

# Lord Howe Island Board

## MINUTES OF THE MEETING OF THE LORD HOWE ISLAND BOARD

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

**DATE** Monday 7 and Tuesday 8 September 2020

### BOARD MEMBERS PRESENT

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

### APOLOGIES

Nil

### BOARD STAFF PRESENT

- Peter Adams (Chief Executive Officer - PA) – by phone for the Closed Session.
- John van Gaalen (Manager Business and Corporate Services - JV) – by phone.
- Justin Sauvage (Manager Environment & Community Services - JS)
- David Waterhouse (Manager Infrastructure & Engineering Services - WP)
- Hank Bower (Manager Environment and World Heritage – HB) was present for Item 9 (ii) of the Open Session.
- Lauren Douglass (Consultant) was present for Item 9 (i) of the Open Session.

The Closed Session commenced at 9:03 am at the Community Hall on Monday 7 September 2019 and closed at 1.46 pm.

The Open Session commenced at 9:44 am (9:14 am EST) at the Community Hall on Tuesday 8 September 2020 and closed at 1.32 pm. Approximately 14 members of the public attended all or part of the open session.

Unless otherwise specified, all Board decisions were unanimous.

## 1 CONFLICT OF INTEREST DECLARATIONS

Board Member Therese Turner declared a conflict of interest with Item 8 (iii) – Planning Assessment Report DA 2020.06 Bathroom Addition.

Gary Payten is Therese Turner’s brother.

## 2 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

**The Board noted the adoption of the May 2020 and June 2020 Minutes.**

## 3 OUT OF SESSION MATTERS – STATUS REPORT

**The Board noted the information in the June 2020 Out of Session Matter Status Report.**

## 4 ACTIONS FROM PREVIOUS MEETINGS - STATUS REPORT

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

## 5 CHIEF EXECUTIVE OFFICER’S REPORT

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

**MECS corrected the omission in the CEO report relating revegetation activities. 6ha of land is currently being re-vegetated**

## 6 MOTOR VEHICLE IMPORTATION OR TRANSFER – STATUS REPORT

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

The CEO advised of a correction to the number of vehicles. The increase in vehicles is one not two as reported in the report. One approval was for an alternate vehicle to one previously approved rather than an additional approval.

## 7 FINANCE AND BUSINESS MANAGEMENT

### 7(i) Finance Report

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

- 1. Note the information provided in this paper**
- 2. Approve the proposed budget adjustments**
- 3. Approve a Board Meeting for Monday 19 October 2020**

**The Board adopted the motion.**

### 7(ii) 2020-21 Budget Process

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

1. **The Board Administration continues to discuss and implement where appropriate, repayment plans and other measures to assist businesses and individuals who might be experiencing hardship.**
2. **The Board approve fee relief as identified from the list in Table 1 to facilitate further support relating to the first quarter of the financial year 2020-21 for the Lord Howe Island community and its economic viability because of the COVID-19 virus pandemic.**

**The Board adopted the motion.**

## 8 DEVELOPMENT APPLICATIONS

8(i) Owner Consent approved under Delegated Authority

**Nil.**

8(ii) DAs Determined Under Delegated Authority

**The Board noted the report as submitted for information.**

**TT left the meeting at 9:52am citing a Conflict of Interest with Item 8 (iii)**

8(iii) Planning Assessment Report – DA2020.6 Gary Payten - Bathroom Addition

**It was moved by MR and seconded by DK that the Board approve the recommendation:**

**That DA 2020.6 - Bathroom addition to existing tourist accommodation cabin at Beachcomber Lodge, Lot 171 DP 757515, 171 Anderson Road, Lord Howe Island, be approved subject to the conditions listed in the assessment report.**

**The Board adopted the motion.**

**TT returned to the meeting at 9:55am**

8(iv) Assessment Report – DA2020.9 Pinetrees Lodge – On-site Wastewater Treatment Systems

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

**That application DA2020-09 for installation of on-site wastewater treatment systems and effluent land application areas (Systems 3 & 4) at Pinetrees Lodge, Lot 236 DP 48213, No. 236 Lagoon Road, and the Unidentified Crown Reserve No.12, Lagoon Road, Lord Howe Island, be approved subject to the conditions and advisory notes contained within the report.**

**The Board adopted the motion.**

## 9 POLICY AND STRATEGY

## 9(i) COVID-19 – Lord Howe Island Recovery Plan

It was moved by CW and seconded by DK that the Board approve the revised recommendations:

1. The Board receive and note this report.
2. The Board commence implementation of the COVID-19 Recovery Plan with a view to seeking a repeal of the Public Health (COVID-19 Lord Howe Island) Order (No 4) 2020 on 25 September 2020
3. The Board receive regular (weekly) updates on the status of the implementation of the COVID-19 Recovery Plan.

The Board adopted the motion.

## 9(ii) Weed Management under the NSW Biosecurity Act 2015

Hank Bower presented his report on Weed Management under the Biosecurity Act 2015.

The Board noted the update

## 10 LEASING AND LAND ADMINISTRATION

### 10(i) Surrender of Perpetual Lease 1972.01 and the creation of two new Perpetual Leases – Lossy Thompson

It was moved by CW and seconded GC that the Board adopt a revised recommendation:

Following the receipt of all completed forms:

1. The Board recommend to the Minister to accept transfer of lot 2 DP1129296 in PL1972.01 to Lossy Thompson from Bruce Thompson.
2. The Board recommend to the Minister to accept application to surrender Perpetual Lease 2072.01 as requested by the current lease holder Bruce Thompson.
3. The Board recommend to the Minister to grant a lease in perpetuity for the purpose of a residence over Lot 52 DP757515 to Bruce Thompson. The Perpetual Lease conditions attached to the recommendation to the Minister to be prepared to the satisfaction of the Chief Executive Officer and must make provisions for any easements required for access and services.
4. The Board recommend to the Minister to grant a lease in perpetuity for the purpose of a residence over Lot 2 DP1129296 to Lossy Thompson. The Perpetual Lease conditions attached to the recommendation to the Minister to be prepared to the satisfaction of the Chief Executive Officer and must make provisions for any easements required for access and services.
5. Prior to the submission of the above recommendations to the Minister the prospective lease holders of Lot 52 and Lot 2 must provide evidence to the satisfaction of the Board Administration of a letter of agreement between Lot

**52 and Lot 2 detailing obligations and liabilities for the maintenance of the joint waste water and treatment system.**

- 6. The Board recommend to the Minister to accept the sublease of the new Perpetual Lease over Lot 2 DP7577515 to Issac Bennett.**
- 7. Prior to the above recommendations being administered, that the Board defer the recommendations and request the applicant to demonstrate their long-term intent of living on the lease. The outcome of this be reported to the Board for a final decision at an Out of Session Meeting. The Board adopted the motion.**

## 11 GOVERNANCE

### 11(i) Audit and Risk Committee Report

**The Board noted the information submitted in the report.**

### 11(ii) Operations Plan 2020/2021 First Quarter Review

**The Board noted the report on progress against the Operations Plan Financial year 2021.**

**CW left the meeting at 11:59am and voiced his support for the motion in Item 12 iv).**

## 12 GOVERNANCE

### 12(i) Biosecurity Update

**It was moved by GC and Seconded by DK that the Board:**

- 1. Note the update and PMQ/LHI Biosecurity Audits.**
- 2. The Board Administration continue to seek funding from the Commonwealth and State for ongoing Biosecurity activities on the island, to protect the World Heritage values of the island.**

**The Board adopted the motion.**

### 12(ii) Livestock Importation Update

**That the Board noted the information in the report.**

### 12(iii) **CLOSED SESSION**

### 12(iv) Boating Now grant – next steps

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

**That the amended Boating Now project proposal be adopted to fund the purchase of a large vessel hoist trailer and construction of a boat wash-down facility.**

**The Board adopted the motion.**

## 13 WH&S AND PUBLIC RISK MANAGEMENT

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

**The Board noted the information on the report.**

## 14 INTERVIEWS

**CLOSED SESSION**

OPEN SESSION

Interviews with stakeholders in relation to COVID-19:

LHI Doctor – Dr San Clarke

LHI Tourism Association – Trina Shepherd

## 15 GENERAL BUSINESS & QUESTIONS ON NOTICE

### 15(i) Questions on Notice

**Questions on Notice were received and were answered by JS as follows:**

***Questions from Val Turk and Barbara Ardill were:***

**1. COVID Cleaning.**

This issue is addressed within the Recovery Plan Report. Whilst cleaning is not the Board's responsibility, LHIB has provided significant resources towards supporting and advocating for the island's responses to the pandemic. NSW Health guidelines in regards to cleaning is on their website.

**2. Pressure by businesses to LHIB to open early**

To deal with the public health risk of COVID-19 and its possible consequences, the Minister for Health and Medical Research has made a number of Orders, under section 7 of the Public Health Act 2010. These are called Public Health Orders and Lord Howe Island is under its own Order. Any decision to open or remain closed are not within the power of the Board. Any Public Health order decisions are by the Minister who takes advice as appropriate from NSW Health and others. The Board listens to and has sought all parties' concerns, including in its consideration of the report to this meeting (Item 7(i)).

**3. Enforcing compliance once island opens**

Compliance is part of the NSW Police Service's role, but has limited resources on-island. Support of the Board and self-compliance in a small community with limited resources is a key part of the community's ability to respond to the pandemic.

The Open meeting closed at 1.32pm on 8 September 2020.

## NEXT MEETING

19 October 2020 – Open Session

7 December 2020 – Closed Session

8 December 2020 – Open Session