

LORD HOWE ISLAND BOARD

MINUTES OF THE MEETING OF THE LORD HOWE ISLAND BOARD

HELD ON LORD HOWE ISLAND ON MONDAY 13 & TUESDAY 14 MAY 2019

Present: Ms S Stewart (Chair – SS)
Mr C Wilson (Deputy Chair - CW)
Ms T Turner (Member - TT)
Mr M Retmook (Member – MR)
Mr G Crombie (Member – GC)
Mr D Kirk (Member - DK)

Apology: Mr R Pallin (Member – RP)

Invited Guest: Ms A. Levy (Guest – AL)

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) was present for Item 12(i).

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

Mr Stephen Sia (StS) presented the LHITA report to the Board in the Closed session.

Mr Stuart King attended an interview with the Board at 2.30pm in the Closed session.

The Closed Session commenced at 9:00 am at the Golf Club on Monday 18 March 2019 and closed at 3.15 pm.

The Open Session commenced at 9:00 am at the Golf Club on Tuesday 19 March 2019 and closed at 11.38 am. Approximately 20 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 formally advised all that this will be her last Board Meeting. SS welcomed AL to this meeting of the Board in lieu of advice of an approval of the new Chair.

1 CONFLICT OF INTEREST DECLARATIONS

SS called for conflict of interest declarations. Declarations made were as follows:

- PA:
Item 8 iii)
Declaration tabled

2 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

PA gave an overview of the minutes.

SS advised the meeting that the minutes of the March 2019 meeting had been circulated and endorsed.

The Board noted that the Minutes have been adopted.

3 OUT OF SESSION BUSINESS PAPERS – STATUS REPORT

Nil to note.

The Board noted the report.

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 noted 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).

Discussion in regards to the visit from the new head of the RMS.

SS requested that a letter be drafted (for SS to sign) to Rod Staples.

SS queried the timeline for the Hybrid Renewable Energy Project. JT advised that that it wouldn't be completed this calendar year, and that it probably would be by May 2020 with commissioning in June 2020.

The Board noted the information provided in the Report.

6 MOTOR VEHICLE IMPORTATION OR TRANSFER – STATUS REPORT

PA gave an overview of the Motor Vehicle Importation and Transfer Status Report and advised that there was an additional wood chipper, which would be retained, and a temporary forklift that would be removed after the Rodent Eradication Project (REP).

The Board noted the information provided in the Report.

7 FINANCE AND BUSINESS MANAGEMENT

7 (i) Closed Session

7 (ii) Closed Session

8 DEVELOPMENT APPLICATIONS

8 (i) Owner Consent Approved Under Delegated Authority

JS advised the Board of the one Owner Consent application approved by the CEO since the March 2019 Board meeting being the LHI Community Pre-School.

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 that there were no Development Applications approved since the last Board meeting in March 2019.

The Board noted the advice given in regards to Development Applications dealt with under Delegated Authority paper.

8 (iii) Item DA 2019.09 The construction of a Community Preschool at Unidentified Crown Land Reserve No. 12, Lagoon Road, Lord Howe Island.

PA left the meeting declaring a Conflict of Interest.

PC presented the Planning Assessment Report and spoke to the conditions recommended. CW suggested that he wouldn't want the conditions being too strict, and he had no issues with use as a day care centre. GC supported CW's suggestion of a broader operational scope, as did DK.

It was moved CW seconded DK that the Board:

Approve the application for DA 2019-09 for a Preschool located on 'Unidentified Crown Land Reserve No. 12, Lagoon Road, Lord Howe Island', subject to the deletion of Condition 2 – Operational Conditions

The Board adopted the motion.

PA returned to the meeting.

9 POLICY AND STRATEGY

9 (i) Community Strategic Plan Update

JS gave an update on the progress of the Community Strategic Plan. He advised that the next two workshops on Economy & Tourism and Health, Education & Environment will occur in the coming weeks.

The Board noted the information provided in the Update.

9 (ii) Stage 1 Planning Proposal – Amendments to the Lord Howe Island Local Environment Plan 2010.

PC gave an overview of the paper. PC advised of the 2 stages of the Plan. There was a short discussion in regards to Boatshed definitions, which was clarified.

It was moved CW and seconded MR that the Board:

1. Submit the attached Planning Proposal and request a Gateway Determination for the subject “*Stage 1 Planning Proposal – Amendments to the Lord Howe Island Local Environmental Plan 2010*” from the NSW Department of Planning and Environment.
2. Report to the Board the outcomes of the Department’s Gateway Determination including any specific requirements and subsequent steps.
3. In response to the NSW Department of Planning and Environment’s request and prior to forwarding the Planning Proposal for Gateway Determination, that the LHIB prepare a revised site plan for the Site 8 – Fuel Supply which confirms the existing road is avoided.

The Board adopted the motion.

10 LEASING AND LAND ADMINISTRATION

SS noted there were no reports under this section and requested that a regular report be tabled from the next meeting onwards for ‘Leasing and Land Administration’, which includes an Updated List of outstanding issues, in particular, residency.

11 GOVERNANCE

11 (i) Audit and Risk Committee Report

JV gave a summary of the last meeting of the ARC highlighting the request for assistance offered by the ARC in regards to audit recommendations and that he was to provide a report summarising and condensing these issues to the next ARC meeting.

The Board noted the information in the update.

SS requested that this report go to the Open Session in the future.

11 (ii) New Proposed Code of Conduct

PA gave an overview of the paper as it relates to Board Members. He referred to legislation requiring the adoption of this Code by June 2019 in lieu of the Model Code being adopted automatically, otherwise. PA mentioned changes related to clearer and stricter interpretation of bullying and the acceptance and declaration of Gifts received.

It was moved DK and seconded GC that the Board:

Adopt the new Code of Conduct as tabled.

The Board adopted the motion.

The Board noted the information provided in the update.

12 OPERATIONS AND SERVICES

12 (i) Rodent Eradication Project Update

The Board's Rodent Eradication Project Manager, Andrew Walsh, gave an overview of the paper and handed out copies of the revised APVMA permit.

CW had a series of questions to AW which were resolved and resulted in an additional resolution.

CW asked if the APVMA knew that whilst the initial permit specified 42 tonnes of poison, the actual quantity being purchased is 58 tonnes. AW advised that the permit doesn't specify a maximum amount of bait that could be used, rather an application rate. AW explained why additional bait was required which included: increased area of the island(s) from better GIS mapping; increase in the area baited with bait stations and therefore bait used; to ensure there are no gaps in the bait coverage; and as contingency.

CW's second question related to provision of tarps by the LHIB for residents bordering aerial broadcast in the PPP. AW explained the permit condition related only to houses within 200 metres of the bait loading zone at the airport, as that was where more dust would be generated. AW said that dust had been considered in the Human Health Risk Assessment. AW explained that he did not want to see creation of unnecessary fear by providing other tarps. CW proposed a motion (see below).

CW's third question related to a number of conditions of the permit being:

- Condition Point 20. AW answered that the specified bait stations had a lockable lid which met the condition.

- Condition 44. AW answered that the detailed information sheet was being developed and would be distributed before baiting commenced.
- Condition 50. AW answered that REP staff would clear pellets from the tracks 1 or 2 days after aerial baiting before reopening the tracks.

There were two community members who spoke to the report. AW further emphasised that the change to the permit did not change the methodology.

GC stated that if he was bordering the PPP then for peace of mind, he would use tarps and disconnect downpipes.

MR and DK both expressed that they were happy with the conditions and that they did not wish to spread unnecessary alarm.

Additional Resolution

It was moved CW and seconded TT that the Board approve:

1. Residential dwellings adjacent to aerial baiting be offered the opportunity for Board Staff to provide tarps or disconnect down pipes to roof drinking water systems for the duration of aerial baiting activities

The motion was defeated by a casting vote of the Chair after the votes were tied 3-3. Dissenters were CW, TT and GC.

It was noted residents have the option to disconnect their own roof rainwater systems

The Board noted the information in the update.

12 (ii) Lord Howe Island – Proposed Marine Rescue Concept

JT gave an overview of the paper.

GC supported the MRC but had reservations about the long-term viability of the Marine Rescue Unit. JT advised that as we were looking at mostly volunteers, we should be looking at 'in principle' support. A discussion ensued.

It was moved CW and seconded MR that the Board:

1. support the Marine Radio Communications enhancement;
2. provide in principle support to undertake further community consultation regarding the establishment of a Marine Rescue Unit on Lord Howe Island, in particular with regards to volunteer capacity and specifications of the vessel and;
3. The CEO provide a written response to Marine Rescue NSW advising of the above

13 WH&S AND PUBLIC RISK MANAGEMENT

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

JV 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

During the lunch break on Monday 13 May 2019, Board Members and Managers viewed the erosion at Windy Point. It was felt that action was needed within the month. AL offered to look into possible assistance for this.

GC raised the issue of health in regards to caring for the elderly.

“Can we find someone (carer) to attend the island?”

PA advised that work on this area has been occurring with several meetings of TT, PA and others. In addition, work through the CSP has highlighted the importance to the community but also started to clarify needs. Post the REP further work via the CSP will be resumed.

Discussion in regards to availability of a Nurse’s flat post REP occurred and will be addressed by the Board.

SS thanked the Board, staff and the community for their support over the years.

The public meeting closed at 11:38 am on Tuesday 14 May 2019.

Next Meeting

The dates for the next Board meeting are 23 and 24 September 2019.

The date for the next extraordinary meeting (by teleconference) to pass the 2019/20 Budget is to be set in consultation with Members and staff.