

LORD HOWE ISLAND BOARD

MINUTES OF THE MEETING OF THE LORD HOWE ISLAND BOARD

HELD ON LORD HOWE ISLAND ON MONDAY 19 & TUESDAY 20 NOVEMBER 2018

Present: Ms S Stewart (Chair – SS)
Mr C Wilson (Deputy Chair - CW)
Ms T Turner (Member - TT)
Mr M Retmock (Member – MR)
Mr R Pallin (Member – RP)
Mr G Crombie (Member – GC)
Mr J King (Member - JK)

Board staff present at all sessions were Peter Adams (Chief Executive Officer - PA), John van Gaalen (Manager Business and Corporate Services - JV), Justin Sauvage (Manager Environment & Community Services - JS) and John Teague (Manager Infrastructure & Engineering Services - JT).

Andrew Walsh (AW) and Jaclyn Pearson (JP) were present for Item 13(i); and Darcelle Matassoni (DM) for Item 9(i) of the Open Session.

The Board's external planning consultants were represented by Peter Chapman (PC) from All About Planning (AAP) at the Open and Closed sessions.

The Member for Port Macquarie was present for some of the Open and Closed sessions.

The Regional Director Port Macquarie – Hastings Dept of Education Graeme Small was present for part of the Closed session re the Early Childhood project.

The Closed Session commenced at 9:00 am at the Public Hall on Monday 19 November 2018 and closed at 13:50 pm.

The Open Session commenced at 9:00 am at the Public Hall on Tuesday 20 September 2018 and closed at 11:21 am. Approximately 24 members of the public attended all or part of the open session.

Unless otherwise specified, all Board decisions were unanimous.

SS declared the meeting open and thanked members of the public for their attendance. She welcomed JV to his first meeting of the Board since taking up his role.

1 CONFLICT OF INTEREST DECLARATIONS

SS stated that there were no conflict of interest declarations for open session agenda items.

2 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

PA gave an overview of the minutes.

SS advised the meeting that the minutes of the September 2018 meeting had been circulated and endorsed in accordance with normal practice.

JK raised the issue at the last meeting in relation to a presentation by the Tourism Association, and asked what was happening with this.

PA suggested that a local rep present to the Board in Open Session tomorrow. PA wished to advise that he has attended all LHITA committee meetings to date and would arrange for a Rep to attend.

Regarding Item 7 (iii), (Earls Anchorage DA) GC asked if there were any updates to this.

JS replied that the DA has been issued.

JK queried the residency status updates. JS answered that he was in the process of preparing letters – expected in 1 -2 weeks.

CW said there was pressure from the community to act.

PA advised that we are moving ahead with care, as it involves legal matters and we want to manage costs and ensure the best chance of success.

The Board noted that the Minutes had been adopted.

3 OUT OF SESSION MATTERS – STATUS REPORT

Closed session

4 ACTIONS FROM PREVIOUS MEETINGS - STATUS REPORT

PA gave an overview of the paper.

The Board noted the report

5 CHIEF EXECUTIVE OFFICER’S REPORT

PA gave a summary of the issues discussed at the Closed Session section of his CEO Report and then went on to give an overview of ECS Report (Attachment B) and the IES Report (Attachment C).

CW asked if the Hot-Rot is delivering successfully and is the quality satisfactory.

JT advised that the compost produced is satisfactory for this stage. Improvement needs to continue and one issue is that there is too much plastic in the food waste. Information will be sent to Householders reminding them about this and the importance of not including plastic bags in the waste.

GC expressed feedback from a visitor that the Mount Eliza track closure sign was not encountered until halfway up the climb. PA advised that there is a sign at the shelter at North Bay, but that it may need to be made more prominent or better located.

Question from community member to the Board: Has the Board taken on issues relating to pesticide? PA advised that yes, the Board has looked very closely at this and is asking questions and adding rigour. Glyphosate was noted as being prominently subject to media attention recently. Staff experience including trials at Byron Bay suggest alternate products are in fact more dangerous to users, the public or the environment. We have regulations in Australia which are adhered to and the Board welcomes any APVMA review of glyphosate use. The Board will respond if advice changes and is taking steps to minimise its use in the meantime.

The Board noted the information provided.

6 MOTOR VEHICLE IMPORTATION OR TRANSFER

PA gave an overview of the Motor Vehicle Importation and Transfer Status Report and advised that there were no increases in motor vehicles, only replacements.

The Board noted the information provided in the Report.

7 BUDGET ADJUSTMENTS

Closed session

8 DEVELOPMENT APPLICATIONS

8 (i) Owner Consent Approved Under Delegated Authority

JS advised the Board of the two Owner Consent applications approved by the CEO since the September 2018 Board meeting. One related to alterations to a dwelling and demolition of a shed and the other to a double garage.

The Board noted the information provided in the Owner Consent under Delegated Authority paper.

8 (ii) Development Applications determined under Delegated Authority

JS advised the Board of the two Development Application determined by the CEO since the September 2018 Board meeting, both being for double garages.

The Board noted the information provided in the Development Applications dealt with under Delegated Authority paper.

8 (iii) Annual Planning System Review

PC gave an overview of the paper.

The Board noted the information provided.

8 (iv) Concurrent OC2019.01 and DA2019.10 – Change of Use - Hideaway

AAP gave an overview of the paper.

RP asked if there arrangements for meals being cooked. PC replied that he was not aware of this.

CW agreed that the need for staff accommodation is growing and these could be used for island staff accommodation and agreed with the recommendation.

It was moved GC, seconded CW, that:

The Board:

- a) *Approve the concurrent OC2019 – 01 and DA 2019 – 01 at Lot 326 DP 837628, Middle Beach Road, Lord Howe Island for a change of use for two (2) existing units at Hideaway being a guest utility room, and a transit room, to Staff Accommodation; and*
- b) *The approval be subject to the conditions outlined in the report to November 2018 LHIB meeting.*

The Board adopted the motion.

9 POLICY AND STRATEGY

9 (i) Community Strategic Plan Update

DM gave an overview of the paper. She advised that staff were working on the survey and trialling it before going out to the community as well as forming themes for workshops. The survey would be delivered both on-line and to householders by hardcopy. Meetings with key stakeholders will be occurring. Discussions have occurred with the school principal and an engagement exercise with the kids planned for in December. We hope to collect data by Christmas.

RP enquired if visitors will have a chance for input? DM replied that there is a survey at the airport, which will be analysed and that 'Islanders Abroad' input is also being sought.

The Board noted the information provided in the Update.

10 FINANCE AND BUSINESS MANAGEMENT

10 (i) Closed session

10 (ii) Closed session

10 (iii) Closed session

10 (iv) Closed session

10 (v) Application for Approval to operate a Mobile Food Vending Service

GC left the meeting, declaring a Conflict of Interest.

JS gave an overview of the paper.

Discussion regarding the proposal included issues including but not limited to: equity and fairness for other business operators; competition within the LHI context with limited supply of customers; enhancing the visitor experience and services; the value of setting minimum distance for trading in relation to other retailers; management of litter; the current role of community groups using special events for fund raising; and the character of the island.

SS asked if the application would go out for Public Consultation.

JS advised that as recommended it would, and that the Application would then come back for approval based on the submissions received and the conditions proposed in the revised report.

Based on this advice Board Members expressed their agreement to proceed to consultation noting their reservations.

It was moved MR, seconded CW, that:

The applicant be required to submit a Business Licence application which is to be placed on public exhibition. The application then be assessed against the conditions proposed in this report and reported to the full Board for final determination.

The Board adopted the motion.

GC returned to the meeting.

11 LEASING AND LAND ADMINISTRATION

11 (i) Lord Howe Island Land Allocation Review – Implementation Update

JS gave an overview of the paper.

The Board noted the information provided in the paper.

11 (ii) Closed session

12 GOVERNANCE

12 (i) Closed session

13 OPERATIONS AND SERVICES

13 (i) Rodent Eradication Project Update

The Board's Manager Rodent Eradication Project, Andrew Walsh, gave an overview of the paper.

When the Chair invited questions from the gallery, Helen Tiffin indicated she wished to ask 3 questions to Andrew and to propose a motion.

SS advised that she was not able to propose a motion. The Gallery were reminded of the procedures and Code of Meeting Practice.

Her questions were:

1. Resident signatures required to enter houses – is that the signature for everyone in that property or only the leaseholder himself or herself?
2. The second question relates to an anomaly in the APVMA's second permit, which states that rat stations are already covered, should be extra covered is the argument, to prevent birds entering those traps in the settlement area. The anomaly arises because if the APVMA is asking for special protection from birds in the settlement area, Why are they prepared to allow carpet bombing on the rest of the park with no protection whatsoever for the birds in the rest of the park.
3. And thirdly, this insoluble soluble business on Brodifacoum. A substance cannot, except perhaps in quantum theory be both soluble and insoluble at the same time and I would like to hear how that can be so. I would also like to quote Dr Matt Landos that the chemical companies use the same sort of logic that binding to the soil that suggest that pyrethroids would be safe. These are now seriously growing contaminants in river and estuary settlements as no data on degradation in marine water, fresh water or settlement is available for Brodifacoum. Brodifacoum has to be considered as potentially persistent.

AW stated that he would reply to questions 2 and 3 and then JP to Question 1.

Question 2. AW responded that , in regards to what is considered to be an anomaly in the 'notes', my understanding is that in the conditions it says that bait stations in the settlement area must be covered and that the bait stations we have selected meet that definition. I've said that in relation to the Administrative Appeals Tribunal review of the APVMA's permit, if there is something wrong with the permit, we will develop a new base that would allow us to do what we can do and it would include an assessment of its use across the islands.

Question 3. AW responded that our understanding is that the product is practically insoluble, which means that it is not going to dissipate through the water system, this is part of our application and all the approval processes, and other areas of assessment as well.

Question 1. JP responded that it is the leaseholder's signature. The PMP description always starts with the Lease holder, that is named on the lease and therefore they can sign if they wish. It's actually not a legal document they have to sign. They can verbally

discuss with me and sign if they prefer, but as part of these discussions anyone whose had one with me I then ask has anybody in your household agree with what you're saying and then we move on to other people in the household. So when I have these meetings I try to get everybody there in the first instance together, often that's difficult, but I do then ask to return to talk to other people in the household in case their opinions are different to the household.

Ian Hutton (Resident) made a Statement that standards and methods are now based on many decades of science and research and that the REP is following 40 years of professional advice from both New South Wales and Australian experts.

Peter Curtin (Resident) advised that a full hearing is set for the LHI First People's Association challenge of the AVPMA's permit.

The Board noted the information in the update.

13 (ii) Airport Runway Extension Feasibility Study Update

AECOM (Jed Mills) gave an overview of the paper.

When the Chair invited questions and comments from the gallery, resident Helen Tiffin stated that she was supportive of Options 1, 2 & 3 but not of Option 4.

Christian Corse (Eastern Airlines) asked if JM was aware of the numbers of passengers expected on the Dash8-400. JM advised that he was not.

SS stated that the Board would be looking at the Report when complete and will provide advice on the Report.

JK mentioned that this was the first comprehensive Feasibility Study done on this. Stakeholders have been engaged and a framework is in place, we can move forward.

The Board noted the information provided in the update.

13 (iii) Closed session

13 (iv) Blackburn Island Revegetation

JS gave an overview of the paper.

CW noted that this had been in place for some time (2007).

The Board noted the information provided in the paper.

14 WH&S AND PUBLIC RISK MANAGEMENT

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

JV gave an overview of the paper.

GC suggested that more tailored reporting may give clarification to the update – such as ratio of cost of claims to staff numbers.

JV agreed and confirmed that the Update to the next Board meeting will do just that.

The Board noted the information provided in the paper.

15 INTERVIEWS

SS advised of the discussion with our local Minister, Lesley Williams at the closed section on Monday. 4 Items were discussed:

1. Handley Report -= she will assist us with supporting the passage of legislation
2. AECOM to consider engaging with the Minister in regards to air services for the island into the future.
3. Aged Care Services – As the Minister is the Parliamentary Secretary for Rural & Regional Health, LW indicated support will be sought in regards to promoting the extension of services on the Island
4. Discussions around the Early Childhood Learning Centre, highlighting the Grant's timeframe for the completion of the Project.

It was resolved that:

The Administration be requested to provide advice at the next Board meeting about options to provide Aged Care Services on the island.

16 GENERAL BUSINESS & QUESTIONS ON NOTICE

Presentation (paper attached) by the Lord Howe Island Tourist Association (LHITA) President, Mr Stephen Sia (StS).

StS gave an overview of the paper, highlighting the Island's Premium Brand. He mentioned that a delegation from North Asia and China would be visiting. He noted that we are now part of Destination North Coast (DNC). There had also been changes to digital marketing.

RP thanked StS and remarked that Ian Hutton would be attending the Eco-Tourism conference in Townsville as a representative of the Tourist Association.

JK asked about the extent of the support from DNC.

StS replied that LHI was a little different to other north coast destinations. There was an invitation to the DNC to visit. They still dealt with NSW Tourism in Sydney.

JK wanted to highlight the work of the volunteers at the LHITA.

The public meeting closed at 11:21 am on Tuesday 20 November 2018.

Next Meeting

The dates for the next Board meeting are 25 and 26 March 2019.