

# LORD HOWE ISLAND BOARD

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

### HELD ON LORD HOWE ISLAND ON MONDAY 19 & TUESDAY 20 MARCH 2018

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

Board staff present at all sessions were Penny Holloway (Chief Executive Officer - PH), Bill Monks (Manager Business and Corporate Services – BM), 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 11:43 am at the Public Hall on Monday 19 March 2018 and closed at 2:15 pm.

The Open Session commenced at 9:02 am at the Public Hall on Tuesday 20 March 2018 and closed at 11:40 am. Approximately 40 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 acknowledged the new Board members and returning Board members, and acknowledged the contribution of former Board members Barney Nichols, Lisa Makiiti and Judy Riddle.

SS called for conflict of interest declarations.

GC declared a conflict of interest in agenda item 11(i).

## **1 ELECTION OF DEPUTY CHAIR**

PH gave an overview of the paper.

GC nominated CW for the position of Deputy Chair. MR seconded the nomination.

There being no further nominations, the Board appointed CW to the position of Deputy Chair.

## **2 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION**

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

## **3 OUT OF SESSION MATTERS STATUS REPORT**

PH gave an overview of the report.

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

## **4 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.

The Board noted the information provided in the Report.

## **5 CHIEF EXECUTIVE OFFICER'S REPORT**

PH gave an overview of the Report.

CW asked if the Board will be provided with details of the contract for the provision of air services between Sydney and Lord Howe Island between Transport for NSW and Qantas.

PH replied that the Board has not been provided with the financial details of the contract.

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

## **6 MOTOR VEHICLE IMPORTATION OR TRANSFER – STATUS REPORT**

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

The Board noted the information provided in the Report.

## **7 PROPOSED ADJUSTMENTS TO ADOPTED BUDGET**

Closed Session.

## 8 DEVELOPMENT APPLICATIONS

### 8 (i) Owner Consent Approved Under Delegated Authority

PH advised the Board that there were no 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.

### 8 (ii) Development Applications dealt with under Delegated Authority

PH advised the Board that there were two Development Applications determined by the CEO since the last Board meeting. Details are as follows:

DA	Applicant	Site	Proposal	Zone	Decision
DA2018.02	Daniel and Andrea Young	Lot 339 DP1017190	Convert existing garage into additional living space within existing detached habitable living space and add approximately 3 sqm additional new space	Zone 2 Settlement	Approved 27/11/2017 Subject to conditions
DA2018.03	Pauline Skeggs	Lot 358 DP1054109	Installation of wastewater management system	Zone 2 Settlement	Approved 20/12/2017 Subject to conditions

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

### 8 (iii) Lord Howe Island Local Environment Plan: Stage 1 Planning Proposal Update

MC gave an overview of the paper, and provided details of the statutory process and anticipated timeframes.

A member of the public, Rodney Thompson, asked if members of the community would be consulted prior to the proposed changes being made.

PH replied that a Discussion Paper was placed on public exhibition two years ago, and submissions from members of the community sought. She added that the new Stage 1 Planning Proposal will also be placed on public exhibition, and submissions from members of the community will again be sought.

It was moved JK, seconded RP, that the process as outlined in the paper be adopted.

The Board then adopted the motion.

## **9 POLICY AND STRATEGY**

### **9 (i) Land Allocation (Handley) Review: Implementation Report**

PH gave an overview of the paper.

SS stated that implementation of some of the recommendations, such as legislative changes, is likely to take much longer than others.

JK stated that this has been a very long and drawn out process, with the Government's response to the recommendations of the Review taking an inordinately long time and creating a great deal of uncertainty for residents of the island. Given that there will probably be a NSW State election in about 12 months, and there will therefore be a period where obtaining changes made to the various pieces of legislation will be very difficult.

JK recommended that the Board write to the Minister requesting that the recommended legislative changes be enacted as expeditiously as possible due to the uncertainty that has been created on the island for such a long time.

It was moved JK, seconded CW, that the Board write to the Minister requesting that the recommended legislative changes be enacted as expeditiously as possible due to the uncertainty that has been created on the island as a result of the extended time taken for the Government's response to the recommendations of the Handley Review.

The Board then adopted the motion.

### **9 (ii) Transfer of Perpetual Lease Policy: Proposed Amendment**

JL gave an overview of the paper.

SS stated that the requirement for proposed transferees to complete a statutory declaration regarding their intention to reside on the lease sets a much higher threshold. She added that there are significant implications if someone swears a statutory declaration which is later proven to be untrue.

It was moved GC, seconded RP, that:

1. the proposed amendment of the existing Transfer of Perpetual Lease policy be placed on public exhibition for 28 days, and
2. the Board adopt the amended policy if no public submissions are received during that time.

The Board then adopted the motion.

## **10 FINANCE AND BUSINESS MANAGEMENT**

### **10 (i) Finance Report**

Closed Session.

### **10 (ii) Fees and Charges for FY 2018/19**

Closed Session.

## **11 LEASING AND LAND ADMINISTRATION**

### **11 (i) Transfer of Perpetual Lease – W and G Thompson**

Due to a conflict of interest GC left the room while this matter was considered.

It was moved MR, seconded CW, that the Board seek the Minister's approval to the transfer of perpetual lease 1963/03 by way of gift from William Frederick Thompson and Geoffrey Spurling Chase Thompson as tenants in common to Geoffrey Spurling Chase Thompson as sole tenant.

The Board then adopted the motion.

## **12 GOVERNANCE**

Closed session.

## **13 OPERATIONS AND SERVICES**

### **13 (i) Rodent Eradication Progress Report**

PH gave an overview of the paper.

Andrew Walsh, the Board's Project Manager, Rodent Eradication Project, provided details of the paper, including the following:

- The required permit from the Australian Pesticides and Veterinary Medicines Authority (APVMA) has not been received, and is not expected to be received before May 2018,
- If and when issued, the permit is likely to be subject to conditions that will impact operational requirements. This presents significant risks to the Program in that until the permit is received and approval conditions are known, final logistics and planning cannot be undertaken; including finalisation of the aerial and ground based operational plans and individual property management plans. It also includes ordering the correct quantity and sizes of bait, number of bait stations and even number of staff required to implement the plan,
- Delays in receiving the permit increase the risk of failure as the operation cannot be planned to the standard required. This makes it impractical to proceed with the project in the current timeframe,

- Although there is a high level of support for the Program, there is still significant opposition. Although everyone wants to be rid of the rodents, the main point of contention is the methodology, with an increased use of bait stations in the settlement area in place of hand broadcasting as one compromise that may satisfy some residents,
- An increased use of bait stations will necessitate more time and resources on the ground during the eradication, and
- In view of the above factors the eradication has an unacceptable risk of failure if attempted in 2018.

AW then presented the following three options for the Board's consideration, and outlined the benefits and risks of each:

1. Delay implementation of the program until 2019 with a change to methodology to bait stations only in the settlement area, or
2. Pause the rodent eradication and assess the community and funders' acceptability of proceeding with a rat only eradication, or
3. Do not proceed with a rodent eradication. Increase ongoing rodent control to a level that significantly increase protection for ecological and World Heritage values at high risk from rodents.

AW stated that the Project Steering Committee (which includes the funding bodies) considered Options 2 and 3 unacceptable, would not fund them, and had recommended Option 1 to the Board.

A member of the public, Helen Tiffin, stated that the Program had caused bitterness and uncertainty in the community over a long period. She added that another year of uncertainty will affect residents, particularly lodge owners. She further added that the matter will not "settle down", as the Board seems to think it will.

Helen Tiffin asked what evidence the Board had that the use of bait stations only in the Settlement area will change community views and address the issues a lot of islanders have, such as the distribution of the bait outside the Settlement area.

Jaclyn Pearson, the Assistant Manager, Rodent Eradication Program, replied to Ms Tiffin's questions, making the following points:

- She had spoken to most people in the community, and has a very good understanding of how most people feel about the project,
- She acknowledged that there are certain people in the community who are concerned about the methodology, including the dropping of bait from a helicopter, and
- In her opinion there was a great deal of community support for the Project, particularly in light of the proposed change to the methodology.

A member of the public, Judy Riddle, stated that she was in favor of postponing the eradication to 2019. She added that it was important to implement the eradication as soon as possible, as most people on the island were already using brodifacoum to control rodents on their leases.

RP spoke in favour of the recommendation.

TT made the following points:

- A number of compromises are now being made, contrary to the original plan.
- Every compromise could seriously jeopardise the outcome.
- Postponing the eradication for a further 12 months was unfair to the community.
- Tourism operators had already made plans for the eradication to occur in 2018.
- The Program should never have been given approval to proceed to Stage 2 as benchmarks had not been met.
- The property management plans were never finalised. A large number of residents signed documents stating that they would not allow access to their properties.
- In her view Option 3 is the only option.

MR spoke in favor of the recommendation, stating that brodifacoum, the same poison that the Program proposes to use, is already being used by residents on the island in an attempt to control rodents. He added that the mice on the island are already four times more resistant to brodifacoum than in other places, and if we don't take action soon an even stronger poison will be required. He further added that he supported to postponement until 2019.

GC stated that he agreed with MR, and that it would disappoint him greatly to think that members of the community might deliberately jeopardise the outcome of the eradication, should the decision be made for it to proceed.

CW endorsed the remarks made by TT, and made the following points:

- The community has been divided on this issue for about 17 years, and extending it by another year is completely unacceptable to the community.
- A lot of the language that comes from the rodent eradication team suggests that only a few people are resisting, whereas, in fact, there are a large number of islanders and leaseholders who are dead against the program.
- If the Board voted in favor of Option 1, the program should revert to Stage 2, as we don't have the APVMA permit.
- The Board needs to comprehensively review property management arrangements because we don't want to get to the eleventh hour and find that property management arrangements and access approvals have not been worked out completely
- Before moving to Stage 3 again the Board needs the APVMA permit.

JK stated that he shared peoples' concerns regarding the delay caused by the inefficiency of the APVMA in providing the final approval. He added that the Board had sought, and provided to the community, the best available evidence and expert opinion to support its decisions. He further added that he strongly supported the recommendation.

SS stated that she supported the recommendation, and acknowledged that this issue is causing some division in the community. She added that the process to date has been robust.

It was moved RP, seconded JK, that the Board delay implementation of the Lord Howe Island Rodent Eradication Program (REP) until winter 2019, with a change in methodology to bait stations only in the settlement area.

TT and CW opposed the motion.

The Board then adopted the motion.

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

JT gave an overview of the paper.

It was moved GC, seconded CW, that the Board write to ARENA regarding the status of the project and advise of its endorsement of Option 4 as the best option to progress.

The Board then adopted the motion.

### **13 (iii) Airport Terminal Upgrade Project Update**

JT gave an overview of the paper.

The Board noted the information provided in the paper.

### **13 (iv) Airport Runway Extension Feasibility Study Update**

JT gave an overview of the paper.

SS requested that a paper on the results of the first stage of the study be prepared for the May Board meeting, and that information on the results be circulated to Board members when available.

JT replied that this would be done.

JK stated that the feasibility study is absolutely essential. He added that airlines are the lifeblood of the island, and without it there would be no tourism industry. He further added that the results of the study will inform the Board of feasible options.

The Board noted the information provided in the paper.

## **14 WH&S AND PUBLIC RISK MANAGEMENT**

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

BM gave an overview of the paper.

The Board noted the information provided in the paper.

## **14 INTERVIEWS**

Closed Session.

## **16 GENERAL BUSINESS & QUESTIONS ON NOTICE**

### **Slipway**

CW requested an update on the financial aspects of the Slipway project.

PH replied that funding of about \$700,000 would be provided by Roads and Maritime Services, but the total cost of the project will be \$1.5 million or more. She added that, to date, the Board had not been successful in obtaining the additional funding required.

### **Water Supply**

A member of the public, Helen Tiffin, asked if the Board had considered the problem of a future lack of fresh water on the island caused by climate change.

PH replied that the Board is investing in additional water storage. She added that a mobile desalination plant would be brought to the island if and when required. She further added that the Board plans to develop a Water Security Strategy to address this issue, and funding will be sought from the Water Directorate for this purpose.

SS stated that the Board was considering how it could incentivise the installation of additional water storage tanks by leaseholders and businesses.

Helen Tiffin asked that the Board consider options other than desalination, as the outflow from desalination plants is very environmentally destructive.

RP agreed with Ms Tiffin.

GC stated that the Board is not the water provider for the island, as is the case with mainland councils. He added that although the Board is considering emergency responses to water shortages, there is a responsibility on households and businesses to take appropriate action to achieve water security.

CW stated that people should be encouraged to create their own storage, sufficient to meet their needs during dry periods.

### **Meat Processing Facility**

A member of the public, Esven Fenton, informed the Board and those present that it was highly likely that two local people would very soon be qualified to certify locally butchered meat for public consumption.

SS thanked Esven for his perseverance over several years in order to achieve this outcome.

SS thanked members of the public for attending the meeting.

The public meeting closed at 11:40 am on Tuesday 20 March 2018.

### **Next Meeting**

The dates for the next ordinary Board meeting are 14 and 15 May 2018. A special meeting will be held by teleconference on in late April to consider the draft budget for FY 2018/19.