

# LORD HOWE ISLAND BOARD POLICY

<b>TITLE</b>	<b>Cruise Ship Policy</b>		
<b>DATE ADOPTED</b>	March 2005	<b>AGENDA ITEM</b>	9v March 2005
<b>CURRENT VERSION</b>	September 2012	<b>AGENDA ITEM</b>	7i September 2012
<b>REVIEW</b>	3 years	<b>FILE REFERENCE</b>	VE0001
<b>ASSOCIATED LEGISLATION</b>	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Lord Howe Island Regulation 2014 (NSW)</i> <i>Environmental Planning and Assessment Act 1979</i> <i>Marine Parks Act 1997</i> <i>Marine Parks (Zoning Plan) Regulation 1999</i> <i>Marine Parks Regulation 2009</i> <i>Lord Howe Island Local Environment Plan 2010</i>		
<b>ASSOCIATED POLICIES</b>	Lord Howe Island Marine Park Operational Plan 2004		

## 1 Introduction

### 1.1 Title and Commencement

This policy is titled Lord Howe Island Board Cruise Ship Policy. The policy was adopted by the Lord Howe Island Board (LHIB) at its September 2012 meeting. It replaces the previous document titled Lord Howe Island Board Cruise Ship Guidelines that was first adopted in March 2005.

### 1.2 Purpose of the Policy

The purpose of the policy is to provide a clear framework to guide the Board in determining applications from cruise ship operators to disembark passengers on the island. The provisions of the policy have been developed to minimise impacts of cruise ship visitation on the island's environment, infrastructure, residents and visitors and to satisfy the Board's regulatory responsibilities.

### 1.3 Objectives and Coverage of the Policy

The objectives of this policy are:

- a) Define the criteria used by the Board to assess applications from cruise ships operators to visit/disembark Lord Howe Island;
- b) Assist cruise ship operators to plan and apply for relevant approvals to visit/disembark the island;
- c) To minimise the impact of cruise ship visits on the islands unique ecosystems and limited infrastructure;
- d) To minimise the impact of cruise ship visits on the quality of the island-accommodated visitor holiday;

- e) To manage cruise ship visitation in accordance with the requirements and objectives of the relevant legislation and planning instruments.

The Policy is applicable to all proposed landings on the island of vessel passengers by commercial cruise ships operators.

The Policy does not apply in the following circumstances:

- a) Any cruise ship that does not propose to disembark passengers on the island but has obtained approval from Marine Parks Authority (MPA) to anchor in one of the six MPA roadstead's.
- b) Innocent passage of any cruise ship through Lord Howe Island waters.
- c) Visits by Navy, Customs and Police vessels.

#### **1.4 Background to the Policy**

Lord Howe Island has an exceptional diversity of spectacular landscapes and unique ecosystems. In recognition of the island's environmental significance Lord Howe Island was listed as a UNESCO World Heritage site in 1982. In recognition of this significant and fragile environment regulatory measures are in place to minimise the current impact and future growth of activities on the island that may affect the island's World Heritage environment. The *Lord Howe Island Act 1953* (LHI Act 1953) enables the Board to control tourist trade and to regulate business activity on the island. The Policy provides a framework to satisfy the regulatory responsibilities in relation to tourist visitation.

The *Marine Parks Act 1997* (MPA Act 1997) allows the ministers to regulate commercial activities (ie cruise ship visitation) in NSW Marine Parks. The *Marine parks (Zoning Plans) Regulation 1999* prohibits all vessels over 25 metres anchoring within Lord Howe Island Marine Park except at the six allocated roadstead's.

## **2 Policy Statement**

The disembarkation of passengers by cruise ship operators onto the island is deemed by the Board to be a commercial activity requiring consent under section 49 of the *Lord Howe Island Regulation 2014* (LHI Regulation 2014). The Board shall consider any application for a cruise ship visit, required under s49, in accordance with the guidelines provided in the policy.

Operators proposing to include Lord Howe Island on a trip itinerary must obtain the relevant approvals from Board prior to public promotion of a visit to Lord Howe Island. To seek approval a proponent must formally apply to the Board providing details of the proposed visit. Proposals must demonstrate satisfaction of the provisions of the policy.

## **3 Guidelines**

All applications must include information to demonstrate compliance with the following criteria:

- a) Proposals must address all criteria outlined in the policy to enable the Board to assess the application.
- b) Approval may only be issued for cruise ships visits that involve the disembarkation of no more than 80 persons per visit.
- c) The maximum duration of stay on the island is eight hours.
- d) No approvals will be issued for a cruise ship to visit the island during NSW school holiday periods or the peak season as defined above.

- e) The Board will only consider approving applications for disembarkation during the shoulder and low season (excluding NSW School Holidays). The dates applicable to each of the periods identified in the policy are as follows:
- Shoulder season: 1<sup>st</sup> February to 30<sup>th</sup> April and 1<sup>st</sup> September to 30<sup>th</sup> November
  - Low Season: 1<sup>st</sup> May to 31<sup>st</sup> August
  - Peak Season: 1<sup>st</sup> December to 31<sup>st</sup> January and Easter (one week prior to and one week following Easter)
- f) The Board may approve a maximum of six cruise ship visits per annum restricted to a maximum of two per shoulder season and four during low season each year.
- g) No staff or crew are permitted ashore except in a work capacity.
- h) The operator must demonstrate to the Board a proven history of successful operation in similar environmental and social contexts and is able to demonstrate compliance with all best practice standards for the operation of ship based tourism in sensitive natural and cultural environments.

#### **4 Activities**

All on shore activities to be undertaken as part of an organised tour run by a local tourism operator local licenced under section 49 of the LHI Regulation 2014.

All water based activities within the marine park, except transport directly to and from the cruise ship and island, will be undertaken as part of an organised tour, run by an approved local tour operator being the holder of a LHIB Business Licence and MPA Permit where activities occur within the Lord Howe Island Marine Park.

#### **5 Prior to Arrival**

Prior to arrival of any approved voyage the operator must notify the Board 24 hours prior to the scheduled arrival of the vessel to the island.

The Operator will provide all passengers, prior to disembarking, with any material which the Board and/or the MPA deem necessary to ensure that passengers are aware of issues such as natural environment sensitivity, quarantine issues, waste and water management etc.

Where Lord Howe Island is the first port of call in Australia waters, operators will ensure that all customs and quarantine requirements are met and completed prior to passengers leaving the vessel. The operator will also comply with any additional quarantine requirement imposed by the Board, provided to the Operator at least 14 days prior to arrival at Lord Howe Island.

#### **6 Other Approvals**

The operator shall obtain all relevant approvals including from the NSW MPA. Any approval issued by the Board or MPA will be subject to the operator complying with relevant conditions included in the approval issued by the other agency.

#### **7 Fees and Charges**

The cruise ship operator shall pay the standard fee for a licence issued under section 49 of the LHI Regulation 2014. The Operator shall pay, per head, a levy being an amount equivalent to Lord Howe

Island Passenger Levy and Lord Howe Island Environmental Levy as approved by the Board under the published LHIB Fees & Charges Schedule.

## **8 Right to Vary or Revoke**

The LHIB reserves the right to vary or revoke this policy at any time in consultation with relevant parties.