



<b>Meeting</b>	<b>Lord Howe Island Board Meeting</b>
Location	Community Hall, Lord Howe Island
Date/Time	Tuesday 13 September, 3:45 pm – 5:45 pm
Present	<p><b>Atticus Fleming AM</b>, Chairperson (AF)</p> <p><b>Therese Turner</b>, Elected Member (TT)</p> <p><b>Gary Crombie</b>, Elected Member (GC)</p> <p><b>Matthew Retmock</b>, Elected Member (MR)</p> <p><b>James Lonergan</b>, Elected Member (JL)</p> <p><b>Christine Bath</b>, Appointed Member, Conservation (CB)</p> <p><b>Bruce Baird AM</b>, Appointed Member, Business and Tourism (BB)</p>
Board Staff Present	<p><b>Suzie Christensen</b>, Chief Executive Officer (SC)</p> <p><b>Debbie Johnsen</b>, Sr. Manager Business and Corporate Services (DJ)</p> <p><b>Darcelle Matassoni</b>, Acting Sr. Manager Environment and Community Services (DM)</p> <p><b>Ben Jenkins</b>, Sr. Manager Infrastructure and Engineering Services (BJ)</p>
Observer	<p><b>Andrew Nicholls</b>, Executive Director, Business Delivery</p> <p><b>Chris Birmingham</b>, Team Leader Biosecurity</p>
Apologies	<b>James Lonergan</b> , Wednesday 14 <sup>th</sup> September
Minutes	<b>Belinda Panckhurst</b> , Administration Officer

On Tuesday 13<sup>th</sup> September, the Closed Session commenced at 3:47pm and closed at 6:12pm. On Wednesday 14<sup>th</sup> September, the Closed Session commenced at 8:35am and closed at 10:00am. The Open session commenced at 10:40 and closed at 12:24pm. The Closed Session recommenced at 12:30pm and closed at 1:40pm.

Unless otherwise specified, all Board decisions were unanimous.

## 1 CONFLICT OF INTEREST DECLARATIONS

There was one formal declaration tabled.

Board member	Agenda item
Matthew Retmock	12.3



## 2 GOVERNANCE

### 2.1 Effectiveness and Efficiency Implementation

Closed Session

### 2.2 LHIB Services Listing, Performance Measures and Reporting Framework

Closed Session

### 2.3 Annual Internal Audit and Risk Management Attestation Statement, and Internal Audit Charter

Closed Session

### 2.4 CEO's Key Performance Indicators

Closed Session

## 3 OPERATIONS AND SERVICES

### 3.1 Biosecurity Project Plan

Closed Session

### 3.2 LHI Shipping Service – Renegotiated Birdon Contract and Long-term Solution

Closed Session

## 4 WH&S AND PUBLIC RISK MANAGEMENT

### 4.1 Work Health and Safety (WH&S) and Public Risk Management Update

Closed Session

### 4.2 WHS Roadmap – Budget and Indicators

Closed Session

### 4.3 WHS Training Session

Closed Session



## 4.4 Risk Management Workshop

Closed Session

## 5 FINANCE AND BUSINESS MANAGEMENT

### 5.1 Financial Status Update

Closed Session

### 5.2 Budget for Financial Year 2022/2023

Closed Session

### 5.3 Perpetual and Special Lease Fees for the period January 2023 – 2025

Closed Session

### 5.4 Draft Annual Financial Report 2021/2022

Closed Session

### 5.5 Draft Annual Report 2022/23

Closed Session

## 6 LEASING AND LAND ADMINISTRATION

### 6.1 Application to suspend condition of residence for part PL1954.09 – Thompson Nathan

Closed Session

## 7 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

The Board noted the adoption of the May 2022 minutes.

## 8 OUT OF SESSION MATTERS

The Board noted the information provided in the report.

## 9 ACTIONS FROM PREVIOUS MEETINGS

The Board noted the information provided in the report.

## 10 CHIEF EXECUTIVE OFFICER'S REPORT

The Board noted the information provided in the CEO report.

Barney Nichols (member of the community) asked if the amount of funding approved for the road works will be sufficient to cover all works required or will it need prioritising.

The CEO advised that it has been prioritised in the design and funding. Due to escalation of construction and shipping costs it may not be possible to complete all the road works planned.

## 11 Finance Update

The Board noted the information provided in the report.

## 12 DEVELOPMENT APPLICATIONS

### 12.1 Owner Consent Approved Under Delegated Authority Status Report

The Board noted the information provided in the report.

### 12.2 Development Applications Approved Under Delegated Authority Status Report

The Board noted the information provided in the report.

### 12.3 Planning Assessment Report OC 2022.05 & DA 2022.05 – Stephen and Grace Krick Proposed 2 x Unit Staff Accommodation on Lot 254 DP 48282, Neds Beach Road

Matthew Retmock declared a conflict of interest and abstained from voting.

The Board members raised their concerns around staff accommodation developments and requested a freeze for future applications.

The CEO noted that a precedent is being set for exemption from disability requirements.

It was moved by Gary Crombie, seconded by Bruce Baird and agreed that the Board:

- Approve a review of staff accommodation to understand requirement and capacity for increased staffing on the island prior to further staff accommodation approvals.
- Approve OC2022.05 and DA2022.05 subject to the conditions listed in the planning assessment report and with the revised condition:

#### *3. Ecology and Habitat*

*a) To avoid impacts to the nesting habitat of FFSW all construction works for footings and installation of ground wire netting must be conducted outside of the nesting season for FFSW (i.e. to undertake works from between 15 May – 30 September)*

*OR*

*The development footprint must be covered with wire or other material to restrict access by nesting FFSW prior to the arrival of nesting FFSW 30 September to ensure that no FFSW nests are disturbed or destroyed during construction works.*

*b) Landscaping works to be conducted as part of the development should focus on expanding areas of native vegetation utilising native plant species that will enhance FFSW nesting habitat.*

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

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

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

## 13 POLICY AND STRATEGY

### 13.1 Motor Vehicle Importation or Transfer Status Report

The Board noted the information provided in the report.

### 13.2 Adoption of Vehicle, Transfer and Use Policy (post-public notice)

Therese Turner raised a question regarding the approval conditions '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.' Is this enforceable and who is going to police this?

It was stated that it is no different to loaning a vehicle whilst on holiday, we don't have the resources to enforce it.

It was also stated that the overall intent of the policy is to minimise motor vehicles on the island. Using a vehicle already here is better than creating the need for another vehicle.

It was moved by Chris Bath, seconded by Bruce Baird and agreed that the Board:

- Adopt the reviewed and exhibited Vehicle Importation, Transfer and Use Policy.
- Note the submission from Transport for NSW Maritime and a report to be presented to the Board at its December 2022 meeting for consideration.
- Note the review issue raised

## 14 LEASING AND LAND ADMINISTRATION

### 14.1 Handley Review – Review of Compliance with Residency Condition of Perpetual Leases

Discussion was had regarding what the Board could do to accelerate the residency condition process. It was noted that clearer definitions in the policy are needed.

The Board noted the information provided in the report and requested:

Action: Management bring a substantive plan to resolve each of the residency compliance matters to the next board meeting. Matters are to be prioritised and decision made on what action is to be taken

## 15 BUSINESS ARISING FROM PREVIOUS MEETING

### 15.1 Mobile phone microcell – Owners Consent

A discussion was had regarding the proposal from Telstra.

Jim McFadyen (member of the community) asked if there has been any community consultation officially. He also stated that the advantage with mobile phone service would be to emergency response. He has spoken unofficially to a Telstra technician who believed the tower will cover two kilometres and would be looking at 12 towers to cover the whole island.

TT agreed that the community needs to be consulted and suggested. Improved internet service would make more sense.

BB stated that as an outsider medical reasons would be compelling and is useful for tourism. People locally obviously feel strongly against it then we need to recognise it, however there is a sense of inevitability with it.

Barney Nichols (member of the community) stated that the Lord Howe Island Board needs to engage with the community as this is the first instance he has heard about the proposal.

It was moved by Bruce Baird, seconded by Gary Crombie and agreed that the Board:

- Negotiate with Telstra to seek additional information to determine if what they have proposed is the best possible outcome for the island.
- Effectively engage with the community to seek views on the option to secure best possible mobile service for the island.
- Decision to be made within the next four weeks.

### 15.2 Proposed quarterly board meeting dates for the 2023 calendar year.

The Board noted the information provided in the report:

- Resolved to confirm May 2023 meeting dates out of session.
- Bookings to be made and meeting dates locked in.

## 16 GENERAL BUSINESS AND QUESTIONS ON NOTICE

CEO advised that nil questions on notice were received.

Jim McFadyen (J Mc - member of the community) raised the matter of the Marine Rescue essential vehicle allocation. He stated that there is only one trailer mentioned in the Essential Services table of the Vehicle Importation, Transfer and Use policy. He stated that there are currently the following trailers on island for essential service providers:

- Lord Howe Island Board: 14
- Marine Parks: 3
- Lord Howe Island Central School: 1
- NSW Police: 1
- SES: 1

JMc noted that Marine Rescue has not been successful in securing vehicle and would like trailer removed from table for Marine Rescue. He stated that all alternatives have been exhausted.

GC stated that he believes Marine Rescue needs to review their policy to suit island needs better.

JMc advised that his rear brakes and tow bar is being destroyed. He uses his own vehicle 2-4 times a week conducting training sessions.

JMc advised that with 45 units and 4500 volunteers pursuing might be worthwhile but there are a lot of restrictions with the funding source.

The Chair asked which Government department provides the funding as the Board may be able to help.

JMc advised that the general operating budget comes from NSW Government

BB asked how many rescues the unit had attended.

JMc stated that it is more important that they have the capability, to date no rescues have been tasked to the unit.

JMc stated that he had been unable to get a meeting with the elected members. The CEO confirmed that the matter is not a matter for the Elected Board Members but the full board as it is a request for policy change.

The Chair advised that the Board will continue to review and note the additional information. The Board members will reflect on the additional information given.

## 17 NEXT MEETING

7<sup>th</sup> December 2022 – Closed Session

8<sup>th</sup> December 2022 – Open Session