES / CEO
Action	4.5.3	Support community in implementing On-site Wastewater Strategy.	Demonstrated progress by commercial and residential leases to upgrade wastewater systems to meet Strategy deadlines. Temporary Project Officer position appointed for 2017/18 and undertakes compliance and data management tasks.	MIES
Action	4.5.4	Reduce the environmental impact of wastewater from Board properties.	All remaining Board properties which do not meet the Strategy are upgraded by end June 2018. All Board property wastewater systems are maintained in accordance with Strategy.	MIES
Action	4.5.5	Undertake monitoring of LHI groundwater monitoring well network on annual basis and establish data management and reporting.	Data on quality and levels is collected and data is managed to enable sensible reporting.	MIES
Action	4.5.6	Undertake two waste audits to monitor and record waste types and volumes received from the community.	Audits completed by end June 2018.	MIES
Action	4.5.7	Develop a program to phase out single-use takeaway containers on the Island.	Feasibility of installing two more water refill stations to be investigated at Joy's Shop and Thompson's Store by end December 2017 Work is undertaken with community representatives to put in place measures to phase out the sale of plastic water bottles, plastic-coated coffee cups and plastic/polystyrene takeaway food containers.	MIES

Strategic Direction: Responsible Land Management

Strategy	5.1	Design land use and development policies that balance environmental, economic and social outcomes.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.1.1	Finalise Stage 1 review of the LHI Local Environmental Plan (LEP)	Planning proposal revised with external assistance and lodged with DPE by end December 2017.	MECS	
Action	5.1.2	Commence Stage 2 review of the LHI Local Environmental Plan (LEP)	Draft Planning proposal completed by June 2018.	MECS	
Action	5.1.3	Undertake a review of the Dwelling Allocation and Entitlement Policy	Dwelling Allocation and Entitlement Policy is reviewed within 6 months of Government finalisation of Handley Report	MECS	
Action	5.1.4	Undertake Market Demand Study of Staff Accommodation	Study is completed by June 2018	MECS	
Strategy	5.2	Provide an efficient and effective development planning and assessment service.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.2.1	Provide development planning and assessment through the services of an independent planning consultant.	Contract in place for planning and assessment services by September 2017 Annual performance reviews of planning contract undertaken.	MECS	
Action	5.2.2	Undertake audits of planning and assessment systems and processing to monitor compliance with legislative and policy matters under the control of the Board.	Biannual report of planning and assessment systems and processes undertaken.	MECS	
Strategy	5.3	Provide an effective lease administration system.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.3.1	Administer leases in accordance with the Act.	All necessary administration undertaken accurately and in a timely manner.	MECS	
Action	5.3.2	Implement recommendations from independent review of land tenure and allocation arrangements.	Priority actions from Land Tenure and Land Allocation review are implemented within 12 months of Government finalisation of Handley Report	MECS	
Strategy	5.4	Protect and manage the LHI Permanent Park Preserve in a manner that recognises the World Heritage values of the Island.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.4.1	Ensure LHI Permanent Park Preserve is managed in accordance with Plan of Management.	Draft LHI Permanent Park Preserve Plan of Management prepared in consultation with the PPP Community Advisory Committee by end June 2018	MECS	.

Strategy	5.5	Protect and manage vacant crown lands.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.5.1	Develop a management plan for Stevens Reserve and other vacant crown lands.	Draft Stevens Reserve Management Plan is placed on public consultation by June 2018.	MECS	
Action	5.5.2	Develop a plan for progressive removal of Norfolk Island Pines from the Foreshore	Plan developed by June 2018	MECS	

Strategy	5.6	Rehabilitate degraded areas.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	5.6.1	Undertake rehabilitation of the Old Powerhouse Precinct to allow alternative uses.	Traffic improvements considered and planned for 2017/18. Funding from Stronger Country Communities Program is obtained and project implemented.	MIES	
Action	5.6.2	Finalise review of LHI Vegetation Rehabilitation Plan, 2003 and implement high priority actions.	Draft Vegetation Rehabilitation Plan placed on public exhibition by June 2018	MEWH	
Action	5.6.3	Implement LHI Coastal Study recommendations to manage erosion and recession risks.	Concrete protection of geotextile bag wall at Pinetrees Boatshed is completed by end October 2017. Old Settlement Creek is managed to reduce erosion impacts on the northern edge. Cobby's Creeks is managed to reduce flooding impacts on properties and salt intrusion on the Sally Swamp area. Funding opportunities for Sediment Tracing Study are pursued with OEH.	MIES	

Strategic Direction: Strong and Engaged Community

Strategy	6.1	Plan for appropriate services for the community.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.1.1	Support a whole of government approach to the provision of health, education and other services.	Meetings held with NSW Health, RMS, Police, SES and RFS every 12 months.	SMT	
Strategy	6.2	Improve relationship with the community through engagement and consultation.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.2.1	Develop a communication / community engagement strategy to support an informed and involved community.	Communication / community engagement strategy developed by Dec 2017.	CEO / MECS	
Strategy	6.3	Provide professional environmental and public health services.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.3.1	Ensure compliance with public health standards for LHIB drinking water supplies, wastewater management and food safety.	Scheduled inspection and testing regime are implemented.	MECS / MIES	
Action	6.3.2	Prepare and implement Drinking Water Quality Assurance Program for Board supplies.	Drinking Water Quality Assurance Program implemented and documented fully.	MIES	
Strategy	6.4	Support capacity building in community organisations.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.4.1	Make funds available under Community Grants Program for activities or projects that benefit the LHI community.	Expressions of Interest for Community Grants sought every 12 months in accordance with Policy.	MECS	
Strategy	6.5	Promote programs that provide for children.	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.5.1	Make funds available under LHI Scholarship Program to support the completion of tertiary education that contributes to LHI.	\$10,000 pa provided for LHI Scholarship Program.	MECS	
Action	6.5.2	Support community events.	Event calendar developed and priority events for Board assistance identified by end Jan 2018.	MECS	
Strategy	6.6	Manage the Local Emergency Management Committee (LEMC) and Emergency Management Plan (EMPLAN).	KPI / Measure	Responsible Officer	Half Yearly Review December 2017
Action	6.6.1	Arrange quarterly meetings of LEMC.	Quarterly meetings of LEMC held.	LEMO / MIES	
Action	6.6.2	Implement EMPLAN as required and coordinate annual review.	EMPLAN implemented for any emergencies and annual review completed.	LEMO / MIES	

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM:

Draft Operations Plan 2017/2018

RECOMMENDATION:

It is recommended that the Board adopt the draft Operations Plan 2017/2018.

BACKGROUND:

In August 2016, the Board adopted the three year Corporate Plan 2016 to 2019. At this September meeting, the Board has also received a report on the annual review of the Operation Plan 2016/2017 and noted achievements against KPIs and measures therein.

The Operations Plan for the financial year 2017/2018 has now been developed based on the structure of Corporate Plan and identified the programs and activities that are to be undertaken to achieve the second year of the Corporate Plan.

The Operations Plan has been 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 KRA's to the approved annual budget allocations.

COMMENT:

Attached is the draft Operations Plan for 2017/2018. The Plan identifies ongoing activities, programs and services as well as specific projects to be undertaken and completed within this financial year. Those activities which were not able to be completed in 2017/2018 have been included in this Plan.

Some of the projects to be undertaken in 2017/2018 include:

- Continued implementation of the Customer Service Improvement Plan
- Continued implementation of the electronic records management system.

- Review of the LHI Destination Management Plan in conjunction with LHITA.
- A new Regular Passenger Transport licence is put in place with Transport for NSW during 2017 for the period after 1 March 2018.
- Commissioning of the Airport Runway Extension Feasibility Study
- Implementation of a Commercial Tour Operator licensing system
- Undertaking priority walking track works as per the Walking Track Strategy and available funding
- Completion of construction of Airport Terminal Upgrade
- Undertaking a large package of road renewals
- Undertaking a number of upgrades to Board buildings
- Completion of new composting system and upgrade of the wastewater sludge system at the Waste Management Facility
- Hybrid Renewable Energy Project – resolution of scope and funding of project
- Full implementation of the Electrical Safety Management System
- Finalising Stage One and commencing Stage Two Review of LHI Local Environment Plan
- Undertaking a review of the Dwelling Allocation and Entitlement Policy
- Undertaking a Market Demand Study of Staff Accommodation.
- Complete planning and approvals stage of rodent eradication program and finalise decision on whether or not to implement the program
- Implementation of biosecurity inspections using detection dogs at high risk entry points.
- Continuation of weed eradication program with significant Saving Our Species Program funding
- Implementation of a program to phase out the single-use takeaway containers on the Island
- Undertaking projects with funding from the Stronger Country Communities Program.

RECOMMENDATION:

It is recommended that the Board adopt the draft Operations Plan 2016/2017.

Prepared: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Draft Operations Plan 2017/2018

LORD HOWE ISLAND BOARD POLICY

TITLE	Social Media Policy		
DATE ADOPTED		AGENDA ITEM	N/A
CURRENT VERSION		AGENDA ITEM	N/A
REVIEW	Bi-annually	RECORD NUMBER	ED17/2645
ASSOCIATED LEGISLATION	<i>Government Information (Public Access) Act 2009</i> <i>Privacy and Personal Information Protection Act 1998</i> <i>Public Sector Employment and Management Act 2002</i> <i>State Records Act 1998</i> <i>Lord Howe Island Act 1953 (NSW)</i>		
ASSOCIATED POLICIES	Media Contact and Liaison Policy - Adopted May 2008 No Bullying Policy – Adopted November 2007 Respectful Workplace Policy - Adopted November 2010 Behaving Ethically: a guide for NSW government sector employees (PSC) NSW Government Social Media Policy and Guidelines, November 2016		

1. SUMMARY

The NSW Government's Social Media Policy and Guidelines encourage NSW Government agencies to make greater use of social media.

Social media has become an integral part of our personal and work lives. It increases the range of communication tools available to relate to friends, colleagues, government, business and communities.

This policy aims to help capitalise on the opportunities to better engage with the community through social media, whilst ensuring risks to the Board's reputation are minimised.

2. PURPOSE OF THE POLICY

The objective of this policy is to provide a framework for the use of social media managed by The Lord Howe Island Board (the Board) for official purposes.

This policy is designed to sit underneath the NSW Government's Social Media Policy and Guidelines.

The Lord Howe Island Board will proactively engage in official social media activities where there is a clear strategic opportunity to enhance overall communication with the community or other stakeholders. Social media can be used to inform the community about the Board's services; to provide information about programs and events and to create new avenues for consultation.

LHIB Social Media Policy

It is essential that employees understand that comments published via social media platforms are treated the same way as public statements made through traditional media. Published comments should be made by an authorised spokesperson.

The objective of this policy is to set the parameters for the use of social media, where it forms part of the employee's professional responsibilities and to manage risks associated with Board's use of these tools.

The intention of this policy is to establish a culture of openness, trust and integrity in all forms of official communication between the community, business and government.

4. SCOPE

This policy applies to all employees (see definition) of the Lord Howe Island Board.

This policy covers all Lord Howe Island Board official social media sites or tools, inclusive of those that are public-facing and those that are there for internal use only, managed by The Lord Howe Island Board for official purposes.

This policy covers comments made by the Lord Howe Island Board for official purposes on social media sites managed by organisations external to the Lord Howe Island Board.

This policy does not cover personal or non-official use.

5. DEFINITIONS

Employees

In this policy, employees include permanent staff and executives, contractors, temporary and casual staff, students on placements and volunteers.

Site Administrator

In this policy, site administrator refers to the Lord Howe Island Board employee charged with the use, maintenance and management of the social media site. A site administrator may be responsible for more than one social media site, or, there may be several site administrators responsible for different social media sites.

Social media

Social media refers to sites, tools and platforms that provide users with infrastructure and resources to connect and communicate with each other and share and exchange content or information. They include but are not limited to:

- Social networking sites - e.g. Facebook, MySpace, Bebo, Google Plus, Tumblr, LinkedIn, Yammer.
- Video and photo sharing websites - e.g. YouTube, Flickr, Instagram
- Micro-blogging sites - e.g. Twitter
- Forums and discussion boards - e.g. Whirlpool, Yahoo! Groups, Google Groups
- Blogs, including corporate blogs, personal blogs and blogs hosted by traditional media outlets

- Blogs hosted by media outlets (for example 'comments' or 'your say' feature on theage.com.au)
- Online encyclopaedias – e.g. Wikipedia
- Instant messaging software/applications e.g. MSN, WhatsApp, iMessage, QQ, WeChat, Skype
- Any other websites that allow individual users or organisations to use simple self-publishing tools
- Wikis and online collaborations (for example Wikipedia)
- Vod and podcasting
- Online multiplayer gaming platforms (for example World of Warcraft, Second life)
- Instant messaging (including SMS)
- Geo-spatial tagging (Foursquare).

6. GENERAL RESPONSIBILITIES

All employees are responsible for being aware of the policy and understanding their responsibilities around using social media in their professional and personal capacity.

It is important to note that an employee's normal obligations, outlined in the NSW Public Service Commission's Behaving Ethically: a guide for NSW government sector employees, continue to apply to the use of social media as they do for other forms of media.

7. COMPLIANCE

Depending on the circumstances, non-compliance with this policy may constitute a breach of contract of employment or other contractual obligations, misconduct, sexual harassment, discrimination, or some other contravention of the law.

Failure to comply with the policy may result in disciplinary action and, in more serious cases, may result in termination of employment.

Employees who become aware of inappropriate or unlawful online content that relates to the Board, or content that may otherwise have been published in breach of this policy the situation and circumstances should be reported immediately to their supervisor. Where other obligations are inconsistent with this Policy, these inconsistencies should immediately be referred to the Administration Manager.

8. STATEMENT OF POLICY

Approval to Develop an Official Board Social Media Platform

Employees must obtain approval from the Chief Executive Officer to develop and manage official Board social media platforms.

Requests for approval to develop and manage an official Board social media platform must describe how the platform will provide a strategic opportunity to enhance overall communication with the community or other stakeholders; and what the primary purpose for the communication is e.g. to

inform the community about the Board's services; to provide information about programs and events or to consult.

Planning of Official Social Media Accounts

All approved Board social media platforms require a management plan.

Management plans should be developed in consultation with the relevant Senior Manager, in some instances, Administration Manager.

Official Board social media site management plans must include:

- A strategic plan with an overview of the subject matter and topics that will be posted, frequency of use, and type of content for delivery during the period.
- Specific outcomes the social media site will help to deliver and how it will support or improve the broader communication program.
- Process for development, review, approval and publishing of content.
- Identification of what specific types of contentious issues are expected on the social media site and a process for managing them.
- Nominated site administrator and alternate contacts who will be authorised to engage in standard activity to keep the site live.
- Funding.
- Accessibility of social media log in details.
- Account names and passwords.

Maintenance and Management of Official Social Media Accounts

For each approved social media account, an approved site administrator will be required to:

- Monitor site activity as set out in an approved social media management plan.
- Only publish content materials as set out in an approved social media management plan.
- Report to the relevant Senior Manager any areas of social media or contentious issues and that may expose the Board to reputational risk.
- Ensure the security of log in and password details of the accounts and keep the relevant Senior Manager and Administration Manager informed of any changes to these details, including contingency plans for personnel movements.

Professional use of social media

Becoming authorised to comment on social media sites

- Before engaging in social media as a representative of the Board, employees must become authorised to comment.
- Employees may not comment unless authorised to be a representative spokesperson of the Board.

- To be authorised to comment or be an authorised spokesperson, employees must have the explicit approval of the Chief Executive.

Rules of engagement

Authorised representatives must:

- Disclose that they are an employee of the Board, and use only their own identity, unless authorised to use an approved official Board account or avatar.
- Disclose and comment only on information classified as public domain information.
- Ensure that all content published is accurate and not misleading and complies with all relevant Board policies and other relevant requirements.
- Not be the first to make an announcement unless specifically given permission to do so.
- Comment only on their area of expertise and authority.
- Ensure comments are respectful of the community in which they are interacting online.
- Adhere to the terms of use for using the social media platform or website, and adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and any other applicable laws, and the Board's Privacy Policy.

Authorised representatives must not:

- Post or respond to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a court suppression order, or is otherwise unlawful.
- Use or disclose any confidential or secure information.
- Comment or post any material that might otherwise cause damage to the Board's reputation or bring it into disrepute.

Moderation of Board produced social media

The Board site owner or account holder must ensure a clear and unambiguous moderation policy is in place when inviting public comments to a Board website or social media platform.

All Board website activity including any social media must be approved by the Chief Executive Officer.

9. GUIDANCE FOR NAVIGATING LEGAL ISSUES

The following is offered as general guidance to assist employees in complying with the obligations set out in this policy. When in doubt, employees should seek further guidance from their supervisor.

Privacy, confidentiality and information security

- Employees should only use personal information obtained in the course of their employment or engagement with the Board in a manner consistent with the Board's Privacy Policy

LHIB Social Media Policy

- Users should not publish or report on conversations or information that is deemed confidential or classified or deals with matters that are internal in nature.
- Personal information should not be made available on social media unless express consent has been obtained from the person in relation to the use and disclosure of their personal information.

Copyright

- Employees must respect copyright and intellectual property laws and fair use of copyrighted material.
- All employees are expected to attribute work (including images) to the original author or source wherever possible.

Harassment and bullying

- The Board's No Bullying Policy and Respectful Workplace Policy apply both online and in the physical workplace.
- Workplace bullying and harassment includes any bullying or harassing comments employees make on-line, even on their own private social networks or out of office hours.
- Abusive, harassing, threatening or defaming postings are in breach of the No Bullying Policy and Respectful Workplace Policy and may result in disciplinary action being taken.
- All employees are expected to treat their colleagues with respect and dignity and must ensure their behaviour does not constitute bullying and/or harassment.

Defamation

Employees are to refrain from publishing material that may cause injury to another person, organisation, association or company's reputation, and should seek further legal guidance if publication of such material is thought to be necessary.

Offensive or obscene material

Material may be offensive or obscene and may infringe relevant online classification laws if it is pornographic, sexually suggestive, harassing, hateful, racist, sexist, abusive or discriminatory.

Contempt of court

All employees must exercise care if referring to pending court proceedings to avoid publishing material that may have a tendency to prejudice those proceedings, in particular, material that will not be part of the evidence in those proceedings.

It is recommended that all employees make enquiries as to any applicable court suppression orders prior to commenting on any court proceeding (whether past or pending).

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Social Media Policy

RECOMMENDATION

It is recommended that the Board adopt the draft Social Media Policy attached.

BACKGROUND

The NSW Government's Social Media Policy and Guidelines encourage NSW Government agencies to make greater use of social media.

The Board uses a number of methods of communicating with the community and stakeholders. The focus traditionally has been on using written means, such as letters, householders, articles in the Signal and the Board's Community Information Bulletin. The Board also uses email extensively as well as posting information on the website. As needed, public meetings are held or community working groups set up for particular purposes.

The LHI Communications and Community Engagement Survey Report completed in 2016 recommended broadening the range of media used by the Board in communicating with the community, and specifically using social media in engaging with the younger (and not so young) demographic.

The reality is that social media has become an integral part of people's personal and work lives. It increases the range of communication tools available to relate to friends, colleagues, government, business and communities.

While there are a range of social media options, one of the most widely used form of social networking is Facebook. Many businesses and government organisations have Facebook pages for particular purposes. Facebook can be powerful in conveying information and receiving feedback around particular issues or projects.

Within the context of the NSW Government Policy and the draft Board Policy, three social media sites have already been established by the Board in relation to three major projects. These are:

- Renewable Energy Facebook page
- Weed Eradication Facebook page
- Rodent Eradication Facebook page

COMMENT

While social media can be a powerful communication tool, it can also be misused. For government agencies such as the Board, it is vital to establish rules for how social media can

be used effectively and appropriately. While there is a NSW Government Social Media Policy and Guidelines, government agencies have been encouraged to develop their own social media policies, giving consideration to:

- Communication and engagement goals
- Governance and roles and responsibilities
- Management, authorisation of use and appropriate behaviour
- Privacy, confidentiality and information security

A LHI Board Social Media Policy has therefore been drafted to provide a framework for the use of social media by the Board for official purposes. This policy aims to help capitalise on the opportunities to better engage with the community through social media, whilst ensuring risks of misinformation and to the Board's reputation are minimised.

The attached draft policy (Attachment 1):

- Provides definitions of social media
- Identifies responsibilities and compliance requirements
- Identifies approvals processes
- Requires all social media platforms to have an approved management plan, which includes identification of site administrators
- Identifies how staff may be authorised to comment and the required behaviour of authorised representatives
- Provides guidance on privacy, confidentiality, information security and unacceptable social media behaviour.

RECOMMENDATION

It is recommended that the Board adopt the draft Social Media Policy attached.

Prepared: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Draft Social Media Policy

VEHICLE IMPORTATION TRANSFER AND USE POLICY

Submissions Report

Sub No.	Issues Raised	Comment
1	Number of engine cylinders as a measurement of vehicle impact is an outdated means of restriction. Should use 'power torque' limits on vehicles.	Engine cylinders and capacity (L) are a relevant means of managing engine size and power. However, this is not a restriction within the policy at present.
	Growth in the size of the average ute on the market means utes are too wide for LHI roads. The Board should: <ul style="list-style-type: none"> - Encourage cars over utes - Have width restrictions on cars - Provide a kerbside garbage collection service 	Width restrictions have been strengthened in revised policy. Kerbside garbage collection would be very expensive – residents would have to pay for the higher level of service.
	Reduce car numbers by: <ul style="list-style-type: none"> - Providing a free loop bus service around the Island paid for by a levy on residents and tourists (est. cost \$200,000 per annum) - Providing home delivery of mail (and parcels) 	Good ideas but expensive to implement and maintain
	Restrict small lodges from owning both a private vehicle and a bus for their guests.	Policy already includes such provisions: businesses must demonstrate need.
2	Improve signs about alternative routes for pedestrians, eg. sign for people leaving Middle Beach Rd at Museum about Foreshore Track	Will be actioned
	Promote use of electric vehicles	Will be actioned, once the RMS Guidelines are changed to make it easy to import electric vehicles
	Allow residents to have both a car and a scooter. They will generally choose the scooter over the car which will have less impact	Past evidence was that this led to more vehicles on the road (eg. if there are 2 people in a household, 2 vehicles will be used)
	Label LHI Board vehicles so visitors understand that these are work vehicles	Has been done
	Keep roads narrow to discourage speeding	Roads are not being widened, but roadside vegetation obstructing sight-lines has to be trimmed regularly for safety reasons. The fire engine is used as the template for trimming vegetation above and beside the road.
	Reduce speeding by requiring that 25kph is marked on the speedo on all vehicles on the Island.	Enforcement is a police matter
	Enforce the wearing of helmets by cyclists	Enforcement is a police matter

LORD HOWE ISLAND BOARD POLICY

TITLE	Vehicle Importation, Transfer and Use Policy		
DATE ADOPTED	December 2006	AGENDA ITEM	8ii December 2006
CURRENT VERSION	May 2017	AGENDA ITEM	8(i v ii) May 2017
REVIEW	Biannually	FILE REFERENCE	PO0008
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Lord Howe Island Regulation 2014 (NSW)</i> <i>Local Government Act 1993</i>		
ASSOCIATED POLICIES	N/A		

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1 Policy Overview

The aim of this policy is to work towards limiting the overall number and impact of vehicle movements on the island’s road system, with a particular focus on the types of vehicles driven on the island. The vision is for the Island’s fleet to consist of a limited number of low impact vehicles, with electric vehicles being encouraged.

The ~~LHB~~ Board has developed this policy to guide its management of vehicles on the island, in accordance with the provisions of the Lord Howe Island Regulation 2014. The policy is to guide the Board's use of the powers provided for under the Regulation regarding motor vehicles so that vehicle and traffic management is aligned with the expectations and aspirations of the community, and with the island's environment and economy.

The Board will determine whether the importation of a vehicle is in the public interest and consider the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts on the island. Unless otherwise provided for under this policy, no entitlement to import or use a vehicle is provided for. All applications to import or transfer and use a vehicle will need to demonstrate a genuine need for the import or transfer, and use of a vehicle, and for the vehicle selected.

In particular, the Board will manage vehicle importation to ~~reduce~~ limit the number of vehicles on the island, and the frequency and intensity of their use, to ensure that the impacts of vehicles and traffic on the island are minimised.

The Board recognises that the frequency and intensity of vehicle use are major influences on road safety, aesthetics and ambience of the island and where possible should be kept to a minimum.

The Board will continue to review and develop the policy, and associated programs and initiatives. These reviews will occur biannually.

2 Legislative Framework

The Board's power to regulate motor vehicles on Lord Howe Island is established under Part 6 of the Lord Howe Island Regulation 2014, in particular clauses 84, 86 and 87. Essentially, the Board's approval is required for any importation of a vehicle to the island (c 84), hire of motor vehicles (c86) and for any use of that vehicle on the island, including how a vehicle is used (c 87).

84 Approval to import motor vehicles

- (1) A person must not, except in accordance with the approval of the Board, bring a motor vehicle onto the Island.
Maximum penalty: 50 penalty units.
- (2) An application for approval to bring a motor vehicle onto the Island must relate to one vehicle only.

86 Hire of motor vehicles

- (1) A person must not, except in accordance with the approval of the Board, hire or offer for hire a motor vehicle to any other person for use on the Island.
Maximum penalty: 50 penalty units.
- (2) This clause applies whether or not the person from whom the motor vehicle is or is to be hired, or any employee or agent of that person, is to drive or ride the motor vehicle.

87 Use of motor vehicles

- (1) A person must not drive or ride a motor vehicle on the Island unless the Board has given its approval to the use of that vehicle on the Island.
- (2) A person who has obtained the approval of the Board under this clause may drive or ride the motor vehicle concerned only in accordance with that approval.

2.1 Relevant Legislative Provisions Relating To Approvals:

Under Part 1, clause 4 (2) of the Lord Howe Island Regulation 2014, any approval given by the Board is subject to Chapter 7, Part 1, Division 3 of the Local Government Act 1993. This part of the Local Government Act (LG Act) specifies how approvals are to be applied for, made, amended and terminated. In particular, under Section 94 of the LG Act, the Board may apply conditions to any approval, and may apply a time limit on any approval. Under Section 103 of the LG Act, an approval, unless otherwise specified, lapses by default after five (5) years.

3 Definitions

3.1 Motor Vehicle (from here on referred to as a “vehicle”):

As defined under the Lord Howe Island Regulation 2014 (c 83):

A motor vehicle means a vehicle (other than an aircraft or a vessel) propelled by volatile spirit, steam, gas, oil or electricity and includes:

- (a) An incomplete or partially constructed motor vehicle; or
- (b) The chassis, body, frame or remains of a motor vehicle; or
- (c) A trailer or caravan.

Note: For the purpose of this policy, the above definition includes motor vehicles, motorbikes, mopeds (pedal assisted or non pedal assisted), motor scooters, mini bikes, quad bikes, trikes etc whether the motor is a permanent or temporary fixture and regardless of whether a motor vehicle licence or registration is required. A Power Assisted Pedal Cycle as defined by the NSW [Roads and Maritime Services \(RMS\)](#) is not considered a Motor Vehicle under this Policy.

3.2 Reside

As defined under the Lord Howe Island Act 1953.

3.3 Dwelling

As defined under the Lord Howe Island Local Environment Plan 2010 and the Board’s policy definition of a Separate Domicile, but not including Staff Accommodation as defined under Lord Howe Island LEP 2010.

3.4 Tenant

A person who lawfully occupies an approved dwelling on the island under a tenancy arrangement in accordance with the NSW Residential Tenancy Act.

3.5 Essential Services

Essential services for the purpose of this policy are set out in the Schedule of Essential Services

3.6 Vehicle Hire

To hire, attempt to hire, expose for hire or solicit for hire any vehicle on the island, to any person, for money or other consideration of any kind.

3.7 Vehicles for Private Use

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For the purpose of this policy, any lawful use of a vehicle, including activities approved in a business licence issued under clause 49 of the Lord Howe Island Regulation 2014, but not including vehicle hire.

As a result of community concern over road safety, [the Board LHI](#) has introduced maximum size of a vehicle for private use permissible on the island is:

- a) Length 5200mm (not including tow ball);
- b) Width 18590mm (not including side mirrors); and
- c) Height 17800 mm (not including roof racks or roll bars [or headboard on the tray](#)).

Note: this maximum size requirement does not apply to vehicles previously approved.

3.8 Vehicles for Commercial Use

For the purpose of this policy, any vehicle which has been specifically applied for and approved under the policy provisions relating to Commercial Vehicles.

As a result of community concern over the number of outsized vehicles, [the Board LHI](#) has introduced a maximum size of a standard vehicle for commercial use permissible on the island, which is [based on the current model of a 2 wheel drive Toyota Hilux utility, which in 2017 was:](#)

- a) Length 5200mm (not including tow ball);
- b) Width 19580mm (not including side mirrors); and
- c) Height 17800 mm (not including roof racks, ~~or~~ roll bars [or headboard on the tray](#)).

Note: this maximum size requirement does not apply to vehicles previously approved.

Where a vehicle with different dimensions to the standard is required for specialised work, the case must be made as to why a non-standard vehicle should be approved.

3.9 Commercial Use

To sell or hire, attempt to sell or hire, expose for sale, hire or profit or solicit for sale, hire or profit any article, thing or service to any person, or conduct, or assist in the conduct of, any amusement, entertainment, instruction, performance or activity for money or other consideration of any kind.

3.10 Power Assisted Pedal Cycle

A power-assisted pedal cycle under this policy is defined by the NSW [RMSTA](#).

A power-assisted pedal cycle is designed to be propelled primarily by a pedalling cyclist and has one or more auxiliary propulsion motor attached. This means that the main source of propulsion for the power-assisted pedal cycle is human, and the motor is only designed to assist rather than replace the rider.

Power Assisted Pedal Cycles are only permitted for private use without approval. They are not allowed to be used for Hire purposes unless approval has been granted by the [LHI](#) Board.

3.11 Motorised wheelchairs and mobility scooters

A motorised wheelchair under this policy is defined by the Transport for NSW.

Motorised wheelchairs are mobility aids with two or more wheels and have a top speed of 10km/h on level ground. Mobility scooters or 'gophers' are classified as motorised wheelchairs. A

motorised wheelchair does not include a wheeled recreational device such as a motor scooter, pram, stroller, trolley or any other motor-assisted machine.

Motorised wheelchairs are only permitted for private use without approval. They are not allowed to be used for Hire purposes unless approval has been granted by the LHI Board.

3.12 Bull bars/Roo bars/Nudge bars

Bull bars/roo bars etc are not permitted to be imported on a vehicle or added to a vehicle on LHI unless approval is given by ~~the CEO of the Board~~LHHB. The CEO ~~LHHB~~ may only grant approval for a request for a bull bar/roo bar if it includes a winch and if it can be satisfactorily demonstrated that the winch is ~~essential to the vehicle's use~~required.

Where it can be demonstrated that vehicles come standard with a "nudge bar" the ~~CEO of the Board~~LHHB will take this into consideration when assessing a request to import a vehicle.

Second-hand vehicles with a bull bar already attached will be required to have the bull bar/roo bar removed prior to importation to island.

Note-2: ~~this item does not apply to vehicles which have bull bars/roo bars and have previously been approved for importation to the Island existing vehicles which have bull bars/roo bars are exempt from seeking approval.~~

4 Vehicle Types

Any vehicle which is approved by the Board for importation and use on the islands roads, other than plant and equipment, or motor assisted pedal bicycles, unless required by law, must be registrable and registered in the State of NSW.

4.1 Preferred Vehicles

The Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles which are either:

- a) A motor vehicle meeting the following requirements
 - ~~i. Identified in the Commonwealth Government "Green Vehicle Guide" (www.greenvehicleguide.gov.au) as a small car with a 4 star rating or above (as of 28 Feb 2012 - 172 vehicles); and~~
 - ~~ii. Have a Vehicle Kerb Tare weight/mass of less than 1154kg (based on NSW RTA weight classification); and~~
 - ~~iii. Generate noise less than 82 dba (data on noise emissions, provided in green vehicle guide www.greenvehicleguide.gov.au); and~~
 - ~~iv. Have vehicle size "footprint"~~
 - Length ~~4039~~00mm (max)
 - Width 1700mm (max)
 - Height ~~1670~~00mm (max)
- b) Electric Vehicles
 - i. Electric vehicles include any vehicle that has battery storage and has an electricity plug-in recharge capacity. These vehicles (or the batteries for these vehicles) must have the ability to be plugged into an electricity power point connected to the LHI Grid. Approval to import an electric vehicle will be conditional on the leaseholder upgrading their electricity meter to a "Smart" meter, if not already installed.
 - ii. Hybrid electric vehicles that do not have a plug in recharge capacity are not deemed

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electric vehicles for the purpose of this policy.

- iii. Electric vehicles for private use must not exceed the maximum vehicle footprint as defined under Section 3.

a)

- c) Motor Scooters

- i. 4 stroke motor scooters with a maximum capacity of 250cc

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4.2 Other Vehicles

Any other vehicle may be imported subject to this policy. The Board will retain absolute discretion in determining an application and will consider whether the importation of a vehicle is in the public interest and the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts on the island.

4.3 Boat Trailers

Approval to import and use boat trailers will be at the discretion of the Board subject to application on the prescribed form.

4.4 Box Trailers

Approval to import and use box trailers will be at the discretion of the Board subject to application on the prescribed form.

4.5 Caravans

The importation of caravans is prohibited under this policy.

4.6 Specialist / Other Trailers

Approval to import and use will be at the discretion of the Board and subject to application on the prescribed form.

4.7 Plant and Equipment

Plant and Equipment – being any [conditionally registered or](#) non-registrable vehicles such as tractors, forklifts, excavators, backhoes etc. Approval to import and use will be at the discretion of the Board and subject to written application [in accordance with this Policy](#).

This provisions of this ~~Pe~~ policy does not relate to:

~~a) Plant and equipment imported and used as part of an approved fleet plan of an Essential Service.~~

~~b) Ride-on Lawn Mowers, Dingo Diggers and similar [vehiclesplant](#). Importation and use of such [vehiclesplant](#) by an eligible person will be deemed to be approved by the Board.~~

5 Fees

5.1 Importation or Transfer

- a) Vehicles meeting the Board's Preferred Vehicle criteria will be exempt from the importation application fee.
- b) A non-refundable application fee of \$200 per vehicle will apply to all applications for the

- importation or transfer of vehicles which do not meet the Board's Preferred Vehicle criteria.
- c) A non-refundable application fee of \$200 per vehicle will apply to all applications to renew a commercial vehicle or hire vehicle approval.
 - d) Box trailers will be exempt from the above fee.
 - e) Boat trailers will be exempt from the above fee.

6 Incentives

- a) Vehicles meeting the Board's Preferred Vehicle criteria will be exempt from the Board's wharfage fee for the vehicle.
- b) Box trailers will be exempt from the wharfage fee for the vehicle (limit of one exemption per lease).
- ~~b)c) If not already installed, installation of "Smart" meters for electric vehicles at residences and businesses as part of the importation of an electric vehicle, will be 'at cost' only, including the Board's Senior Electrical Officer (SEO) labour and parts. Access to free electricity for electric vehicles will be enabled when there is a surplus of electricity in the Island's system.~~

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7 Eligibility to Import and Use

Unless otherwise provided for under this policy, no entitlement to import or use a vehicle is provided for. All applications to import or transfer and use a vehicle, including boat trailers and box trailers, will need to demonstrate a genuine need for the import or transfer, and use of a vehicle, and for the vehicle selected.

The Board reserves the right to reject any application for any vehicle where it believes that a vehicle is not in the public interest and/or the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island and/or where an applicant has failed to adequately justify the need for a proposed vehicle.

An application to import or transfer and use a vehicle must be made on the prescribed form and include any additional information as the Board may require or the applicant wishes to provide.

7.1 Eligibility

The following persons will be eligible to apply to import or transfer a vehicle:

7.1.1 Vehicles for Private Use

- a) A person who resides in an approved dwelling on a Perpetual Lease, either as: the holder, owner, or sub-lessee of the lease or; as the owner-occupant of a multiple occupancy or; by way of a current tenancy agreement under the NSW Residential Tenancy Act 1987 and has resided on the island for a continuous period of 24 months at time of application. Proof of Tenancy will be required and should be supplied with application.
- b) An employee of an Essential Service provider (other than ~~LHIB~~ the Board) who does not have access to the private use of a vehicle provided by the Essential Service may apply to import or transfer a preferred vehicle if they can demonstrate to the Board a genuine need for the vehicle. This will only apply where the employee will occupy the position for a period greater than 12 months and is subject to any specification set out in the schedule of Essential Service entitlements. Any approval will be in accordance with this policy. Approval under this clause will be terminated at the cessation of employment with the Essential Service provider.
- c) Lord Howe Island Board employees other than a person described in a), may after 12 months service staff apply to import a preferred vehicle in accordance with ~~LHIB~~ the Board's vehicle

importation and use policy. Applications must demonstrate need for vehicle in accordance with this policy. Any approval will be in accordance with this policy. Approval to import vehicle will result in termination of private use rights of LHI Board vehicle. Approval under this clause will be terminated at the cessation of employment with the [Lord Howe Island Board](#).

- d) A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. In such cases, the Board may exercise discretion, provided that the applicant has demonstrated that no viable alternative to the importation and use of a vehicle exists.
- e) A person as per **a)** under **Private Use Eligibility** who:
 - i. Has no existing approval for a commercial vehicle which is suitable for private use;
 - ii. Does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.

7.1.2 Commercial Use Eligibility

A person as per **a)** under **Private Use Eligibility** who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

NOTE: *In general, the Board will only consider approval for a commercial vehicle for businesses which need to transport clients and guests and/or goods and equipment and then only when the business need cannot be serviced from an existing allocation within the island's fleet. Motor Assisted Pedal Bicycles will not be approved for commercial use.*

7.1.3 Vehicles for Essential Services

Any authorised officer of an approved Essential Service, as set out in the Schedule of Essential Services in this Policy.

7.1.4 Vehicles for Hire

- a) Any person eligible under this policy who is also eligible to hold a business licence under clause 49 of the Lord Howe Island Regulation 2014.
- b) The [Lord Howe Island Board](#) may from time to time hire out vehicles from its existing fleet where the proposed hire arrangement does not replicate or compete with an arrangement which could be provided by an approved hire vehicle operator as per **a)**.

7.2 Use

Any person who is lawfully entitled to do so, may use a vehicle on the island, and such persons will be deemed to have the approval of the Board to do so, subject to that use complying with this policy, and any conditions applying to any approval given under this policy.

All vehicles will be used on the island in accordance with all relevant State and Commonwealth legislation, policies and procedures.

7.3 Private and Commercial Use

Unless otherwise provided for in this policy, vehicles approved for private and/or commercial use may be used for any lawful purpose, including commercial use, except hire of the vehicle, provided that any commercial use is associated with an approved business on the island.

Where a person has approval for a private use vehicle and a commercial use vehicle, the commercial

use vehicle cannot be used for private use.

7.4 Essential Services

Vehicles approved for essential services are to be used exclusively by the essential service provider and its employees or agents for its official business. [LHIB-Board](#) approval is required for Private Use of Essential Service vehicles. Private use will be limited to transferred officers of the Essential Service where the Essential Service provider has a documented policy applying to its employees or agents which allows for other uses.

Use restrictions will be set out as conditions of approval.

7.5 Hire Vehicle Use

Hire vehicles may be used for any lawful purpose, including commercial activity provided that the commercial activity is associated with an approved business on the island. Any hiring of a vehicle on the island will be subject to a lawful and documented hire agreement between the approved person (the hirer) and a person who has entered into such an agreement with the hirer (the hiree).

8 Allocations

The Board may approve up to the following allocations to eligible persons (refer to Eligibility provision), subject to demonstrated need.

8.1 Private Use

One (1) vehicle per approved dwelling.

8.2 Commercial Use

One vehicle per approved business licence. Where a person holds multiple business licences, additional vehicles will only be considered where there is a demonstrated need. Access to private use vehicles will be considered when assessing need.

8.3 Essential Services Allocation

Essential Services will be eligible to import vehicles as follows:

8.4 Schedule of Essential Services

ESSENTIAL SERVICE	VEHICLE ALLOCATION
Lord Howe Island Board	A fleet comprising of all vehicle types, being the minimum number of vehicles required to ensure the safe, effective and efficient delivery of the Board's charter, to a maximum of 12 road going vehicles, 2 of which must be Preferred Vehicles.
NSW Police	1 Vehicle
NSW MPA	1 Vehicle
Bureau of Meteorology	1 Vehicle
NSW Education	1 Vehicle
NSW Health	1 Vehicles – Ambulance
Doctor (GP)	1 Preferred Vehicle
NSW RFS	1 Vehicle – Fire Engine

NSW SES	1 Vehicle – Emergency Response Vehicle
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8.5 Additional Vehicle Allocation for Hire Car Use

The Lord Howe Island Regulation 2014 requires a separate approval for the use of a motor vehicle as a hire vehicle.

Clause 86 of that Regulation states that:

“(1) A person must not, except in accordance with the approval of the Board, hire or offer for hire a motor vehicle to any other person for use on the Island.

“(2) This clause applies whether or not the person from whom the motor vehicle is or is to be hired, or any employee or agent of that person, is to drive or ride the motor vehicle”

In addition to any other allocation:

- a) The Board may approve up to (8) additional vehicles on the island for use as hire vehicles. The Board reserves the right to revise this quota at any time subject to a demonstrated business need.
- b) The Board will review on an annual basis the fee charged for approval to use a car as a hire vehicle.
- c) Hire Car approvals are not transferable without the written approval of the Board.
- d) In addition to any fee applied for approval to hire a car on the island, the Board reserves the right to apply a transfer fee to any transfer of a hire car approval.
- e) Up to 4 vehicles may be allocated per applicant, to an island total of 8 hire cars.
- f) Vehicles are to be Preferred Vehicles unless otherwise agreed to by the Board.

9 Review of Applications

In determining any application to import or transfer a vehicle, where the application is proposed to be refused, or where the CEO believes that the application will prove controversial, the CEO will consult with, and document the majority view of the elected members regarding the application.

Where the CEO intends determining the application contrary to the majority view of the elected members, the CEO will document the reasons for doing so and provide a written briefing to the Chairperson, who will determine the matter in consultation with the Board.

10 Approval Periods – Importation and Use

10.1 Private Use Approval Period

Approval to import a vehicle for Private Use will be six (6) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.

10.2 Commercial Approval Period

- a) Approval to import a vehicle for Commercial Use will be three (3) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.
- b) Approval to use a commercial vehicle on the island will ~~be up to a maximum of five (5) years, depending on the demonstrated business need. At the end of the approval period, the owner of the vehicle must reapply to retain and use the vehicle on the island, based on a demonstrated business need. Note renewal fees apply cease when the business ceases, as evidenced by termination of a business licence.~~

- c) A commercial vehicle cannot be used for private use where a person also has approval for a private vehicle (other than when the private use vehicle is a motor bike, motor scooter etc).

10.3 Hire Vehicle Approval Period

- a) Approval to import a vehicle under Hire Vehicle allocation will be six (6) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.
- b) Approval to use a vehicle on the island will, unless otherwise varied at the discretion of the Board, be for five (5) years, subject to annual review. At the end of the approval period, the owner of the vehicle must reapply to retain and use the vehicle on the island, based on a demonstrated business need. Note renewal fees apply.

11 Approval Conditions

The Board may apply such conditions as it deems necessary to any approval to import and/or use a vehicle on the island. In particular, the Board will apply conditions to safeguard the public interest and to minimise the impacts of vehicle use on the natural, built, social and economic environment of the island.

For any if a vehicle (including a trailer, plant and equipment) to be imported ~~is second hand~~, the importer must provide a statutory declaration stating that the vehicle has been inspected and cleaned with a high pressure hose to ensure that no weeds, seeds, insects, spiders, etc. are transported to the island. Such a declaration is required to be submitted to the Board prior to the vehicle leaving the mainland.

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Approvals to import a vehicle for private use will be specific for the applicant and a dwelling. The approval will include details of the dwelling where the vehicles are allocated.

Where the circumstances of the owner of an approved private vehicle change resulting in a new place of residence (approved dwelling) on Lord Howe Island, the vehicle approval is terminated. The owner of the vehicle must reapply under the conditions of this policy. The vehicle owners' circumstances will be considered when assessing this new application and special consideration may be given.

Where the owner of a private use vehicle leaves the island the vehicle must be garaged at the approved dwelling and the approval to use the vehicle is suspended until the owner returns to the island. In circumstances where the vehicle is used by a family member who normally resides with the vehicle owner and does not have access to another private use vehicle, the family member may continue to use the vehicle during the period of owner absence.

In the case of deceased estates, where a private use vehicle is attached to the dwelling of the deceased, the vehicle must remain garaged at the approved dwelling and its use suspended until the administration of the estate has been completed. Where the executor or a caretaker living on the estate does not have access to another private use vehicle, these persons may use the vehicle during the period of administration.

In determining any development consent in its role as a Consent Authority under the *NSW Planning and Assessment Act 1979*, or application for a Business Licence under clause 49 of the Lord Howe Island Regulation 2014, the Board will consider: whether the development and/or activity will require the importation and use of vehicles additional to those provided for under the **Private Use Allocation** and the potential impact of the importation and use of the vehicle/s including whether it is in the public interest and whether the likely impacts of the vehicle, including environmental impacts on both

the natural and built environments, and social and economic impacts will be unacceptable for the island.

11.1 Breach of Approval

Failure to comply with the conditions of approval will be deemed a breach of the Board's approval and may result in that approval being withdrawn and the vehicle being removed from the island.

Where the Board believes a Breach of the approval has occurred, the [LHHB Board's](#) Administration will write to the vehicle owner advising them of the alleged breach and asking them to respond to the allegation and justify as to why their approval should not be revoked. Vehicle owners will have 14 calendar days to respond. Failure to respond within the prescribed timeframe will result in immediate revocation of approval.

Following termination of approval the [Board's LHHB](#) Administration will write to the vehicle owner of this revocation of approval instructing the vehicle owner to not use the vehicle and remove the vehicle from the island within 60 days.

Vehicle Owners may reapply to the Board for approval. Until approval has been granted the vehicle is not to be used.

12 Vehicle Replacement

Unless a case for exceptional circumstances can be established to the satisfaction of the Board, replacement of vehicles will be on a "one on – one off" basis, where the replacement vehicle has the same (+ 10% subject to the discretion of the Board) or smaller engine capacity and tare weight as the vehicle being replaced.

Where the applicant has another vehicle (commercial or private use) that is suitable for use, the applicant must demonstrate the need to replace the vehicle.

13 Vehicle Transfers

Vehicle approvals will not be transferable without the written approval of the Board. Prior to granting an approval, the [LHHB Board](#) needs to be satisfied that there is a demonstrated need for the transfer. Failure to demonstrate that need will result in approval not being granted.

Applications to transfer will be made on the prescribed form and will be determined in accordance with this policy.

In addition to any fee applied for approval of a vehicle on the island, the Board reserves the right to apply a transfer fee to any transfer of any vehicle approval.

In the case of a private vehicle, the transfer fee will be the equivalent of the appropriate importation fee.

In the case of a commercial vehicle, including a private vehicle which is transferred as a commercial vehicle, the Board will require the transferor and the proposed transferee to provide a Statutory Declaration stating that the proposed price to be paid between those parties regarding the transfer of the vehicle is no greater than current market value of the vehicle, plus freight and wharfage costs. The Board will levy a transfer fee of no greater than 10% of that amount.

14 Delegations

The Chief Executive Officer of the Board is delegated to determine any application made under this policy, provided that the application complies with this policy.

The Chief Executive Officer of the Board is delegated to suspend or withdraw any approval given under this policy where it can be established to the satisfaction of that officer that a significant breach of the conditions of approval has occurred.

In determining any application to import or transfer a vehicle, where the application is proposed to be refused, or where the CEO believes that the application will prove controversial, the CEO will consult with, and document the majority view of the elected members regarding the application.

Where the CEO intends determining the application contrary to the majority view of the elected members, the CEO will document the reasons for doing so and provide a written briefing to the Chairperson, who will determine the matter in consultation with the Board.

15 Reporting and Monitoring

The Lord Howe Island Board will maintain a Vehicle Approvals Register, which will include:

- a) The names, addresses and number and type of vehicles of persons approved to import and use a vehicle;
- b) Category of Approval (Private, Commercial, Hire etc);
- c) Conditions of Approval;
- d) Approval Period;
- e) Types of Vehicles Held; and
- f) Registration Details of all Vehicles Held.

The Chief Executive Officer of the Board will provide to the Board at each meeting, a report on:

- a) Vehicle applications approved or rejected since the last meeting and a statement detailing the reasons for approval or rejection addressing the matters required to be considered in the Policy and any alternatives to the importation and use of the vehicle;
- b) Cumulative total of vehicles on the island at the time of the report.

16 Attachments

Information for Applicants
Application to Import a Vehicle
Application to Transfer a Vehicle

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Review of Vehicle Importation, Transfer and Use Policy

RECOMMENDATION

It is recommended that the Board:

- Note the submissions received on the review of the Policy
- Approve amendments to the *Vehicle Importation, Transfer and Use Policy 2015* to incorporate additional elements aimed at limiting the overall number of vehicles and the impact of vehicle movements on the island's road system as well as best practice biosecurity clearance procedures

BACKGROUND

After the May 2017 Board meeting, the review of the Board's Vehicle Importation, Transfer and Use Policy was placed on Public Exhibition for a period of 28 days, to be reported back to the Board if there were any submissions opposing the changes to the policy.

Two submissions have been received, and while they don't oppose the proposed changes to the Policy, they propose additions to the Policy and other strategies to limit the impact of vehicles for the Board's consideration. It is for this reason that the review of the Policy is now reported back to the Board for finalisation.

CURRENT POSITION

The submissions make a number of suggestions, which are summarised in the attached submissions report.

It is not proposed that any further amendments are made to the Policy as a result of the submissions.

However action will be taken on a number of suggestions from the submissions, notably:

- Improving signage about alternative routes for pedestrians so that they avoid the roads
- Promoting the use of electric vehicles, once the Roads and Maritime Services have amended the Guidelines for conditional registration of electric vehicles making it easier for them to be registered for use on the Island.

A copy of the revised *Vehicle Importation, Transfer and Use Policy* with track changes as presented to the May 2017 Board meeting is attached.

RECOMMENDATION

It is recommended that the Board:

- Note the submissions received on the review of the Policy
- Approve amendments to the *Vehicle Importation, Transfer and Use Policy 2015* to incorporate additional elements aimed at limiting the overall number of vehicles and the impact of vehicle movements on the island's road system as well as best practice biosecurity clearance procedures

Prepared: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Vehicle Importation, Transfer and Use Policy Submissions Report

Attachment B: Draft Amended Vehicle Importation, Transfer and Use Policy

Board Meeting: September 2017	Agenda Number: 8(vi)	Rec Number: ED17/4219
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Amendment - Lord Howe Island Dog Importation and Management Policy

RECOMMENDATION

It is recommended that the Board adopt the draft amendments to the LHI Dog Importation and Management Policy.

BACKGROUND

In November 2014, the Board approved the most recent version of the LHI Dog Importation and Management Policy (2014).

At the Board's Bird and Animal Hazard Management committee meeting of 6 July 2017 it was agreed to conduct a seasonal trial restricting access to the 'off lead' dog exercise area north of the beach access track at northern end of Cobbys beach. This will reduce disturbance of shorebirds by dogs exercising on the beach during the peak wader season on the Island (between 30 September and 30 April). The aerodrome conducts bird disturbance activities to clear the area of birds to reduce incidence of airstrike. Disturbed birds often move to Cobby's Beach after disturbance and if subsequently disturbed by dogs will return to the aerodrome where they continue to present a risk to airstrike.

This will require amendment to Appendix A: Dog Management Areas covering the exercise area between Cobbys Creek entrance to the northern end of the beach to prohibit dogs entering the area to the north of the northern beach access track.

In addition to the above a number of minor amendments have been made to reference updated clauses in the Regulation, correct typographic errors and generally improve some wording. A full copy of the policy with amendments highlighted is attached.

COMMENT

The recommended amendments are required to reduce risk of birdstrike with aircraft at the aerodrome and update clauses in the Policy to comply with those cited in the LHI Regulations 2014.

RECOMMENDATION

It is recommended that the Board adopt the draft amendments to the LHI Dog Importation and Management Policy.

Prepared: Hank Bower, Manager Environment/World Heritage

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Draft amended Dog Importation and Management Policy

LORD HOWE ISLAND BOARD POLICY

TITLE	Dog Importation and Management Policy		
DATE ADOPTED	November 2014	AGENDA ITEM	8 (i)
CURRENT VERSION	July 2015	AGENDA ITEM	CEO approval
REVIEW	5 Years	FILE REFERENCE	PO0001 & CO0002
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953</i> <i>Lord Howe Island Regulation 2014</i> <i>Veterinary Surgeons Act 1986</i> <i>Companion Animals Act, 1998</i> <i>National Parks & Wildlife Act, 1974</i>		
ASSOCIATED POLICIES	N/A		

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1 Introduction

This document sets out specific policies and procedures for the importation and management of dogs on Lord Howe Island (LHI). The policy has been prepared by the LHI Board (LHIB) in accordance with the *Companion Animals Act, 1998 (CA Act)*, the *Lord Howe Island Regulation 2014 (LHI Regulation)* and the *National Parks & Wildlife Act, 1974*.

2 Objectives

The policy encourages responsible dog ownership and aims to provide adequate areas for dogs ~~and their owners~~ to be exercised both on and off leash.

The policy restricts the number, type and the areas where dogs are permitted, consistent with the natural heritage values of the Island.

The policy will be managed through an integrated process of community education, cooperation, enforcement and ongoing review.

3 Policy

3.1 Approval Process and Conditions

3.1.1 Approval may be given under Clause (CI) 62 (2) of the *LHI Regulation* to import a Dog to LHI, subject to the following sub-clauses:

- a) 62 (3) (a) The dog is free of disease, and
- b) 62 (3) (b) A veterinary practitioner (within the meaning of the *Veterinary Practice Act 2003*) has certified that the dog is de-sexed or is permanently incapable of reproduction.
- c) 62 (4) Despite subclause (3) (b), the LHIB may grant approval for the bringing of a dog (such as a trained sniffer dog, a dog trained in search and rescue or a specialist hunting dog) onto the Island for a short period for a specified project.
- d) 62 (5) This CI does not prevent a person with a disability from bringing an assistance animal (within the meaning of the *Disability Discrimination Act 1992*) onto the Island, subject Clause 2 below and prior approval from the LHIB.

3.1.2 In order to satisfy CI 62 (3) (a), the applicant will be required to provide a certificate (not more than one month prior to the date of import) signed by a Veterinary Surgeon registered under the *Veterinary Surgeons Act 1986*, certifying that the dog is free from disease and parasites prior to importation to the island. Please note that this condition applies to any dog that leaves the island. For example, if a resident takes their dog on a holiday with them, the dog will need to be certified free from pest and disease prior to returning to the island.

3.1.3 In order to satisfy CI 62 (3) (b), the applicant will be required to provide a certificate (not more than 1 month prior to the date of import) signed by a Veterinary Surgeon registered under the *Veterinary Surgeons Act 1986*, certifying that the dog is de-sexed, or otherwise rendered

permanently incapable of reproduction, prior to importation to the Island.

- 3.1.4 Male dogs under the age of four months may be permitted provided the dog is de-sexed or otherwise rendered permanently incapable of reproduction prior to seven months of age. In this instance a bond equivalent to 10 penalty units must be lodged with the LHIB prior to importation of the dog. This bond will be refunded upon production of the appropriate veterinary certificate demonstrating compliance with this clause. All female dogs must be de-sexed prior to importation.
- 3.1.5 In accordance with the CA Act, dogs must be micro-chipped prior to importation and registered at the LHIB's Administration Office within seven (7) days of the dog arriving on the Island. All dogs must be entered into the NSW Companion Animals Lifetime Registration database.
- 3.1.6 An annual 'animal permit fee' is payable to the LHIB. Fees are listed in the LHIB's schedule of fees and charges.
- 3.1.7 Prior to importation, dogs over the age of four months must ~~have completed~~ Dog Obedience ~~Dog~~ Training and be certified by an accredited trainer as having attained a Basic Level of Obedience Training according to the following criteria:
- a) Heel (on lead): Hold dog by owner's side while walking; dog must not pull.
 - b) Sit (on lead): Dog must be controlled and focused on the handler; dog must sit on command.
 - c) Drop and Down (off lead): Dog must drop; dog must lie down on command.
 - d) Stay (off lead): Dog must not move until commanded to move; dog must stay.
 - e) Come (off lead): Dog must return to handler on command.
 - f) No (off lead): Dog must stop behaviour on command.
- 3.1.8 In the event the dog is under the age of four months and/or considered too young to be trained, a bond equivalent to 10 penalty units must be lodged with the LHIB 'prior to importation. This bond will be refunded upon the production of the appropriate training certificate or veterinary certificate demonstrating compliance with this clause prior to the dog reaching one year of age. Failing to have the dog certified to a Basic Level of Obedience following the criteria above before reaching one year of age, will be deemed to be a breach of the conditions of the approval to import and will result in the approval being terminated.
- 3.1.9 In the event the dog is too young to be trained (prior to 4 months of age), and is a male dog and is not de-sexed at the time of importation, a bond of 10 penalty units will suffice for both conditions. The bond will be refunded at such time as the owner demonstrates both conditions (4 & 8) have been met. Failure to meet both conditions will result in the approval being terminated.
- 3.1.10 Where approval to bring (import) a dog to the Island under clause 62 (2) of the LHI Regulation is granted, the dog must be imported within twelve (12) months from the approval being given, otherwise the approval will lapse and a new application will be required.

3.3 Eligibility

- 3.3.1 Applicants must show valid reasons why they wish to import a dog.
- 3.3.2 Persons may be permitted to import dogs to the island if they:
 - a) Are a leaseholder or have lived on the island for more than two years immediately prior to lodging their application; or
 - b) Own a dog prior to becoming a temporary resident of the island, provided that they have documentary evidence that their term of employment will be at least two years duration.
- 3.3.3 Not more than one dog per household shall be permitted and dogs must be kept at the normal place of residence.

3.4 Transfer of Ownership

- 3.4.1 Dogs imported to the Island must be kept at the normal place of residence of the approved importer. Where dog owners require someone else to care for their dog for periods greater than 90 days, an application to transfer the dog ownership is required.
- 3.4.2 Written applications for the transfer of dog ownership can be made on the prescribed application form. The person applying must satisfy all relevant conditions of this Policy. Applications outside the transfer of ownership criteria will be assessed on their merits and agreed to by the LHIB.

3.5 Responsibility of Dog Owners

- 3.5.1 Approval to import and keep a dog on the Island will be subject to the owner of the dog complying with the conditions of this policy.
- 3.5.2 Failure to comply with this policy will be deemed to be a breach of the conditions of the approval to import and may at the discretion of the LHIB, result in approval to keep the dog on the Island being withdrawn, in which case enforcement action such as the issue of a penalty notice, prosecution or deportation of the dog may occur.
- 3.5.3 If an approval to import a dog to the Island has been terminated, the dog must be removed from the Island within 2 weeks from the date of the notice for termination being issued. Failure to remove the dog from the Island within the time specified may result in the dog being seized by officer(s) appointed by the LHIB, a Police Officer or any other person and may result in fines to the owner.

3.6 Restricted and Dangerous Dogs

- 3.6.1 It is an offence in New South Wales to sell, acquire or breed dogs on the restricted dog list. The breeds of dogs that are prohibited from importation to the Island are as follows:
 - a) American Pit-bull Terrier or Pit-bull Terrier;
 - b) Japanese Tosa;
 - c) Dogo Argentino (Argentinean fighting dog);
 - d) Fila Brasileiro (Brazilian fighting dog);
 - e) * Any dog declared by the LHIB under Division 6 of the CA Act to be a restricted dog;
 - f) Any other dog of a breed kind, or description prescribed by the Regulation.

* Refers to any dog where the LHIB is of the opinion that the dog is ~~a~~ breed ~~of~~ dog on the restricted dog list, or a cross-breed of any such breed or dog.

3.7 Nuisance Dogs

- 3.7.1 The provisions of Section 21 –of the CA Act apply to LHI in respect ~~to~~of Nuisance Dogs. A dog is a nuisance if the dog:
- a) Is habitually at large, or
 - b) Makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
 - c) Repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
 - d) Repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
 - e) Endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
 - f) Repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.
- 3.7.2 Where there is evidence that a nuisance dog complaint is justified, the LHIB will issue the owner of the dog with an abatement notice. This presents the owner with a realistic definite timeline in which to take action to abate the nuisance. If requested the LHIB will provide advice as to corrective measure that may be employed, but it remains the owners responsibility to determine and implement the necessary corrective action.
- 3.7.3 Where the nuisance has not been abated after the abatement period the LHIB may issue an Infringement Notice. In the case of continued nuisance the LHIB may revoke any prior approvals and order the dog to be removed from the Island.

3.8 Dog Management Zones

- 3.8.1 For the purpose of this policy, land is classified into the following zones:
- a) Public Place
 - b) Designated Dog Exercise Area
 - c) Prohibited Place
 - d) Leasehold Land
- 3.8.2 Maps showing specific locations are provided in Appendix A.
- 3.8.3 Bona fide assistance animals (including guide dogs, hearing assistance dogs and trained animals) are generally exempt from all ~~zonal restrictions, prohibitions.~~

3.9 Public Places

- 3.9.1 Under the CA Act a public place is defined as:
- a) Any pathway, road, bridge, jetty, wharf, road-ferry, reserve, park, beach or garden; and
 - b) Any other place that the public are entitled to use.
- 3.9.2 A dog that is in a public place must be under the effective control of some competent person by means of an adequate chain, cord or leash that is attached to the dog and that is being held by (or secured to) the person.

3.10 Designated Dog Exercise (Off-Leash) Areas

3.10.1 The LHIB has declared the following public places as “Off-Leash” areas:

- a) The grassed open space area west of Lagoon Road and the adjoining section of Lagoon Beach from the southern side of the Aquatic Club (fence), south to the southern-most boundary of the oval;
- b) The southern section of Blinky Beach south of the main access track;
- c) Lagoon Beach, from the south-western boundary of the airstrip (airstrip rocks) to the northern bank of Cobby’s Creek [\(1 May to 29 September only\)](#).

3.11 Prohibited Place

3.11.1 Dogs are prohibited in the following places (whether or not they are leashed or otherwise controlled):

- a) Children’s play areas: meaning any public place, or part of a public place, that is within 10 metres of any playing apparatus provided in that public place or part for the use of children).
- b) Recreation areas where dogs are prohibited: meaning any playing area of a sports ground or tennis court on which sport is being played.
- c) School grounds and Child care centres.
- d) All beaches excluding those identified as Designated Dog Exercise Areas, and Middle Beach.
- e) All public buildings.

3.11.2 In addition, the LHIB has declared the following locations as Prohibited Places:

LOCATION	DEFINITION OF PROHIBITED PLACES
The Permanent Park Preserve	All of the Permanent Park Preserve with the exception of: <ol style="list-style-type: none"> a) The southern walking track to Middle Beach; b) The Transit Hill walking track from Bowker Ave to Blinky Beach (but not including the northern end of the beach area). Dogs must be leashed at all times whilst on the tracks identified above.
The Pines Precinct	All of the area generally west of Lagoon Road from the rock cairn at Signal Point to the northern end of the car park north of the boat sheds, including the whole of the BBQ area and adjacent beach.
The Island Cemeteries	Any area of Crown land reserved for the purposes of a cemetery together with such areas on leasehold as are clearly defined as private cemeteries.
Neds Beach	The whole of the Neds Beach area, from where the palm tree forest ends on Neds Beach Road, including the beach, BBQ areas and open recreational areas.
Blinky Beach	The northern end of Blinky Beach, northwards from where the carpark access track meets the beach.
Old Settlement Beach	The entire length of Old Settlement Beach including access tracks and BBQ areas on the western side of Lagoon Rd.
Little Island	The part of the Little Island Track and foreshore south from the boulder section at Little Island marking the northern boundary of Far Flats to Little Island (where the palm tree forest starts).
Cobby’s Corner	All the area west of Lagoon Road at Cobby’s Corner including the beach and BBQ area to the northern bank of Cobby’s Creek. Seasonally (30 September – 30 April): All the area to the north of the northern beach access track to the airstrip revetment.
The Waste Management Facility (WMF)	Dogs will be prohibited from the area occupied by the WMF and adjacent revegetation areas.

3.12 Special Circumstances

3.12.1 Dogs are permitted in some public places, subject to the following conditions:

LOCATION	DEFINITION OF PROHIBITED PLACES
The Aerodrome (Portion 180)	Dogs will be prohibited from Portion 180, except for the purpose of loading or unloading a dog from an aircraft.

The above prohibition does not apply to dogs such as a trained sniffer dogs, dogs trained in search and rescue or other specialist dogs imported to the Island in accordance with CI 62(4) of the LHI Regulation.

3.13 Outdoor Dining Areas

3.13.1 Dogs are prohibited from all outdoor dining areas including 10m from BBQ facilities at the following areas:

- a) Old Settlement Beach
- b) The Playground
- c) Cobby's Corner
- d) North Bay
- e) Neds Beach
- f) The Pines precinct
- g) BBQ area at the Jetty
- h) The Aquatic Club

3.14 Dogs on Leasehold Land

3.14.1 Dogs do not have to be on a leash if they are on the dog owner's property.

3.14.2 A dog must not be on any other lease without the lease owner's consent.

3.15 Dogs defecating in public place

3.15.1 If a dog, under the while in control of any person, defecates in a public place, that person must immediately remove the faeces and properly dispose of them. Proper disposal means complete removal from the site and later disposal at the Waste Management Facility. Burying faeces onsite is not acceptable.

3.16 Communication – education

3.16.1 Information and maps will be provided to all registered dog owners. The policy will be available on the LHIB's website for all residents to download.

3.16.2 Where the boundaries of designated dogs areas may be difficult to identify confusing (i.e. Cobby's Beach, Aquatic Club and Old Settlement Beach, Clear Place Track), appropriate signage "No Dog" signs will be installed.

3.17 Enforcement

3.17.1 The policy will be given effective and enforced by LHIB staff.

3.18 Penalties

3.18.1 Penalties (enforceable by an on-the-spot fine or in court) may be imposed on the owner of a dog for a number of offences. Some of these are:

- a) Dog found in a public place and not under control by leash etc;
- b) Dog found in a Prohibited Place;
- c) Dog attacking or injuring persons or animals;
- d) Dog fouling a public place, and failure of the person controlling the dogowner to remove and appropriately dispose of faeces;
- e) Failure to notify the LHIB of transfer of ownership of dog; and
- f) Where an Authorised Officer is satisfied that a dog is a nuisance.

3.18.2 Offences under the *CA Act* attract fines of up to \$1,000. In addition, penalties under the *National Parks and Wildlife Act, 1972* where dogs harm ~~+~~ protected fauna may attract fines up to \$10,000.

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3.19 Seizure of Dogs

3.19.1 If a dog is found in contravention of the policy, the dog may be seized. A dog may be seized by officer(s) appointed by the LHIB, a Police Officer or any other person. A dog that has been seized under the Companion Animals Act must be delivered to the officer in charge of the LHIB's dog pound immediately. If your dog is seized, the LHIB will notify you as soon as practicable. Your dog can then be released on payment of a release fee (\$50) and a maintenance fee (\$5 / hour or part thereof) for the dog while it has been in the pound. If your dog is seized on a 2nd or subsequent occasion within 12 months of it first being seized, the release fee on each occasion is \$300. Dogs found to be continually wandering will be seized and will be declared a 'nuisance dog' under the Companion Animals Act, resulting in fines to the owner.

3.20 Dangerous Dogs

3.20.1 Dogs attacking or injuring persons or animals can be declared dangerous. A dog declared dangerous is subject to very strict controls and ultimately a destruction order may be issued for the dog.

4 Appendix A: Dog Management Areas





<p>Dogs on a Leash Dog Exercise Areas Dog Prohibited Places</p>	<p>Dog Management Areas Cobby's Beach Precinct</p> <p><small>Copyright: This document is the property of Lord Howe Island Council. All rights reserved. This document is for internal use only. It is not to be distributed outside the Council. All other rights reserved. No part of this document may be reproduced without the prior written permission of Lord Howe Island Council.</small></p>	<p>Lord Howe Island Council 16 May 2011</p>
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5 Appendix B: Application to Import a Dog

LORD HOWE ISLAND BOARD

APPLICATION TO IMPORT A DOG

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

Name of applicant	
Address	
Lease where dog will be kept	
Breed of dog	
Age of dog	
Has the Dog attended a Basic Obedience Dog Training Course? Please refer to 'Dog Training Requirements' attached to this application.	The dog has attended a 'Basic Obedience Dog Training' course and the certificate is attached. <input type="checkbox"/> Yes A bond must be lodged (10 Penalty units; \$1,100). <input type="checkbox"/> No
Is the dog de-sexed? All female dogs must be de-sexed prior to importation. Male dogs under the age of four months may be permitted provided the dog is de-sexed or otherwise rendered permanently incapable of reproduction prior to seven months of age.	The dog has been de-sexed and the certificate is attached. <input type="checkbox"/> Yes A bond must be lodged (10 Penalty units; \$1,100). <input type="checkbox"/> No
Reason for importation	

I, being the applicant, have read the Lord Howe Island Board's *Dog Importation and Management Policy 2014* and understand the provisions and conditions therein. I understand that failure to abide by the conditions of the policy may result in the termination of approval to have a dog on the Island, that fines may be imposed, and that it may also render future applications ineligible.

Signature: Date:

OFFICE USE ONLY

Criteria	Yes	No
Does the applicant meet the residency requirement?		
Meet the dogs per household requirement?		
Provide a reason for importing the dog?		
Is the dog trained & the certificate attached?		
Is the dog incapable of reproduction?		
Is a bond required?		

If all criteria meet the conditions of importation under the *Dog Importation and Management Policy 2014*, approval can be issued by the Chief Executive Officer. If all criteria are not met, the Lord Howe Island Board members must consider the application.

APPROVED

DEFERRED FOR BOARD CONSIDERATION

..... Date:
 Penny Holloway
 CHIEF EXECUTIVE OFFICER

Assessment Notes:

DOG TRAINING REQUIREMENTS

Prior to importation, dogs over the age of four months must have completed Obedience Dog Training and be certified by an accredited trainer as having attained a Basic Level of Obedience Training according to the following criteria:

Command	On / Off Lead	Criteria
Heel	On Lead	Hold dog by owner's side while walking. Dog must not pull.
Sit	On Lead	Dog must be controlled and focused on the handler. Dog must sit on command.
Drop and Down	Off Lead	Dog must drop and dog must lie down on command.
Stay	Off Lead	Dog must not move until commanded to move, dog must stay.
Come	Off Lead	Dog must return to handler on command.
No	Off Lead	Dog must stop behaviour on command.

In the event the dog is under the age of four months and/or considered too young to be trained, a bond equivalent to 10 penalty units (\$1,100.00) must be lodged with the Lord Howe Island Board prior to importation.

This bond will be refunded upon the production of the appropriate training certificate or veterinary certificate demonstrating compliance with this clause prior to the dog reaching one year of age.

Failing to have the dog certified to a Basic Level of Obedience following the criteria above before reaching one year of age, will be deemed to be a breach of the conditions of the approval to import and will result in the approval being terminated.

6 Appendix C: Application to Transfer a Dog

LORD HOWE ISLAND BOARD

APPLICATION TO TRANSFER A DOG

Please complete the following details to enable the transfer of ownership application to be assessed.

Name of applicant	
Address	
Name of previous owner	
Name of dog	
Breed of dog	
Age of dog	
Lease where dog to be kept	
Has the Dog been formally trained?	Only dogs that are formally trained can be transferred.
Is the dog de-sexed?	Only dogs that are de-sexed can be transferred.
Reason for transfer	

TRANSFEREE

I, being the applicant, have read the Lord Howe Island Board's *Dog Importation and Management Policy 2014* and understand the provisions and conditions therein. I understand that failure to abide by the conditions of the policy may result in the termination of approval to have a dog on the Island, that fines may be imposed, and that it may also render future applications ineligible.

Signature: Date:

TRANSFEROR

I, approve the transfer of my dog,
 to

Signature: Date:

OFFICE USE ONLY

Criteria	Yes	No
Does the applicant meet the residency requirement?		
Meet the dogs per household requirement?		
Provide a reason for transferring the dog?		
Is the dog trained?		
Is the dog incapable of reproduction?		

If all criteria meet the conditions of transfer under the *Dog Importation and Management Policy 2014*, approval can be issued by the Chief Executive Officer. If all criteria are not met, the Lord Howe Island Board members must consider the application.

APPROVED

DEFERRED FOR BOARD CONSIDERATION

..... Date:

Penny Holloway
CHIEF EXECUTIVE OFFICER

Assessment Notes:

Board Meeting: September 2017	Agenda Number: 10(i)	Record No: ED17/4124
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Transfer of Perpetual Lease – BM Thompson

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of perpetual lease 1972/01 by way of gift from Bruce Maxwell Thompson to Bruce Maxwell, Leilani and Losalini Thompson as joint tenants subject to concurrence of the mortgagee over the lease.

BACKGROUND

An application has been received for consent to transfer Perpetual Lease 1972/01 by way of gift from Bruce Maxwell Thompson to Bruce Maxwell, Leilani and Losalini Thompson as joint tenants.

Section 23 of the Lord Howe Island Act, 1953 provides that the Minister, on recommendation of the Board, may consent to the transfer of a lease to two or more persons as joint tenants, and that where the proposed transferees are not Islanders within the meaning of the Act the Board shall not recommend consent unless satisfied that there is no Islander who desires and is in a position to take the transfer. Section 23 further provides that in the case of a transfer to a person other than an Islander, the approval of the Governor is required.

COMMENT

Leilani and Losalini Thompson are Bruce Maxwell Thompson's daughters and all proposed transferees, including Mr Thompson, are Islanders within the meaning of the Act. All transferees currently reside on the lease. The lease is subject to mortgage and the concurrence of the mortgagee will be required prior to registration of the proposed transfer.

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of Perpetual lease 1972/01 by way of gift from Bruce Maxwell Thompson to Bruce Maxwell, Leilani and Losalini Thompson as joint tenants subject to concurrence of the mortgagee over the lease.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Board Meeting: September 2017	Agenda Number: 10(ii)	Record No: ED17/4121
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Transfer of Perpetual Lease – R and W O'Brien

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of perpetual lease 1958/03 by way of gift from Roseanne Margaret and Warren Keith O'Brien as joint tenants to Roseanne Margaret and Warren Keith O'Brien and Derek Edward O'Brien as joint tenants subject to concurrence of the mortgagee over the lease.

BACKGROUND

An application has been received for consent to transfer perpetual Lease 1958/03 by way of gift from Roseanne Margaret and Warren Keith O'Brien as joint tenants to Roseanne Margaret and Warren Keith O'Brien and Derek Edward O'Brien as joint tenants.

Section 23 of the Lord Howe Island Act, 1953 provides that the Minister, on recommendation of the Board, may consent to the transfer of a lease to two or more persons as joint tenants, and that where the proposed transferees are not Islanders within the meaning of the Act the Board shall not recommend consent unless satisfied that there is no Islander who desires and is in a position to take the transfer. Section 23 further provides that in the case of a transfer to a person other than an Islander, the approval of the Governor is required.

COMMENT

Derek O'Brien is Mr and Mrs O'Brien's son and all proposed transferees are Islanders within the meaning of the Act. All transferees currently reside on the lease. The lease is subject to mortgage and the concurrence of the mortgagee will be required prior to registration of the proposed transfer.

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of perpetual lease 1958/03 by way of gift from Roseanne Margaret and Warren Keith O'Brien as joint tenants to Roseanne Margaret and Warren Keith O'Brien and Derek Edward O'Brien as joint tenants subject to concurrence of the mortgagee over the lease.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Board Meeting: September 2017	Agenda Number: 10(iii)	Record No: ED17/4120
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Transfer of Perpetual Lease – GR Whitfield

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of perpetual lease 2016/08 by way of gift from Gregory Robert Whitfield to Gregory Robert and Sharon Jane Whitfield as joint tenants.

BACKGROUND

An application has been received for consent to transfer perpetual Lease 2016/08 by way of gift from Gregory Robert Whitfield to Gregory Robert and Sharon Jane Whitfield as joint tenants.

Section 23 of the Lord Howe Island Act, 1953 provides that the Minister, on recommendation of the Board, may consent to the transfer of a lease to two or more persons as joint tenants, and that where the proposed transferees are not Islanders within the meaning of the Act the Board shall not recommend consent unless satisfied that there is no Islander who desires and is in a position to take the transfer. Section 23 further provides that in the case of a transfer to a person other than an Islander, the approval of the Governor is required.

COMMENT

Mr and Mrs Whitfield are Islanders within the meaning of the Act and currently reside on the lease. The lease is not subject to mortgage or other encumbrance.

RECOMMENDATION

It is recommended that the Board seek the Minister's approval to the transfer of perpetual lease 1958/03 by way of gift from Gregory Robert Whitfield to Gregory Robert and Sharon Jane Whitfield as joint tenants subject to concurrence of the mortgagee over the lease.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer



Justice
NSW Trustee
& Guardian

12 July, 2017

Your ref: P-L305

Our ref: P3D

RECEIVED

18 JUL 2017

Lord Howe Island Board

Lord Howe Island Board
PO BOX 5
LORD HOWE ISLAND NSW 2898

Matter of : Wallace Henry Woolnough

Matter ID: 171260

Re: Perpetual Lease 1975/06

Dear Sir/Madam

I refer to your letter of the 12/05/2017.

Attached are the following:

1. Cheque in the amount of \$90.00 representing fees for Form 5 and Form 6 in total.
2. Form 5 Application
3. Declaration "A"
4. Declaration "B"

Would you please seek the necessary approval to transfer the realty into the name of the beneficiary Denise Cheryl Tokailagi.

Please advise when approval is held, so that we can send Form 6 to your office.

Yours sincerely

A handwritten signature in black ink, appearing to read "SL", written over a light blue horizontal line.

Sherelle Littlebury
for NSW Trustee and Guardian

Encs

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Transfer of Perpetual Lease - Estate of the Late W Woolnough

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the transfer of Perpetual lease 1975/06 by devolution under the will of the Late Wallace Henry Woolnough to Denise Cheryl Tokailagi.

BACKGROUND

An application has been received from the NSW Trustee and Guardian, as Executor of the Estate of the Late Mr Woolnough, to transfer the Deceased's Perpetual lease to Denise Tokailagi. Ms Tokailagi is the beneficiary of the lease under the Will, is an Islander and lives on the Island. A copy of a covering letter from the Executor of the Estate is attached at Tab A. A copy of the Grant of Probate of the Will of the Late Mr Woolnough is attached at Tab B.

CURRENT POSITION

Section 23 of the Lord Howe Island Act ("the Act") governs the transfer of perpetual leases, with subsections (10) to (13) dealing with the transfer of leases the subject of a will or intestacy.

Section 23(10)(a) provides that *"If a lease under this Act devolves under a will or intestacy upon any person, such person may hold the lease for such period after the death of the testator or intestate as the Minister on the recommendation of the Board may permit."*

Section 23(10)(d) provides that *"If such person does not within any such period obtain the certificate of the Minister as aforesaid, nor transfer the lease as aforesaid, the same together with any moneys paid to the Crown in respect thereof shall be liable to forfeiture."*

The NSW Trustee and Guardian has not sought approval to hold the lease under Section 23(10)(a) for any period and has, instead, applied to transfer the lease directly to the beneficiary. This is within the power of the Executor and effectively acquits the leasehold affairs of the Estate.

As Ms Tokailagi is an Islander, the application otherwise complies with the Board's "Transfer of Perpetual Lease Policy".

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the transfer of Perpetual lease 1975/06 by devolution under the will of the Late Wallace Henry Woolnough to Denise Cheryl Tokailagi.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Letter from NSW Trustee & Guardian dated 12 July 2017

Attachment B: Probate of the Will dated 17 January 2017 (CONFIDENTIAL)

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Compliance with Residency Condition of Perpetual Leases

RECOMMENDATIONS

It is recommended that the Board agree to seek further information from various leaseholders with respect to their circumstances and compliance with the residency condition of their perpetual leases.

It is also recommended that the Board agree to develop a policy designed to articulate the administrative criteria that will guide the Board when considering applications for suspension of the condition of residency and any action to enforce this condition.

BACKGROUND

During the course of an administrative review of perpetual leases, arising from some possible non-compliance with the residency condition, legal advice was sought with regard to application of the condition. In light of this advice a number of leases have been identified where clarification of absence of the lessee/s from the Island is required. The advice also identified that it was desirable for the Board to have a policy regarding application, exemption, compliance and enforcement of the residency condition.

COMMENT

The review indicated that of the 114 perpetual leases on the Island, 93 (82%) appeared to have no compliance issues. Residence on a perpetual lease is, however, a key condition underlying the Island's unique land tenure system which is one of the core provisions of the Lord Howe Island Act. It is therefore important that there be guidance for both the Board and leaseholders in this regard to ensure a consistent and equitable approach.

RECOMMENDATION

It is recommended that the Board agree to seek further information from various leaseholders with respect to their circumstances and compliance with the residency condition of their perpetual leases.

It is also recommended that the Board agree to develop a policy designed to articulate the administrative criteria that will guide the Board when considering applications for suspension of the condition of residency and any action to enforce this condition.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Estate of the Late Joyce Petherick

RECOMMENDATIONS

It is recommended that the Board seek the Minister's consent for the transfer of perpetual lease 1970/03 by sale from Ian Petherick as Executor of the Estate of the Late Joyce Petherick to Lea Catherine Petherick, Jean Oaks and Patricia Petherick.

It is also recommended that the Board seek the Minister's consent and the Governor's approval for the transfer of Perpetual lease 1970/03 by sale from Lea Catherine Petherick, Jean Oaks and Patricia Petherick to Lea Catherine Petherick and Ben Ohlback as joint tenants.

BACKGROUND

An application has been received from Ian Petherick, as Executor of the Estate of the Late Mrs Petherick, to transfer the Deceased's perpetual lease to Lea Catherine Petherick, Jean Oaks and Patricia Petherick. An application has also been received for the subsequent transfer of the lease from Lea Catherine Petherick, Jean Oaks and Patricia Petherick to Lea Catherine Petherick and Ben Ohlback as joint tenants.

Mr Petherick, son of the late Mrs Petherick, was appointed Executor of the Estate under Grant of Probate issued in August 2016. Mr Petherick then applied to hold the lease to allow administration of the Estate. The Minister, on recommendation of the Board, approved the holding of the lease by Mr Petherick until 30 September 2018.

Mr Petherick is beneficiary of one half of the lease under the will. Mses Petherick and Oak, grandchildren of the Late Mrs Petherick, are beneficiaries of the lease under the will as to one sixth each of the lease.

Given that holding the lease as tenants in common would be impractical in this case, it has been agreed between the four beneficiaries that Mses Petherick would purchase Mr Petherick's share of the lease. If the transfer from Mr Petherick is approved, Mses Petherick have agreed to transfer the lease in whole to Lea Catherine Petherick and her partner Ben Ohlback.

CURRENT POSITION

Section 23 of the Lord Howe Island Act ("the Act") governs the transfer of perpetual leases, with subsections (10) to (13) dealing with the transfer of leases the subject of a will or intestacy.

Section 23(10)(a) provides that *“If a lease under this Act devolves under a will or intestacy upon any person, such person may hold the lease for such period after the death of the testator or intestate as the Minister on the recommendation of the Board may permit.”*

Section 23(10)(c) provides that *“If by the provisions of the will or by law, such person has power to sell the lease, the sale may be effected under such power; in any other case the sale may be effected with the consent of all persons beneficially entitled to the lease or by order of the Supreme Court in its equitable jurisdiction...”*

Section 23(10)(d) provides that *“If such person does not within any such period obtain the certificate of the Minister as aforesaid, nor transfer the lease as aforesaid, the same together with any moneys paid to the Crown in respect thereof shall be liable to forfeiture.”*

Section 23(4) provides that *“The Board shall have an absolute discretion to recommend the granting or refusal of any application for consent under this section, but shall not recommend the granting of consent to a transfer or subletting to any person other than an Islander unless satisfied that there is no Islander who desires and is in a position to take a transfer or sublease, as the case may be, of the lease.”*

Ian Petherick as Executor has applied within the approved two year period to transfer the lease directly to the three other beneficiaries. This is within the power of the Executor and, if approved, effectively acquits the leasehold affairs of the Estate. A copy of the Deed of Settlement and Release satisfying the provisions of 23(10)(c) is attached at “A”. As lineal descendants of the Late Mrs Petherick, Mses Petherick and Oak are Islanders for the purposes of this transfer.

In the case of the transfer from Mses Petherick and Oak to Ms Petherick and Mr Ohlback, Ms Petherick is an Islander but Mr Ohlback is not. The Board’s Transfer of Perpetual Lease Policy however provides that, in the case of a transfer to joint tenants who are spouses and where one of the spouses is not an Islander, the Board will accept that there is no Islander in a position to take the transfer ahead of the non-Islander transferee.

RECOMMENDATIONS

It is recommended that the Board seek the Minister’s consent for the transfer of perpetual lease 1970/03 by sale from Ian Petherick as Executor of the Estate of the Late Joyce Petherick to Lea Catherine Petherick, Jean Oaks and Patricia Petherick.

It is also recommended that the Board seek the Minister’s consent and the Governor’s approval for the transfer of Perpetual lease 1970/03 by sale from Lea Catherine Petherick, Jean Oaks and Patricia Petherick to Lea Catherine Petherick and Ben Ohlback as joint tenants.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: - Deed of Settlement and Release - **CONFIDENTIAL**

PERMISSIVE OCCUPANCY AGREEMENT

Permissive Occupancy No:

Location and Description
of Subject Lands:

Approved Purpose:

Commencement Date:

Holder(s):

We, , being the holders of Permissive Occupancy No. hereby acknowledge that the occupation and use by us of the subject land, being for the purpose of is granted by the NSW Minister for the Environment (the Minister) as a Permissive Occupancy under Section 31 A of the Lord Howe Island Act 1953 (the Act), and may be revoked at any time by the Minister, upon the recommendation of the Lord Howe Island Board (the Board), and that occupation and use of the subject land under this agreement shall not create or confer or imply any tenancy or right of ownership or possession of the subject lands other than a permission to occupy and use, terminable at will, and also that we occupy the said premises, and that this agreement is not transferable,

AND we hereby agree to pay for the use and occupation of the subject land a sum by way of rent at the rate as determined by an independent valuation and CPI adjusted per annum, commencing from 3rd July 2014 which shall be deemed to accrue from day to day, and shall be payable by us in advance on or before 31st day of December in each year together with a proportionate part up to the date of termination of such tenancy at will as is hereinafter provided, and upon termination of this tenancy to deliver up to the Board quiet and peaceable possession of the subject lands.

AND we hereby acknowledge and agree that our occupation and use of the subject lands will be subject to the Board's Standard Conditions For Permissive Occupancy, and any other lawful condition which the Board may apply, as set out in Schedule (A)

We undertake not to sublet the premises without the consent in writing of the Minister for the Environment having been first obtained, to occupy and use the subject land in accordance with the approved purpose and any Board policy which may apply from time to time, and with all relevant State and Commonwealth Acts and Regulations.

We hereby also acknowledge that any improvements effected by us on the said premises during this occupation will become the property of the Crown upon the termination of this agreement if any arrears of rent remain due and unpaid by us at the date thereof, but it is hereby agreed and acknowledged that we have the right to remove such improvements or to sell the same to the Board, or any such person as the Board may agree to in writing.

We further agree that this tenancy may be terminated at any time by a written demand of possession signed by the Minister for the Environment for the time being of the State of New South Wales or any person appointed on his behalf, and served on us personally, or left for us on the said premises. It is also agreed and acknowledged that we may terminate and cease to occupy the land at any time by giving notice in writing to the Minister for the Environment of the date on which we intend to cease occupation, and that we shall be liable for rent up to that date unless the occupancy should be terminated by the Minister for the Environment at an earlier date.

We agree, upon termination of this occupancy and within such time as may be given, to remove structures or all or any material from the land at our cost and without compensation, if required by the Minister for the Environment in writing to do so.

We agree to release and indemnify and keep indemnified the Board, all members of the Board, all of the Board's staff, the Minister and the State of New South Wales ('those indemnified') from and against all liability including but not limited to actions, suits, claims, demands, proceedings, losses, damages, compensation, costs (including my solicitor and client costs), charges, expenses and penalties whatsoever to which any of those indemnified may incur in respect of: the loss of life, personal injury or damage to property or persons occurring in connection with our use and occupation of the subject lands and which arise directly or indirectly from:

- a) Any negligent or willful act or omission of the approval holder, its employees, contractors, sub contractors or agents done or omitted to be done in the course of using the subject land; or
- b) Any act or omission, however caused, of the approval holder, its employees, contractors, sub contractors or agents done or omitted to be done in the course of using the subject land; or
- c) Any other event for which the approval holder would be able to make a claim with respect to the subject land.

We declare that we are above the age of eighteen (18) years.

Signed Date:

Witness Name:.....

Witness Signature: Date:

Signed Date:

Witness Name:.....

Witness Signature: Date:

SCHEDULE A CONDITIONS OF PERMISSIVE OCCUPANCY

Permissive Occupancy No:

Location and Description
of Subject Lands:

Approved Purpose:

Commencement Date:

Holders:

- 1) Annual rent as determined by an independent valuation and, to be CPI adjusted annually, shall be paid in advance to the Board on or before 31st December of the year preceding that for which it is due.
- 2) The land shall be occupied and used only for the approved purpose.
- 3) The occupant shall keep the area in a safe and clean condition to the satisfaction of the Board.
- 4) The occupant shall throughout the currency of the occupancy continually control all Noxious Weeds and such plants or weeds as may from time to time be required to be destroyed by direction of the Board.
- 5) Any improvements the property of the Crown upon the land shall be kept in good repair throughout the currency of the occupancy reasonable wear and tear excepted.
- 6) The public shall, unless otherwise agreed to by the Board in this agreement, have unrestricted right to the use of any defined or designed road, track or pedestrian pathway within the land and such use shall not be interfered with by the occupant.
- 7) The occupant shall take effective steps to keep the land free from rats or other introduced animals throughout the currency of the occupancy.
- 8) No building or structure shall be erected, nor shall any building or structure be altered, without the approval of the Board first obtained.
- 9) The right is reserved to the Board or anybody or person authorised by it to enter upon the land with any material and equipment at any time and from time to time for the purpose of constructing and maintaining authorised works or any other purpose approved by the Board without interference or annoyance by the occupant.
- 10) No bush, timber, trees, palms or vegetative material shall be interfered with by ringbarking, cutting or otherwise unless under authority of the Board. Where in pursuance of such authority any ringbarking, cutting or other interference is effected for the purpose of improvement of the land, all second growth, weeds or noxious plants on such improved area shall be eradicated by the occupant by such regular consecutive treatments as the Board may direct.
- 11) No burning off shall be carried out except with the consent of and subject to such conditions as may be imposed by the Board.
- 12) The occupant shall not depasture stock on the land without prior approval of the Board.
- 13) This agreement is not transferable and will be surrendered when the holder no longer requires the subject and for the approved occupation and use.
- 14) The subject land may not be sub-let other than with the written agreement of the Board.
- 15) Should stock be depastured on the land in accordance with an authority from the Board, the occupant shall not overstock the land either wholly or in part, the decision as to overstocking to rest with the Board. Should the Board deem it necessary for maintenance of pasture or preservation of the fertility of such land or for the prevention of erosion thereon, it may determine the maximum number of stock that may be depastured on such land or any specified part of such land and the occupant shall not

Board Meeting: September 2017	Agenda Number: 10(vi)	Record No: ED17/4112
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Application for Permissive Occupancy – NSW Police

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the granting of a Permissive Occupancy over portion 10 to NSW Police for the purpose of a Police Station and residence subject to the standard conditions of such occupancies and at fair rental as determined by independent valuation.

BACKGROUND

Solicitors acting for NSW Police have requested that a Permissive Occupancy be granted over the site of the existing Police Station and residence, portion 10. A copy of the request is attached at Tab A. The facilities were constructed in the mid 1980's and have never been the subject of formal arrangements for occupation of the site.

Section 31A of the *Lord Howe Island Act 1953* provides that the Minister may, on recommendation of the Board, grant a permission to occupy Crown lands for such purposes and upon such terms and conditions as may be imposed. Section 31A further provides that such permissions shall be terminable at will by the Minister on recommendation of the Board. A copy of the agreement and standard conditions of such occupancies is attached at Tab B.

COMMENT

Permissive occupancies on the Island are normally granted where the granting of either a perpetual or special lease is inappropriate or not legally possible, such as where the user of the land is an organisation rather than a natural person. As NSW Police is to be responsible for occupation of the land, a permissive occupancy is the only form of "tenure" available in this instance.

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the granting a Permissive Occupancy over portion 10 to NSW Police for the purpose of a Police Station and residence subject to the standard conditions of such occupancies and at fair rental as determined by independent valuation.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Attachments:

Attachment A: Letter from Norton Rose Fulbright Solicitors dated 12 July 2017

Attachment B: Agreement and Standard Conditions of Permissive Occupancies

LORD HOWE ISLAND BOARD

Business Paper

ITEM

Extension of Term of Special Leases

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the extension of all existing Special leases on the Island until 31 December 2019 subject to the existing conditions of the leases.

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). Section 22 of the Lord Howe Island Act, 1953 provides that the Minister may grant Special leases for cultivation or grazing or cultivation and grazing or for such other purpose as the Minister, on the recommendation of the Board, may approve. Section 22 further provides that the term of a Special lease may be fixed for any period not exceeding 10 years, but such term may be extended by the Minister for such period as the Board may recommend.

The last major review of allocation and use of Special leases on the Island was undertaken in 2005. Expressions of interest were also invited from members of the community for the use of vacant crown land for grazing, agricultural and associated activities, under Special Lease. Subsequently the Board recommended that the Minister grant 17 new Special leases for a period of up to 10 years (5+5) and these were approved by the Minister to commence on 01 January 2006. The Minister approved an extension of the term of these leases from 1 January 2011 for the second five year period expiring 31 December 2015.

In March 2014 the Government announced a review of land allocation and tenure arrangements for Lord Howe Island and appointed the Hon Ken Handley AO QC to conduct the review. Following consultation with the Island community and other stakeholders, a discussion paper seeking public comment was released in August 2014. Public submissions closed in October 2014. The final report on the Handley review was completed in February 2015. The report including preliminary Government response was made available on the Island for comments in November 2016. This issue is currently being considered by Government.

During the course of the Handley review and report, the term of Special leases became due to expire. In order to forestall the expiry the Minister, on recommendation of the Board, approved the extension of term of all Special leases for an additional two years. This extension concludes on 31 December 2017.

CURRENT POSITION

The Handley review, report and the preliminary Government response contain recommendations which will have direct implications for Special leases if adopted. Given that some of these will include changes in legislation, it would be prudent to seek an interim extension of the term of all existing Special leases for a further two years.

RECOMMENDATION

It is recommended that the Board seek the Minister's approval for the extension of all existing Specials leases on the Island until 31 December 2019 subject to the existing conditions of the leases.

Prepared: James Lonergan, Manager Environment & Community Services

Endorsed: Penny Holloway, Chief Executive Officer

Board Meeting: September 2017	Agenda Number: 11 (i)	Record Number: ED17/4166
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LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Attestation Statement for Financial Year Ending 30 June 2017.

RECOMMENDATION

It is recommended that the Board resolve to authorise the Chairperson to sign the Internal Audit and Risk Management Attestation Statement for the 2016/17 Financial Year.

BACKGROUND

TPP 15-03 *Internal Audit and Risk Management Policy for the NSW Public Sector* requires the head of a statutory body, in accordance with a resolution of the governing body of the statutory body, to certify compliance with the eight Core Requirements for the prior financial year (the 'reporting period') annually. When reviewing the agency's compliance with the Policy, agencies will self-assess and determine whether they have been 'compliant', 'non-compliant' or 'in transition' in relation to each of the Core Requirements for the reporting period. A copy of the Attestation Statement must be separately submitted to NSW Treasury on or before 31 October each year. For any non-compliance with Core Requirements, agencies are required to also submit a copy of the relevant Portfolio Minister's exception approval.

The eight Core requirements are as follows:

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/NZS 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'

An Audit and Risk Committee has been established under a Treasury approved shared arrangement with the following departments / statutory bodies:

- DPE (Principal Department).
- Building Professionals Board.
- Central Coast Regional Development Corporation.
- Office of Local Government.
- Lord Howe Island Board.

CURRENT POSITION

The Lord Howe Island Board has internal audit and risk management processes in operation that are compliant with the eight core requirements set out in TPP 15-03 *Internal Audit and Risk Management Policy for the NSW Public Sector*.

RECOMMENDATION

It is recommended that the Board resolve to authorise the Chairperson to sign the Internal Audit and Risk Management Attestation Statement for the 2016/17 Financial Year.

Prepared: Bill Monks Manager Business and Corporate Services

Endorsed: Penny Holloway Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Renewable Energy Program Update

RECOMMENDATION

It is recommended that the Board note the information.

BACKGROUND

In 2012, the Lord Howe Island Board (the Board) adopted the Lord Howe Island Renewable Operations – Energy Supply Road-Map (the Road Map), to reduce the Island’s reliance on diesel fuel for electricity generation. The Road Map was developed with the important assistance of the community based Sustainable Energy Working Group (SEWG).

The Road Map set the ambitious target for the island of 63% renewable energy by 2017. Funding for the project is provided through a \$4 million grant from the Federal Government via the Australian Renewable Energy Agency (ARENA), a \$5.9 million loan from NSW Treasury (to be paid back via diesel fuel savings), and \$0.5 million from the Board. With funding seemingly secured, work continued on the next phase of the implementation of the Road Map. A requirement of the funding from ARENA was that the project achieves a minimum 1 megawatt (MW) of new renewable energy.

Consultants Jacobs were engaged by the Board in 2014 to lead the technical elements of the project, and community consultation. Jacobs completed a Technical Feasibility Study in March 2015 which examined the mix of solar panels, batteries and wind turbines. The study showed that using 450 kW of solar panels (around 2,000 panels), a 400kWh battery and two small 275kW wind turbines, will reduce the Island’s diesel fuel consumption from 541,000 litres per year to around 180,000 litres per year, a 66% reduction. This combination also provides 67% of the Island’s annual electricity needs, exceeding the target set in the Road Map.

CURRENT POSITION

Solar, Battery and Control System Contract

The tender for the solar, battery and control system contract package of work was advertised on NSW e-tendering between 15 June and 24 August 2016. The assessment of the tenders by Jacobs and the Board is complete and a preferred contractor is known. ARENA and their consultants AECOM undertook a review of all tenders and the tender assessment in November \ December 2016, ultimately reaching the same decision.

However ARENA has delayed the awarding of the contract by the Board until after their Go/No Go decision about the future of the project, subject to an outcome on the wind turbine component.

Wind Turbines

Environmental Assessment Process

A referral of the wind turbine component to the Federal Government under the *Environment Protection Biodiversity Conservation Act* was lodged on 29 September 2016. The referral was advertised on the Department's website on 7 November 2016, and was open for public comment until 21 November 2016. One request for further information was received and responded to in January 2017. Officers from the Department visited the Island in mid-March 2017.

Unexpectedly, on 2 June 2017 the Federal Minister for the Environment and Energy, after calling the referral up for his decision, determined that the "proposed action of constructing and operating two wind turbines on Lord Howe Island would have unacceptable impact on World Heritage values and the National heritage values of the Lord Howe Island Group".

There are options for addressing the Minister's decision, including:

- Withdrawing the referral, and submitting an amended referral addressing the issues of concern, for a new decision by the Minister
- Asking for reconsideration of the Minister's decision, which would mean that the Minister's decision was published followed by a public submission process and a further decision by the Minister.

As it would appear that the Minister is not disposed to support the wind turbine component in any form, it has been assumed that any request for review or reconsideration would lead to the same outcome.

This decision means that it is not possible to proceed with the wind turbine component at this stage.

ARENA Funding

A meeting was held with representatives of ARENA in late June. The purpose of the meeting was to discuss the future of the renewable energy project now that the Federal Environment Minister has determined that the wind turbines would have an unacceptable impact on world heritage values.

The ARENA representatives indicated that they did not believe that the ARENA Board would support continued funding for the project in its current form, without the wind turbine component. This is because the ARENA funding is targeted to innovative renewable energy solutions which can serve as demonstration projects for other like areas, in Lord Howe Island's case, for other remote locations. The proposed hybrid renewable energy project consisting of solar, wind, battery storage and back-up generator with a diesel saving of up to 70% per annum, was seen as an innovative solution to providing renewable energy in a remote location.

However, without the wind turbine component, the project with just solar and battery storage, saving 35% of diesel fuel is not seen as sufficiently innovative.

ARENA has agreed to fund the development of further options, comprising solar and other renewable approaches, which may be acceptable to their Board and lead to a variation in the Board's funding agreement with ARENA. Jacobs has been engaged to undertake this work

and report on the project economics and potential demonstration value of the following points:

1. "Wind Ready - Optimised Solar"
 - 550kW solar generation and a 400kW/400kWh battery
 - Designed to accommodate the future connection and control of up to 550kW of wind generation
 - Capable of 100% instantaneous solar penetration (i.e. operating in diesel off mode).
2. "Maximised Solar"
 - Area previously reserved for the wind turbines to be developed as solar arrays in addition to the area used for solar in Option 1.
 - Battery optimised to accommodate the increase solar generation and minimise curtailment
 - Capable of 100% instantaneous solar penetration (i.e. operating in diesel off mode)
3. Assessment of potential for 100% Renewables
 - Assessment of substitution of diesel for biodiesel including: cost, availability and impact on existing diesel generators.
4. Assessment of the potential for enabling technologies to improve project performance, economics, renewable energy penetration, power quality/grid stability/reliability or demonstration value.
 - Demand Management (e.g. incorporation of curtailable loads like pumps or air conditioning or a fleet of electric vehicles (potentially controlled as a load or generator)).
 - Solar forecasting technologies (e.g. sky cam)
 - Advanced micro grid control technologies

This work on the options is expected to be completed by the end of September 2017.

Budget

The total cost of the project from July 2014 to date is \$2.4 million. Expenditure has been frozen since ARENA indicated that it was reconsidering the funding agreement with the Board.

To date ARENA has provided funding of \$500,000, and NSW Treasury provided \$60,000 to meet the cost of the preparation of the business case, leaving a shortfall (overspend) of approximately \$1.85 million. This overspend includes approximately \$500,000 that has been spent on the supply of road base materials for the access road construction, which is now on hold. Pending a decision on the future of the renewable energy project, these materials will be diverted to other road projects on the Island and the funds recouped from other capital project budgets.

ARENA has advised that if they are unable to agree to a variation of the funding agreement, they will consider providing some funding towards meeting the shortfall.

RECOMMENDATION

It is recommended that the Board note the above information.

Prepared: John Teague, Manager, Infrastructure & Engineering Services

Endorsed: Penny Holloway, Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Airport Terminal Upgrade Project Update

RECOMMENDATION

It is recommended that the Board note the report.

BACKGROUND

The project has been underway since March 2016, and consists of two distinct components:

1. Project and Construction Management, and Design Services; and
2. Construction.

The project budget was initially established at \$1,981,604 (excl. GST). The costs for the project have increased to approximately \$2,500,000 (excl. GST). The funding for the project is being sourced through:

- | | |
|---|---------------------------|
| 1. Infrastructure NSW - Restart NSW funding | - \$1,800,000 |
| 2. Board Capital 16/17 | - \$130,000 |
| 3. Board Capital 17/18 | - \$450,000 |
| 4. Rodent Eradication Project | - \$150,000 |
| TOTAL | - \$2,530,000 (excl. GST) |

STEA Astute Architecture P/L were the successful tenderers for the Project and Construction Management and Design Services Contract and commenced work on the project at the beginning of July 2016. The development application was approved in 22 November 2016 and with Ministerial approval the tender for the construction of the new terminal was awarded to HSG Constructions Pty Ltd in early June 2017.

The temporary facilities for check-in and kiosk commenced operation on 6 June and the old building was demolished. Construction of the new airport terminal commenced on 26 June 2017.

CURRENT POSITION

The foundations of the new Airport Terminal have been completed, with the concrete pad footings for the structural columns poured and the major underground services installed. The new concrete floor slab has been poured. The rolled aluminium roofing material and structural steel elements arrived in early August, and the roofing structure is in installed with

only bracing still to be completed. The construction has now moved onto the timber framing stage which is expected to be in place by the early September 2017.

The temporary terminal facilities have received further improvement with a stronger one-piece canopy covering the passenger seating area and providing improved shelter from the wet weather. The Board has also purchased a new 7m x 7m marquee which will be installed adjacent to the existing portable buildings, and provide all weather protection for passengers when the plane schedule increases in September.

The builder has voiced some concern with a number of RFI's (request for information) not being responded to by the architect in a timely fashion, this has been followed by LHIB staff to expedite the matter. Otherwise the project is progressing well with completion still expected in December 2017.

RECOMMENDATION

It is recommended that the Board note the report.

Prepared: John Teague, Manager Infrastructure & Engineering Services

Endorsed: Penny Holloway, Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Boat Retrieval System (Slipway) Update

RECOMMENDATION

It is recommended that the Board note the update on the development of the boat retrieval system

BACKGROUND

The planning and development of an improved boat ramp and boat retrieval system (slipway) for the Island has been under consideration for many years. In May 2014, the Board adopted the option of minor improvements to the existing boat ramp at Wilson's Landing and a separate slipway facility located at the Waste Management Facility (two site solution).

NSW Roads and Maritime Services had already approved funding of \$680,000 from the Better Boating program for an upgraded boat ramp and development of a slipway.

After considerable investigation of options for a slipway at the WMF and taking into account cost, available funding and environmental impacts, a proposal for a slipway consisting of a wheeled cradle capable of being winched across sand was developed. A development application was considered by the Board in September 2016, and consent given:

To construct a vessel launching and retrieval facility including two concrete bunded work areas, a cradle, electric winch and pollution control system at the Waste Management Facility

This was subject to deferred commencement conditions to be satisfied prior to the consent becoming operative:

1. Detailed design

Drawings showing the detailed design of the vessel launch and retrieval system are to be provided to the Board for planning review and sign off, showing all proposed structures with dimensions, materials and colours. This is also to include:

- a) Details and location of the proposed 6,000L water tank. It is to be in a location which is hidden behind the dune by vegetation and not visible from the foreshore.
- b) Details of any piling, foundations or other structures required that were not provided on the submitted plans.
- c) Details of any excavation and piping required to transport the waste generated to the wastewater management system at the Waste Management Facility.

The acceptability of the impacts of the above final designs will be considered in the review.

2. Comments from NSW Department of Primary Industries – Lord Howe Island Marine Park

Referral comments from the NSW Department of Primary Industries in relation to the Marine Park are to be obtained and it is to be demonstrated to the Boards satisfaction that their general terms of approval will be complied with.

COMMENT

Detailed design of cradle

Subsequent to development consent, and in order to meet the deferred commencement conditions consultants Advisian were engaged to investigate possible modification options for the existing slipway cradle, which was originally designed to operate on rails. The cradle is owned by the LHI Slipway Association.

The task was to investigate the feasibility of the slipway cradle being modified to enable operation of a vessel launching and retrieval facility on the beach adjacent to the Waste Management Facility. This would necessitate modification of the cradle by fitting tyres or tracks to enable operation on sand.

Advisian undertook a structural and operational analysis of the cradle with two design vessels and has provided a draft report. In which their structural analysis found that the cradle had sufficient structural capacity to carry the design vessels on an uneven surface. However, operational issues and risks included:

- cradle steering issues with a longer design vessel;
- cradle stability due to soft, uneven sand surface;
- beach surface preparation to aid cradle stability; and
- required water depth to receive/dispatch vessels.

Due to concerns regarding issues and risks identified, Advisian advised that the cradle operating on sand was not the best option for the site.

Consideration of other options

As a result, alternate options for a vessel launching and retrieval facility were considered by Advisian:

1. Self-propelled tyre/track mounted cradle/trailer 'boat launcher'.
2. Elevated, piled, railed slipway with existing cradle.
3. Fixed concrete ramp to accommodate a rail or tyre mounted cradle / trailer.
4. Elevated, piled runway to support a travel lift.
5. Fixed crane mounted on a fixed platform.

Options 1 and 2 were seen to be feasible for the selected site and were explored in detail. Option 3 was not considered in more detail as a fixed concrete ramp would have coastal impacts on the beach by preventing littoral drift of sand along the beach. Options 4 and 5 were not seen as appropriate for the site.

Due to vessel size limitations, the use of a self-propelled 'boat launcher' was not considered capable of carrying the design vessels. Therefore, construction of an elevated, piled, railed slipway for use with the existing cradle was recommended by Advisian as the preferred option. LHIB staff have provided comment on the draft report and requested that the author revise and the final report.

Next steps

Given the advice from Advisian, it is therefore proposed to return to the option of an elevated, piled, railed slipway for use with the existing cradle at the Waste Management Facility. This will require additional funding and necessitate the modification of the development consent.

In late July 2017, a funding application was submitted to the Tourism Demand Driver Infrastructure Fund, being managed through the NSW Department of Industry, for \$700,000 to match the funding already available through RMS Better Boating Program.

An application for modification of the development consent will be submitted for independent planning assessment and consideration by the Board at the November 2017 Board meeting.

RECOMMENDATION

It is recommended that the Board note the update on the development of the boat retrieval system

Prepared: John Teague, Manager Infrastructure and Engineering Services

Endorsed: Penny Holloway, Chief Executive Officer

LORD HOWE ISLAND BOARD

Business Paper

OPEN SESSION

ITEM

Public Risk and Work Health and Safety (WH&S) Management Update

RECOMMENDATION

It is recommended that the Board note the information provided on Public Risk and WH&S matters.

BACKGROUND

The Board has requested information on Public Risk and WH&S matters be presented on a quarterly basis.

CURRENT POSITION

Workplace Health and Safety

As at 30 June 2017 eighteen claims had been lodged for the 2016-17 financial year:

2016/17				
No	Date of Injury	Type of Injury	Cause of Injury	Hours lost
1	7/07/2016	Bruising R arm and R shoulder	Stuck by reversing vehicle	Medical expenses only
2	23/07/2016	Head laceration	Struck by windborne piece of timber	Medical expenses only
3	27/07/2016	Muscle sprain L shoulder	Lifting	Medical expenses only
4	23/07/2016	Foreign Body R eye	Hosing logs	Medical expenses only
5	8/08/2016	Severe sprain L knee	Twisted knee weeding	192
6	11/08/2016	Trauma to R ear canal/foreign body in R ear canal	Stick entered ear while weeding	Medical expenses only
7	16/09/2016	Partial tear medial collateral ligament R knee	Slip	TBC
8	29/09/2016	Injured R foot	Inversion of R ankle	56.8
9	16/08/2016	Corneal ulcer and conjunctivitis	Contact with bushes and branches	22.8
10	29/11/2016	Foreign body (stick) in L leg	Moving through thick undergrowth	Medical expenses only
11	18/01/2017	Bruised/sprained	Bicycle collision	Medical expenses only
12	24/01/2017	Sprain of R ankle	Rolled ankle on walking track	45.6
13	26/02/2017	L knee injury	Twisted knee landing during helicopter winch work	TBC

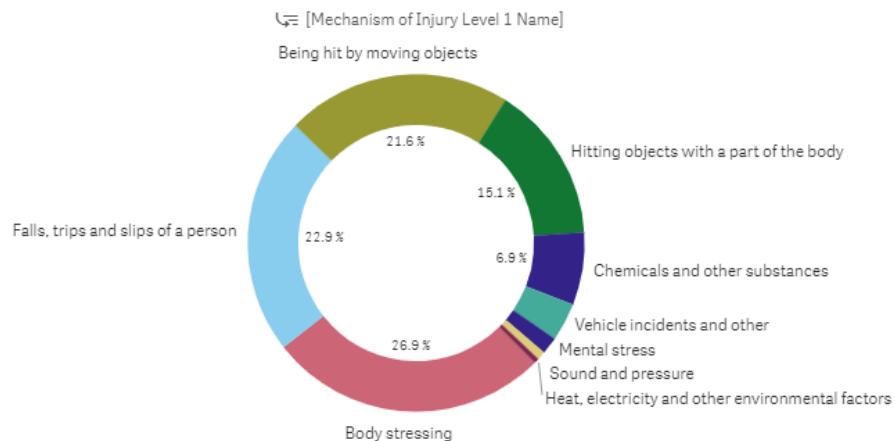
14	18/04/2017	Capsular tear R knee	Weeding on rough track	Medical expenses only
15	4/05/2017	Acute moderate cervical spine strain	Pulling lawnmower out of storage	Medical expenses only
16	11/05/2017	Rotator cuff tear L shoulder	Tripped on pothole	12.1
17	31/05/2017	Traumatic R eye trauma	Eye poked by plant weeding	Medical expenses only
18	10/06/2017	Rotator cuff tear R shoulder	Lifting	Medical expenses only

At 25 August 2017 five new claims have been lodged for the 2017-18 financial year:

2017/18				
No	Date of Injury	Type of Injury	Cause of Injury	Hours lost
1	3/07/2017	Disc bulge or prolapse	Bending over	TBC
2	12/07/2017	Tenosynovitis of extensor tendon R forearm	Jackhammering	Medical expenses only
4	13/07/2017	L lower costo-chondral cartilage tear	Removing rubble from tracks	22.8
5	2/08/2017	Petrol in R ear	Working on air blocked fuel line	Medical expenses only
6	4/08/2017	R pectoral muscle strain	Shovelling	TBC

Workers compensation statistics for the last five years:

Mechanism of Injury
(Reportable and non-Reportable Claims)



Claims Table Summary
(Reportable and non-Reportable Claims)

Last 5 FY Reported	Number of Claims #	Avg Net Incurred Cost	Net Incurred Cost \$	Total Amount Paid \$	Latest Estimate \$	Amount Recovered ...
Totals	245	\$6,112.99	\$1,497,681.48	\$1,423,913.63	\$73,767.85	\$0.00
Before	194	\$6,713.19	\$1,302,359.12	\$1,255,609.98	\$46,749.14	\$0.00
FY 13-14	14	\$3,863.44	\$54,088.19	\$53,033.38	\$1,054.81	\$0.00
FY 14-15	8	\$969.57	\$7,756.58	\$7,756.58	\$0.00	\$0.00
FY 15-16	9	\$4,356.44	\$39,208.00	\$39,208.00	\$0.00	\$0.00
FY 16-17	18	\$4,650.26	\$83,704.59	\$68,227.69	\$15,476.90	\$0.00
FY 17-18	2	\$5,282.50	\$10,565.00	\$78.00	\$10,487.00	\$0.00

Actions taken to address the incidence of injury include Workplace WH&S matters being discussed and addressed at monthly staff meetings, including reviews of Job Safety Analysis and Hazard Identification.

The Senior Management Team met with Resident Medical Officer Dr Frank Reed to discuss workplace injury management.

Work Health and Safety training for Managers and Supervisors has been scheduled for December 2017.

Public Risk Management

- IPART (Independent Pricing and Regulatory Tribunal NSW) have visited the Island to develop an understanding of the Island's electrical network. IPART monitor the safety and reliability of transmission and distribution networks in NSW.

RECOMMENDATION

It is recommended that the Board note the information provided on WH&S and Public Risk matters.

Prepared: Jemima Spivey, Manager Administration

Endorsed: Penny Holloway, Chief Executive Officer