

# LORD HOWE ISLAND BOARD

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

### HELD ON LORD HOWE ISLAND ON MONDAY 13 & TUESDAY 14 NOVEMBER 2017

Present: Ms S Stewart (Chair – SS)  
Mr B Nichols (Deputy Chair - BN)  
Ms L Makiiti (Member – LM)  
Mr R Pallin (Member – RP)  
Mrs J Riddle (Member - JR)  
Mr J King (Member - JK)  
Mr C Wilson (Member - CW)

Board staff present at all sessions were Penny Holloway (Chief Executive Officer - PH), John Teague (Manager Infrastructure & Engineering Services - JT), and James Lonergan (Manager Environment & Community Services - JL).

The Board's external planning consultants were represented by Michelle Chapman (MC) and Peter Chapman (PC) from All About Planning.

The Closed Session commenced at 11.00am at the Public Hall on Monday 13 November 2017 and closed at 12.30pm.

The Open Session commenced at 9:00 am at the Public Hall on Tuesday 14 November 2017 and closed at 10.45am. Approximately 13 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.

SS called for conflict of interest declarations.

JR declared a conflict of interest in agenda items 8(i), 10(ii) and 10(iii).

## **1 MINUTES OF PREVIOUS MEETING**

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

In regard to the minutes of the September meeting Ms Helen Tiffin, from the public gallery, requested that:

1. the minutes reflect that Mr Andrew Walsh, Rodent Eradication Program Manager, in presenting the paper on the Rodent Eradication Program Implementation, stated

that only one household was non-compliant. She added that the statement was completely untrue. She further requested that the objections to the truth of his statements be recorded in the minutes, and

2. the objections from six members of the public, who spoke at the meeting, to the Rodent Eradication Program be described in the minutes as “strong”.

The first matter raised was not supported by the Board.

In regard to the second matter, it was moved CW, seconded JR, that the minutes of the September Board meeting be amended to express the strong objections from six members of the public, who spoke at the meeting, to the Rodent Eradication Program.

The Board then adopted the motion.

## **2 OUT OF SESSION MATTERS**

PH gave an overview of the paper.

The Board noted the information provided in the Out of Session paper.

## **3 ACTIONS FROM PREVIOUS MEETINGS - STATUS REPORT**

PH stated that some of the action items from previous meetings had been completed, whilst work was in progress on all others.

BN suggested that the action being taken to seek a blanket approval from the relevant authority to transfer cargo by lighter from the ship on those occasions when the ship cannot access the jetty due to low tides be communicated to the tenderers for the sea freight contract.

PH replied that this would be done.

The Board noted the information provided in the report.

## **4 CHIEF EXECUTIVE OFFICER’S REPORT**

PH gave an overview of the Report, stating that a special Board meeting had been held in closed session during the recent visit of The Hon Gabrielle Upton, MP, Minister for the Environment and Minister for Local Government.

PH stated that:

- the outcome of the expression of interest process regarding air services to the island is not yet known,
- the contract for the runway extension feasibility study has been awarded to AECOM, and
- there is some concern in the community in regard to the airport terminal colour scheme. She added that the Board will address these concerns to ensure that the colours are appropriate for the island.

The Board noted the information provided in the CEO’s Report.

## **5 MOTOR VEHICLE IMPORTATION OR TRANSFER**

PH gave an overview of the Motor Vehicle Importation and Transfer Status Report.

The Board noted the information provided in the Report.

## **6 PROPOSED ADJUSTMENTS TO ADOPTED BUDGET**

Closed session.

## **7 DEVELOPMENT APPLICATIONS**

### **7 (i) Owner Consent Approved Under Delegated Authority**

PH advised the Board of the one Owner Consent application approved by the CEO since the last Board meeting.

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

### **7 (ii) Development Applications dealt with under Delegated Authority**

PH advised the Board that there were no Development Applications determined by the CEO since the last Board meeting.

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

### **7 (iii) OC2018-04 – Alterations and additions to Existing residence (Rickard)**

PC gave an overview of the paper.

It was moved CW, seconded BN, that OC 2018-04 for alterations and additions (rear walk in robe/ensuite and side deck) to an existing dwelling at Portion 205, Anderson Road, Lord Howe Island, be granted.

The Board then adopted the motion subject also to the conditions specified in the Assessment Report.

### **7 (iv) DA2017-06 Alterations and Additions to Capella Lodge: Deferred Commencement Conditions (Baillie)**

JL gave an overview of the paper.

It was moved JK, seconded JR, that the issue of an activated consent for DA2017-06 for alterations and additions at Capella Lodge be approved subject to an amended condition 1 which reflects the plans and reference documentation submitted to the Board.

The Board then adopted the motion.

## **8 POLICY AND STRATEGY**

**8 (i) Planning Proposal – D Owens**

JR left the room due to a conflict of interest.

JL gave an overview of the paper.

BN stated that the Board made a comprehensive site inspection the previous day. He added that it became quite clear to him that Proposal 1 is the best option.

RP stated that he also supported Proposal 1, but also wanted to make sure that there is sufficient space for public access along the foreshore.

CW stated that he agreed with RP, adding that under the Walking Track Strategy a track is planned from Neds Beach to Clear Place, and sufficient space must be available for the new track.

It was moved RP, seconded BN, that:

1. the Board support Mrs Owens' "Proposal 1" involving rezoning of approximately 3,000 sqm of her current Permissive Occupancy (Garden) area, part portion 79, and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10,
2. the Board not support Mrs Owens' "Proposal 2" involving rezoning of Portion 174 and exchange of the rezoned area for Part 10, DP1202580 with subsequent rezoning of Part 10,
3. the Board include "Proposal 1" in the draft Planning Proposal for phase 1 review of the Lord Howe Island Local Environment Plan 2014 currently under discussion with the Department of Planning and Environment, and
4. in implementing Proposal 1, steps be taken to ensure that sufficient land is kept available to meet the future needs of the Lord Howe Island Walking Track Strategy.

The Board then adopted the motion.

**8 (ii) LHI Visitor Information Survey – Interim Results**

PH gave an overview of the paper.

JK stated that first time visitors to the Island comprised 60 per cent of all visitors, which reinforces the need to continually promote the values that people are seeking. He added that the level of intent to "positively recommend" was extremely high.

A member of the public, Helen Tiffin, stated that visitors did not want a comprehensive chemical drop on the island. She added that they did not want to see dead birds.

RP stated that most of the visitors he speaks to want the Rodent Eradication Program to go ahead. He added that eradication of the rodents will result in better survival rates of the birds.

The Board noted the interim results of the LHI Visitor Information Survey.

## **9 FINANCE AND BUSINESS MANAGEMENT**

Closed session.

## **10 LEASING AND LAND ADMINISTRATION**

### **10(i) Administration of the Estate of the Late EM Shick**

JL gave an overview of the paper.

It was moved JR, seconded LM, that the Board seek the Minister's approval for John Whitfield as the Executor of the Estate of the Late Eleni May Shick to hold Perpetual lease 1993/03 until 17 May 2019 to enable completion of the administration of the leasehold affairs of the estate.

The Board then adopted the motion.

### **10(ii) Application to Sublease Perpetual Lease: JA Riddle to AL Hickey**

JR left the room due to a conflict of interest.

JL gave an overview of the paper.

It was moved JK, seconded BN, that the Board seek the Minister's consent to the subleasing of Perpetual Lease 1978.10 from Judith Ann Riddle to Amy Louise Hickey for a period of three years to 31 December 2020.

The Board then adopted the motion.

### **10(iii) Application for Suspension of Residency Condition – JA Riddle**

JR left the room due to a conflict of interest.

JL gave an overview of the paper.

It was moved CW, seconded LM, the Board seek the Minister's approval of the suspension of the residency condition of Perpetual Lease 1954.27 in respect of Judith Ann Riddle.

The Board then adopted the motion.

### **10(iv) Closed session.**

## **11 GOVERNANCE**

Closed session.

## **12 OPERATIONS AND SERVICES**

### **12(i) Rodent Eradication Program Update**

PH gave an overview of the paper.

A member of the public, Rodney Thompson, asked if resident's houses would need to be covered with tarpaulins during the bait drops.

PH replied that aerial baiting will not occur within 150 metres of houses unless there is agreement with the occupants, and that baiting around houses will be by hand or bait stations.

A member of the public, Helen Tiffin, stated that a petition from 110 generational Islanders and 10-year residents against the poison drop has been presented to the Minister for the Environment, together with a map of non-compliant households. She asked if the Board intended to use the Biosecurity Act in order to force its way into people's houses to place poison.

SS stated that the Board had not received, nor been made aware of until now, the aforementioned petition.

PH stated that the Board does not want to use its powers under the Biosecurity Act, but rather have agreements with residents in regard to access to properties. She added that the use of its powers under the Biosecurity Act is not an option the Board is choosing to pursue at this stage.

A member of the public, Peter Curtin, suggested that the petition be tabled at the Board meeting, and gave SS a document. He added that the document did not contain the signatures, but the one that was handed to the Minister did have the signatures.

SS stated that she did not think that the document being tabled was a petition, as it did not contain the signatures.

It was moved JK, seconded BN, that the content of the tabled document be noted.

The Board then adopted the motion.

CW opined that if the new permit from the APVMA is not received by a particular date, such as 1 March 2018, then the eradication should not proceed in 2018, as it would impact adversely on the island's tourism industry. He added that, should the permit not be forthcoming before 1 March 2018, the eradication be postponed until 2019.

PH replied that the aim of a forthcoming niche marketing campaign is to have as many visitors to the island in winter 2018 as a normal winter. She added that it was difficult to give an actual date by which the APVMA permit needed to be obtained, but it must be obtained prior to the eradication going ahead.

The Board noted the information provided in the paper.

## **12(ii) Renewable Energy Project Update**

JT gave an overview of the paper.

CW asked that the bird monitoring mast be removed, even if it was at the Board's own expense.

SS replied that it was a good suggestion, but recommended that advice be sought on the cost of removal.

JT stated that he would obtain a cost estimate for the removal.

The Board noted the information provided in the paper.

**12(iii) Airport Terminal Upgrade Project Update**

JT gave an overview of the paper.

SS stated that during the closed session the Board had discussed feedback from the community regarding the colour scheme, adding that a Dulux colour consultant would be providing advice on the final colour scheme.

The Board noted the information provided in the paper.

**12(iv) Boat Retrieval System Update**

JT gave an overview of the paper.

It was moved BN, seconded JR, that the Board:

1. approve the interim arrangements for long-term storage of identified large vessels in the short-term storage area near the boat ramp at Wilson's Landing, and
2. approve the designation of a long-term boat storage area for identified large vessels adjacent to the WMF after the slipway has been constructed and allow transport of larger vessels with conditions to the slipway through the WMF on a case by case basis.

The Board then adopted the motion.

**13 WH&S AND PUBLIC RISK MANAGEMENT****13 (i) Workplace Health and Safety and Public Risk Management Update**

PH gave an overview of the paper.

The Board noted the information provided in the paper.

**14 INTERVIEWS**

Closed session.

**15 GENERAL BUSINESS & QUESTIONS ON NOTICE**

SS informed the gallery as follows:

- The Board met in closed session with the Island's Federal Member, The Hon Tanya Plibersek, MP, and the Board's planning consultants,
- Work is underway on the implementation of the recommendations of the Handley Report,
- Work is underway on the review of the Local Environment Plan, and
- The Board discussed in closed session the future of air services, adding that an announcement is imminent.

SS thanked members of the public for attending the meeting.

The public meeting closed at 10.45 am on Tuesday 14 November 2017.

**Next Meeting**

The dates for the next Board meeting are 19 and 20 March 2018.