

LORD HOWE ISLAND BOARD

Board Meeting Agenda

Friday 13thth May 2022

Location: Community Hall / Teams

Closed Session

- | | |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2:30pm AEST
(3:00pm LHI) | 1 CONFLICT OF INTEREST DECLARATIONS

2 WH&S AND PUBLIC RISK MANAGEMENT
3 FINANCE AND BUSINESS MANAGEMENT
4 OPERATIONS AND SERVICES
5 GOVERNANCE |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Open Session

- | | |
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| 3:30pm AEST
(4:00pm LHI) | 6 MINUTES OF PREVIOUS MEETING – NOTICE OF ADOPTION

(i) Adoption of Minutes of Previous Meeting
7 OUT OF SESSION MATTERS
(i) Out of Session Matters Status Report

8 ACTIONS FROM PREVIOUS MEETINGS
(i) Actions from previous meeting status report

9 CHIEF EXECUTIVE OFFICER’S REPORT
(i) Chief Executive Officer’s Report

10 DEVELOPMENT APPLICATIONS
(i) Owner Consent Approved Under Delegated Authority Status Report
(ii) Development Applications Approved Under Delegated Authority Status Report

11 POLICY AND STRATEGY
(i) Motor Vehicle Importation or Transfer Status Report

12 LEASING AND LAND ADMINISTRATION
(i) Request to amend PL1989.01 and PL1987.03 to reflect boundary realignment as approved in DA2016.29 - Skeggs Pauline and Dignam Kate
(ii) Application for consent to transfer by way of sublease part of PL1992.01 from Richard James Shick and Debra Lee Smith to Louis Sullivan Shick
(iii) Application to transfer PL1954.43 from Gower Wilson to Gower Wilson - D Matassoni - Deon Nobbs - Kayla Hiscox and Jayden Hiscox as Joint Tenants and Application to sublease from all joint tenants to Gower Wilson - May 2022
(iv) Land Swap – Fletcher Owens |
| 4:25pm AEST
(4:55pm LHI) | 13 GENERAL BUSINESS AND QUESTIONS ON NOTICE |

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Adoption of minutes of previous meeting.

Recommendations

1. **Note** the endorsement of the March 2022 board meeting minutes.

Current position

Process for Board minutes distribution

The Board updated the adopted process for distributing Board minutes at the March 2022 Board meeting as follows:

- Draft minutes will be produced within five working days of a Board meeting, and distributed to Board members on the sixth working day, unless delayed for a valid reason agreed to between the Chief Executive Officer and the Chairperson.
- Board members are to return their endorsement, or otherwise, of minutes in writing no later than 10 working days after date of posting distribution.
- 10 working days after date of posting distribution, the Board will deem the minutes of the meeting to be endorsed, subject to any amendments which were received prior to that date, and agreed for inclusion by the Chairperson.

Endorsement of March 2022 board meeting minutes

Minutes of the March 2022 meeting were distributed to each Board member and were endorsed but not within the above timeframes.

A copy of the endorsed Minutes is attached.

Attachments

Attachment	Title
A	Board Meeting Minutes – March 2022 – CLOSED

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Administration Officer

Board Meeting: May 2022

Agenda Number: 7 (i)

Record Number: ED22/3182

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Out of Session Matters Status Report

Recommendations

1. **Note** the information provided in this report.

Current position

Since the last Board Meeting in March 2022, no matters were considered out of session.

Attachments

Attachment	Title
A	Result Summary Sheet – CLOSED

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Administration Officer

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Actions from previous meeting – status report.

Recommendations

1. **Note** the information provided in this report.

Current position

As a matter of process and procedure, a list of actions is prepared after each Board meeting to ensure that the Board's resolutions are systematically carried out by staff. Those actions reported as complete are deleted from the Action List at the subsequent Board meeting.

A list of actions from decisions of the March 2022 Board meeting, and previous meetings, is attached for the Board's information.

Attachments

Attachment	Title
A	Action sheet from previous Board meetings - CLOSED

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Debbie Johnsen	Sr. Manager Business and Corporate Services

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Chief Executive Officer's report from the 23rd February to the 8th May

Current position

The following briefing provides an overview of highlights, risks and opportunities during the reporting period. It is reported under the six themes of the Board's Strategic Plan, and supported by detailed reports from the three business unit Senior Managers.

Effective Leadership and Governance

Two senior manager roles that have been covered by temporary staff are now filled, with both incumbents commencing 2nd May. New Senior Manager Business and Corporate Services Debbie Johnsen is a certified practising accountant that joins us on long term secondment from within DPE. Ben Jenkins, New Senior Manager Infrastructure and Engineering Services is an experienced engineer that brings a diverse background to Lord Howe from large infrastructure projects and local government.

Workforce capacity has been under pressure through continued Covid cases, accommodation shortages and staff accessing a significant build-up of recreational leave that has accumulated through an intense few years. Along with the wellbeing of our small team, ensuring leave balances are compliant with policy is being achieved. Thanks to all staff who have been covering in acting roles, backfill and simply taking on more responsibility.

Four meetings with elected Board members have been held, providing a conduit for the community on operational matters. Notes of these meetings continue to be shared with the full Board. A town hall meeting on May 6th with Board Chair and members and the opportunity for one-on-one meetings was well received. Issues raised included the ongoing challenges of adequate accommodation, vehicle numbers, roads, mobile phones, energy supply options and island sustainability. Other matters that fall outside the direct control of the Board including dental and health services and vehicle use remain important to the community.

The LHI independent Audit and Risk Committee is due to meet on the 18th May, and risks have been reviewed. The team have commenced activities required for the annual audit, including the end March interim close, which should see us better placed to meet our compliance obligations this year.

Sound Infrastructure and Services

Ensuring security of our shipping service is a high priority, and negotiations with Birdon regarding renewal have commenced positively.

The MIES report covers our Assets and Infrastructure, and the number of both small and large projects in train. Highlights include:

- Technical design consultants for the \$3 Million road project visiting the island, currently finalising reports to inform the scope of works and enable the tender to be released.
- Consultants have been on-island in March and assessing the jetty infrastructure. A report and scope for a tender to address urgent and longer-term maintenance is under preparation.
- Progress with many smaller projects

Outstanding Environment

The end of March woodhen survey was completed with 778 birds recorded, with the total number of woodhens more likely to be higher than 800 when adjusted for areas not covered.

Biosecurity efforts continue, with ongoing flight and boat inspections, regular dog-search sweeps and checking the ambient monitoring network. This presence has enabled response and investigation of sign and community reports, including from recent seeding efforts, frogs at Port Macquarie and a potential mouse evidence. Whole of community ownership of ongoing biosecurity appears to be developing, and is both welcome and necessary to ongoing success.

Contract weeders have been used to address staffing shortfalls and ensure targets and deliverables are met. The absence of rodents and wet weather have seen a resurgence of weeds, requiring a redoubling of effort to monitor and treat.

Goat House track re-establishment has been progressed with a tender called, and progressing the claim with our insurer. Next steps will include assessment of the tender response and awarding the contract.

LHIB has been successful in securing some funding assistance to match our in-kind contribution to repair the Middle Beach stairs. A full scope of works including geotechnical assessment will be required. The project is expected to commence in the next financial year, subject to budget.

Responsible Land Management

Ongoing matters relating to lease transfers and development applications are ongoing, and included in the papers.

Support a Strong and Engaged Community

The island community continued to conduct many events and activities, some of which were supported by the Board. Rockfest was a highlight of the period, and thanks are extended to Dave and his team for their efforts along with Board staff and community volunteers who ensure it runs smoothly. Post a very busy Easter for the island, the RSL continued to ensure the island observes a respectful and meaningful Anzac day, in honour of those who have served.

Community feedback and complaints have been responded to and tracked with a view to monitoring and reporting improvements.

The Local Emergency Management committee also met and undertook its biannual site meeting at the Airport. Two of the subordinate plans to the Local Emergency Management Plan have been revised and updated.

Attachments

Attachment	Title
A	Infrastructure and Engineering Services Report – Open
B	Environment and Community Services Report – Open

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Suzie Christensen	Chief Executive Officer

CEO Board Report

Infrastructure and Engineering Services

This report is a brief summary of IES activities and issues covering the period March to May 2022.

Roads

The Board has engaged specialist survey, geotechnical and road design contractors to prepare designs, drawings and specification for inclusion in the tender documentation for construction / improvement of priority roads. The Board has obtained funding for these through *Fixing Local Roads Round 3*.

The contractors were on-island during the weekend of 30/04/22 to 1/5/22 to undertake an intensive data gathering exercise. Using this information, it is planned for design and specifications to be completed by the end of May 2022.

In parallel with the design preparation, general tender documentation will be also be prepared, to reduce time delay. At this stage, it is planned for construction works to commence in August 2022, to avoid as far as possible the winter period and the peak summer tourist season.

There is some risk to the project budget and timeline due to expected high demand for consultants, construction contractors and materials suppliers caused by the recent extensive damage to infrastructure on the east coast of the mainland.

A communications plan will be developed in the near future to ensure the community is aware of planning, intent and progress.

Return of Cattle

The LHIB has contracted Polaris Marine to provide a barge service from the east coast to Lord Howe Island to transport 22 head of cattle.

Arrangements have been made for a 40' container to be engineered to transport the herd, this has been approved and is currently under assessment by a naval architect to ensure correct weighting and placement for the voyage.

Ian Poe BVSc MANZCVS, District Veterinarian from North Coast Local Land Services has agreed to accompany the cattle on the voyage, as has a stockman provided by Macka's Pastoral in Newcastle.

A welfare plan for the livestock has been approved by NSW DPI and reviewed by the RSPCA.

Finalisation of logistics of the cattle movement and arrival are underway including obtaining Marine Parks permits and adhering to biosecurity requirements.

Blood tests of the animals have occurred in accordance with the LHIB Livestock Policy and a tentative date of 29th of May 2022 is being worked towards pending weather and permit signoffs.

A priority list of waste to return on the barge has been created and the team at the WMF is working to prepare it for transport.

Shipping

APP consulting have been appointed to assist contract negotiations with Birdon and communication with Birdon has commenced.

Major Projects

Beach nourishment success

The LHIB implemented a beach nourishment program in 2020/2021 to restore the dune at Windy Point in order to manage erosion, protect infrastructure and protect the dune environment.

Beach nourishment is a technique where sand is moved from areas of the beach where there is natural sand accumulation, to the areas where there is erosion. It is in effect a “reversal” of the natural erosion process.

Drone mapping was carried out during the project by SCU, who reported that sand moved has stabilized and due to the depositional nature of the beach it was removed from, there were no adverse effects.

Dr Marc Daley from Marine Coast Estuaries and Flood (DPE) has deemed the project highly successful with some ongoing monitoring and sand top ups to be performed long-term.

Dr Daley is giving a presentation at the NSW Coastal Conference regarding the success of the Lord Howe Island beach nourishment project. It has been one of the few times a structure has been removed and sand from the beach used to fix the problem rather than relying on external structures (walls, geo-tech, etc.).

Stronger Country Community Fund Grant funded projects

Round 2 – Lord Howe Island Skate Park – SCCF2-0536

Board staff are working with SCCF to complete the variation documentation – SCCF has provided feedback on the variation and Jillian Fryer will be on-island the week of 9th May and assisting with finalisation of the process.

Round 2 – Stevens Reserve Walking Track change to Beach Access

The grant variation to provide disability beach access is being worked through with the funding body. Practicalities such as where the equipment is to be safely stored are being investigated with community representatives. A site has been selected and is being reviewed.

Round 3 – Upgrade Aquatic Club building and storage and purchase new sailing / water sport equipment – SCCF3-1557

The aquatic club have begun their build and are largely finished installing lockers and finalising the interior space. They are now in the process of completing Milestone 3 and purchasing equipment.

Round 3 – Community Playground Upgrade – SCCF3-1561

The playground is finalised with \$30k of funds remaining. Board staff are looking at possible options of a solar water station.

Round 3 – CBD Amenities and Wastewater System

A scope of works is being developed with Whitehead consulting and Board staff to review waste water irrigation areas that will either qualify or disqualify current options.

Boat Ramp Load Line

The grant deed has been signed and the project is currently being scoped. RMS and Marine Parks have been consulted and feedback is being collected.

Emergency Operations Centre Upgrade

Equipment selection has been finalised and the equipment is now being procured. A trial of a new radio system is currently underway.

Prepared: Ben Jenkins, Manager Infrastructure and Engineering Services

Endorsed: Suzie Christensen, Chief Executive Officer

CEO Board Report

Environment and Community Services

Biodiversity Management

- The second autumn Woodhen survey required under a Commonwealth government permit issued under the Rodent Eradication Project (REP) was conducted from 15 - 25 March 2022 and recorded 778 woodhens during the 2 week survey period. This is likely to be an underestimate of the actual numbers of woodhens as weather and staffing constraints prevented completion of the full survey. The figure also does not account for birds on Mount Gower (43 November/December 2021), 5 Woodhen released on Mt Lidgbird and 15 on Big Slope in November 2019, birds known to occupy the Northern Hills, North Bay, Transit Hill and the numerous un-banded Woodhens being reported by residents after the survey. In summary, the figure is most likely higher than 800.

This nearly quadruples the population survey results prior to the REP, which averaged 200 (annual counts varied between 140 and 250) Woodhen since 1985 with the highest count pre REP totalling 250.

Following the REP, the woodhen population surveys recorded 443 birds during the November 2020 survey, 598 during the March 2021 survey, 551 during the November 2021 then 778 in March 2022. This significant increase is most likely to be attributed to increased availability of food and the removal of rodenticide poisons from the island. Of concern, roadkill has become the primary threat to woodhens as 50 birds were recorded as roadkill in the year since March 2021, almost 10 per cent of the population.

This population increase represents a very significant conservation gain for a critically endangered species that in the 1980s was reduced to less than 30 birds and validates the conservation gains that have resulted from the REP, which has also seen significant recovery of the island flora and fauna in general.

As part of the REP, the Lord Howe Island Board was required to conduct two surveys over two years post REP to measure recovery in accordance with a Commonwealth permit condition. This is now complete and surveys will return to an annual summer survey to monitor the conservation status for one of Australia's rarest birds and ascertain what the likely total carrying capacity is for the island.

- There has been one unconfirmed sighting of a possible owl killed Little Shearwater near Blinky Beach early May 2022. Nine Song Meters have been installed at strategic locations around the island and will be monitored for Owl calls. The Song Meters are scheduled to record bird calls for a 2 hour period at dawn and dusk, and checked to determine presence/absence and assist to plan hunting strategies.

Biosecurity

- Detector dogs (and their handlers) are working hard with an increase in the number of planes and marine vessels since the opening of the island to travel. Contract detector dogs are being used to assist with settlement inspections for rodents as part of the revised monitoring system and may also assist with planes and Island Trader inspections as required.

- Pest species have been detected on recent ships: Green Tree Frogs and Asian House Gecko. All have been dead prior to arrival on Lord Howe Island, suggesting biosecurity requirements and monitoring remain critical at both Lord Howe Island and Port Macquarie.

Rodent Response Program

- 270 days (as of 9/05/22) since last rodent detection.
- A formal success check for the REP is due two years after the most recent rodent detection, a dead rat found on 12 August 2021. The success check will be scientifically assessed by the Island Eradication Advisory Group who provide advice that the program can be formally declared an eradication success.
- On-going biosecurity network has been modified and an increased number of monitoring devices have been deployed across the island, the most significant addition being 180 trail cameras.
- All (non-biosecurity) monitoring devices have been removed from the southern portion of the island and the northern PPP (Malabar). Detection devices continue to be monitored in the northern Settlement and on Transit Hill. 180 Trail cameras continue to monitor throughout the northern and southern settlements.
- Areas of the island are continuing to be monitored daily by detector dogs. The increase in planes and marine vessels has limited our capacity somewhat, however, searches continue with notably less indications being recorded than in previous months.
- The biosecurity monitoring measures established through the Rodent Response have been handed over to the environment unit for ongoing maintenance and monitoring. Grant funding through DPIE provides sufficient funding to engage staff to maintain and monitor these devices at the current time.
- The Board have been advised that the initial fish test results provided by Symbio reported through a Householder dated 14 March 2022 were incorrect as the lab ran the incorrect test analysis on the samples provided. A request has been issued to the lab to retest the samples provided as results indicated residues were in fact still present in 2 liver samples from 2 species – a householder has been circulated advising residents of this.

Weed Management

- The LHI Weed Eradication Program (WEP) has reached year 17 of a projected 30 year program period. Infestations of environmental weeds that were once a common feature across the island landscape are significantly reduced and are getting harder to find; however residual weed populations are present in off-track, harder to access areas; albeit in reduced abundance.
- Weed contractors (mainland) worked alongside the local weed team over a 3 week period from late April early May where they assisted treating priority weed blocks and training new LHIB staff in best practise weed identification and control techniques.
- To gain traction on lost time from the REP and Rodent Response, increased resourcing is required to ensure yearly treatment of priority weed landscapes across the island (on ground effort and technical operations).

- A Heli-lance spray operation is being planned for July 2022 to control target weeds such as Bitou Bush, Ground Asparagus, African Boxthorn and Cherry Guava from cliff lines and inaccessible terrain across the island.

Threatened plants

- Threatened plant recovery actions continue to be implemented according to the LHI Saving Our Species (SOS) program; now running a five-year contract period, with funding availability subject to yearly reporting.

Visitor Infrastructure

- LHIB has been awarded \$320 000 funding from the Australian Government under the Australian Heritage Grants 2021-2022 to improve visitor access to the Lord Howe Island Heritage area by undertaking maintenance and repairs of tracks and stairs at Middle Beach. The grant contract is in the process of being finalised. The Middle Beach north steps will remain closed until works are complete. Storm activity had resulted in the lower steps being washed away, and LHIB staff have identified concerns with the stability of the slope that the lower portion of the steps are installed in. Expert geotechnical advice will be obtained prior to any reconstruction works being undertaken.
- A procurement process for repairing Goat House walking track has been completed. Discussions with the insurers are ongoing, however early indications are that they may agree to fund part of repair costs up front in the next few weeks. The track will remain closed until works are complete.

Marine Management / Moorings

- Mooring bookings were busy over the summer period and are now dropping off.

Environmental Assessment

- Ecological assessments for all OC / DAs referred completed
- Tree risk assessments completed.

Land Administration

- See business papers

Development Assessment and Land Use planning

- See business papers

Prepared: Justin Sauvage, Senior Manager Environment and Community Services

Endorsed: Suzie Christensen, Chief Executive Officer

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Owner Consent approved under Delegated Authority status report.

Recommendations

1. **Note** the information provided in this report.

Current position

The Minister for the Environment has approved delegated authority regarding the issuing of owners consents by the CEO providing:

1. The development value is not more than \$2 million,
2. Does not relate to development for the purpose of a new dwelling, and
3. Complies with any planning instrument in force relating to the Island.

No Owner Consent Applications were determined by the CEO since the last Board meeting.

Attachments

Attachment	Title
Nil	

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Administration Officer

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Development Application approved under Delegated Authority status report.

Recommendations

1. **Note** the information provided in this report.

Current position

The Minister for the Environment, under section 80(1) of the Environmental Planning & Assessment Act, issued authority to the CEO to determine development applications providing:

1. The development value is not more than \$150,000;
2. No more than 3 written objections are received within the exhibition period; and
3. The application has not been called up for full Board determination by any Board Member. (All Lord Howe Island Board development applications are to be determined by the full Board).

No development applications have been determined by the CEO since the last Board meeting.

Attachments

Attachment	Title
Nil	

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Administration Officer

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Motor vehicle importation or transfer status report.

Recommendations

1. **Note** the information provided in this report.

Current position

Since the last Board meeting, two (2) vehicle applications to import or transfer were determined by the Chief Executive Officer under the 'Vehicle Importation, Transfer and Use Policy'.

The table below shows the vehicle applications determined since the March 2022 Board meeting.

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation to Applicant	Comment
Jae de Clouett	Subaru SUV	N	Private	0	Approved 21/02/2022 - Replacement
Rodney Thompson	Honda Scooter	Y	Private	0	Refused 4/4/2022

NOTE: Variation column relates to the applicant and not the increase of vehicles to the island.

As at 29 April 2022

Registered Road Vehicles						
Essential	Commercial	Private	Hire	Plant & Equipment	Imported prior to Approval Policy	Total
34	116	172	9	26	64	421

At the May 2010 meeting it was requested that further differentiation in the vehicle statistics to identify motor vehicles and motor cycles / scooters and trucks separately be presented. This information is presented below.

Registered Road Vehicles						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
194	29	38	14	42	104	421

At the June 2016 meeting it was requested that future reports include trends in regards to vehicles imported without approval and clarification that these are vehicles which pre-date the Board approval and monitoring process. There remains a total of 64 vehicles imported without approval prior to the current policy:

- 50 vehicles were imported without approval prior to and in 2014. The majority of these vehicles were trailers.
- 1 vehicle, a boat trailer, was imported without approval in 2015.
- 3 vehicles, all boat trailers, were imported without approval in 2016.
- 1 vehicle, a mower was imported without approval in 2019.
- 1 vehicle, a mobility scooter was imported without approval in 2020.
- 8 vehicles have been replaced and are awaiting removal.

The following table shows further differentiation in the vehicle statistics to identify the types of vehicles that have been imported without written approval.

Vehicles Imported Without Approval – By Type						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
5	0	8	4	6	41	64

Attachments

Attachment	Title
	Nil Attachments

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Administration Officer

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Amendment to PL1987.03 and PL1989.01 to reflect boundary re-alignment of Lot 357 and Lot 358 approved in DA2016.29

Recommendations

1. **The Board recommend** to the Minister pursuant to s21(8) of the *Lord Island Act 1953* that Perpetual Lease 1987.03 held by Pauline Skeggs be amended to reflect the revised boundaries as shown for Lot 2 in DP1245352
2. **The Board recommend** to the Minister pursuant to s21(8) of the *Lord Island Act 1953* that Perpetual Lease 1989.01 held by Katherine Dignam be amended to reflect the revised boundaries as shown for Lot 1 in DP1245352

Current Position

DA2016.29 – Boundary Realignment of Portion 357 (held by Pauline Skeggs) and Portion 358 (held by Katherine Dignam) was approved at the September 2016 Board Meeting.

On 20 June 2018, an Application for Subdivision Certificate was lodged.

On 13 July 2018, the Subdivision Certificate was released to the Blairlanskey Surveys, who subsequently, registered the plan with NSW Land & Property Information as follows:-

- Subdivision of Lots 357 and 358, DP1054109 creating Lots 1 and 2 of DP1245352 was registered on 3rd August 2018.

Issue

One of the conditions of approval of DA2016.29 stated:-

- *The transfer of part of Perpetual Lease 1987.03 (held by Pauline Skeggs) to Perpetual lease 1989.01 (held by Kate Dignam) will require approval from the Board and the Minister in accordance with sections 21 and 23 of the Lord Howe Island Act.*

This final step in the process was never done and therefore the boundary re-alignment is not complete. This came to light in October 2021.

On 4th March 2022, letters were sent to both Ms Skeggs and Ms Dignam asking them to submit in writing to the Board, a request that the Board recommend to the Minister, pursuant to s21(8) of the *Lord Howe Island Act 1953* that Perpetual Lease 1987.03 and Perpetual Lease 1989.01 be amended in the following way:-

- That Perpetual Lease 1989.01 reflect the revised boundaries as shown for Lot 1 in DP1245352;
- That Perpetual lease 1987.03 reflect the revised boundaries as shown for Lot 2 in DP1245352.

A request was received from both Ms Skeggs and Ms Dignam on 17 March 2022 requesting the finalisation of this matter as stated above.

Attachments

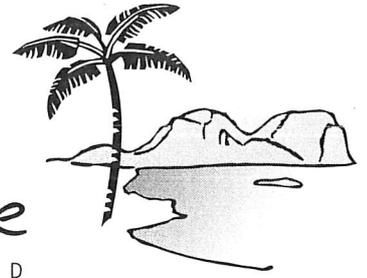
Attachment	Title
Attachment A	Letter – Notice of Determination – DA2016.29 – Skeggs Pauline – 29 September 2016 - Open
Attachment B	Plan – Registered – Lot 1 and Lot 2 DP 1245352 - Open

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Justin Sauvage	Senior Manager Environment and Community Services

LHIB Ref: DA2016-29
Enquiries: David Kelly

Lord Howe
ISLAND BOARD



29 September 2016

Pauline Skeggs
CARE PO
LORD HOWE ISLAND NSW 2898

Administrative Office
P.O. Box 5
Lord Howe Island 2898

Phone: 02 6563 2066
Facsimile: 02 6563 2127
Email: administration@lhib.nsw.gov.au

Dear Ms Skeggs

RE: NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION UNDER ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

I am writing in reference to your development application for boundary realignment.

Pursuant to section 80(1) and 80A of the Environmental Planning & Assessment Act, notice is hereby given of the determination by the consent authority for Development Application DA2016-29.

Your application has been conditionally approved by the Board.

Date from which consent applies	:	13 September 2016
Date in which consent will lapse	:	13 September 2021
Proposed Development	:	DA2016-29
Location	:	Portion 357 and 358 Ocean View Drive

The application has been determined by granting consent subject to the following conditions:

1.) Approved Plans and Supporting Documentation

The development is to be carried out in accordance with the plans and documentation provided with DA 2016-29 as listed below and endorsed with the Lord Howe Island Board's stamp, except where amended by other conditions of consent.

- a) Completed Development Application Form
- b) Statement of Environmental Effects prepared by Pauline Skeggs dated 17 May 2016
- c) Plan of Proposed Boundary Change Between Portion 357 and 358 and extension of ROW, prepared by Gary Milman July 2016.

Reason: To ensure the development is carried out in accordance with the details submitted in the Development Application and to ensure compliance with the Lord Howe Island Local Environmental Plan 2010 with respect to maximum tourist bed numbers.

2.) Site Landscaping

Existing site landscaping and all major areas of native plantings on site are to be maintained.

Reason: To ensure the lots remain landscaped.



3.) Subdivision certificate

A subdivision certificate is required to be approved by the Board. The applicant is to provide a plan of subdivision prepared by registered surveyor and suitable for registration with NSW Land & Property Information.

Reason: This is a legislative requirement.

4.) Easements

The applicant is required to make provision in the application for a Subdivision Certificate and registration of an easement or right of carriageway for access to the northern lot.

Reason: To ensure that access and provision for future is provided to each lot as necessary.

Advice to Applicant:

1.) Amendment to Perpetual Lease

The transfer of part of Perpetual Lease 1987.03 (held by Pauline Skeggs) to Perpetual Lease 1989.01 (held by Kate Dignam) will require approval from the Board and the Minister in accordance with sections 21 and 23 of the Lord Howe Island Act 1955.

2.) Significant Native Vegetation

Damage to or removal of Significant Native Vegetation is prohibited, as per Clause 11 of LEP 2010

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides that a person must not take an action which has, will have, or is likely to have a significant impact on

A matter of national environmental significance (NES) matter; or Commonwealth land without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth EPBC Act does not have application.

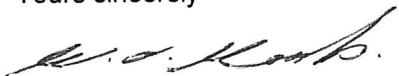
The Commonwealth EPBC Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court. This right of appeal is only valid for six months from the date of the consent. To determine the extent to which the consent is liable to lapse refer to Section 95 of the Act.

If you are carrying out residential building work using a licensed contractor(s) you are required to ensure the contractor has Home Warranty Insurance with a minimum cover of \$300,000 before you pay any money to the contractor and before starting any work under the contract. Home Warranty Insurance is not required where the contract price, or the cost of labour and materials does not exceed \$12,000.

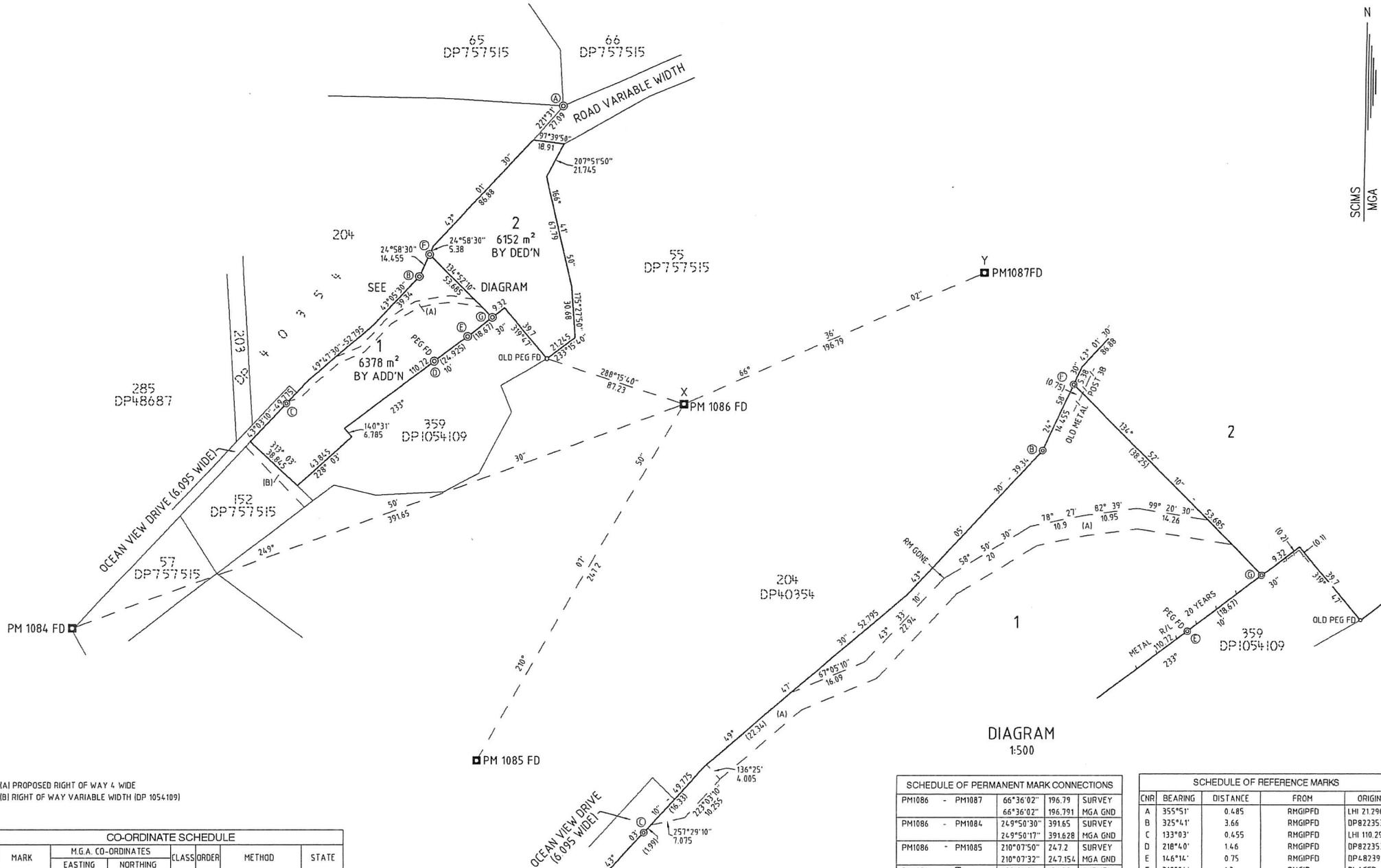
Should you have any further enquiries regarding this matter please contact David Kelly at the Board's office on (02) 6563 2066 extension 18.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bill Monks', written in a cursive style.

Bill Monks
ACTING CHIEF EXECUTIVE OFFICER

Ref: R036343 / Doc: DP 1245352 P / Rev: 06-Aug-2018 / sts: SC.OK / Pgs: ALL / Pnt: 07-Aug-2018 03:30 / Seq: 1 of 3
 Ref: Irs: eplan-eplan FOR SURVEYORS USE ONLY / Src: W



(A) PROPOSED RIGHT OF WAY 4 WIDE
 (B) RIGHT OF WAY VARIABLE WIDTH (DP 1054109)

CO-ORDINATE SCHEDULE						
MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
PM1084	505588.239	6512424.375	A	1	SCIMS	FOUND
PM1085	505831.774	6512345.622	D	4	SCIMS	DISTURBED
	505831.685	6512345.597	U	U	TRAVERSE	SURVEY
	505955.719	6512559.305	C	4	SCIMS	FOUND
PM1086	506136.252	6512637.427	A	1	SCIMS	FOUND

SOURCE : M.G.A. CO-ORDINATES ADOPTED FROM SCIMS ON 23 MAY 2018
 M.G.A. COMBINED SCALE FACTOR = 0.999593 MGA ZONE 57 MGA DATUM GDA 94

SCHEDULE OF PERMANENT MARK CONNECTIONS					
PM1086	-	PM1087	66°36'02"	196.79	SURVEY
			66°36'02"	196.791	MGA GND
PM1086	-	PM1084	24°58'30"	391.65	SURVEY
			24°58'30"	391.628	MGA GND
PM1086	-	PM1085	210°07'50"	247.2	SURVEY
			210°07'32"	247.154	MGA GND
PM1084	-	Ⓞ	4°31'10"	186.39	SURVEY
PM1087	-	Ⓢ	264°58'20"	297.68	SURVEY

SCHEDULE OF REFERENCE MARKS				
CNR	BEARING	DISTANCE	FROM	ORIGIN
A	355°51'	0.485	RMGIPFD	LHI 21.2909
B	325°41'	3.66	RMGIPFD	DP822353
C	133°03'	4.455	RMGIPFD	LHI 110.2909
D	218°40'	1.46	RMGIPFD	DP822353
E	146°14'	0.75	RMGIPFD	DP48239
F	319°04'	1.3	RMGIP	PLACED
G	135°23'	1	RMGIP	PLACED

Surveyor: MARTIN PUNDYK
 Date of Survey: 20 MAY 2018
 Surveyor's Ref: 7466-40
 2018 177100 (567) PARTIAL SURVEY

PLAN OF
 SUBDIVISION OF
 LOTS 357 AND 358 DP 1054109

LGA: UNINCORPORATED
 Locality: LORD HOWE ISLAND
 Reduction Ratio: 1:1500
 Lengths are in metres.

Registered
 3.08.2018

DP1245352

10	20	30	40	50	60	Table of mm	90	100	110	120	130	140
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Application for consent to transfer by way of sublease part of PL1992.01 from Richard James Shick and Debra Lee Smith to Louis Sullivan Shick

Recommendations

1. **The Board recommend** to the Minister to approve the transfer of a 25% share of PL1992.01 by way of sublease from Richard James Shick to Louis Sullivan Shick
2. **The Board recommend** to the Minister to approve the transfer of a 25% share of PL1992.01 by way of sublease from Debra Lee Smith to Louis Sullivan Shick

Current position

Under the *Lord Howe Island Act 1953* (the Act), the holder of a Perpetual Lease must reside on their lease. Specifically s21(7):

(7) Subject to this subsection and subsections (7A) and (7B), a condition of residence on the lease shall attach thereto in perpetuity, and shall be performed by the holder or sublessee thereof for the time being, and residence shall commence within six months after the granting of the application or such further period as the Minister on the recommendation of the Board may approve....

Where a leaseholder does not reside on their lease they can apply for the Board to consider making a recommendation to the Minister to grant consent to sublease. Usually the request to sublease will be made for an Islander to take up the sublease, and therefore able to uphold the requirement under the Act for an Islander to reside on the respective Perpetual lease.

s23(2) of the Act sets out how the Board must receive the application to transfer a lease and the requirement for Minister's consent to sub-lease:

- (2) Application for consent to transfer, except:*
- (a) by way of discharge of mortgage, or*
 - (b) to the Board by way of mortgage as security for an advance under s12(A),*

Or to sublet a lease under this Act shall be made in the prescribed form and manner, and such transfer or subletting shall not be effected, or if effected shall not be valid, unless the consent thereto of the Minister, and in the case of a transfer (not being a transfer by way of mortgage) or subletting to a person other than an Islander, the approval of the Governor, has been obtained.

(3) *The Minister may consent to the transfer (not being a transfer referred to in paragraph (a) or (b) of subsection (2)) or subletting if the Board so recommends, or the Minister may at his or her discretion refuse consent.*

The Board has absolute discretion to recommend the granting or refusal of this application. to the Minister. However, in doing so, the Board must give consideration to the Islander status of the person it is proposed to sublet to:

(4) *The Board shall have an absolute discretion to recommend the granting or refusal of any application for consent under this section, but shall not recommend the granting of consent to a transfer or subletting to any person other than an Islander unless satisfied that there is no Islander who desires and is in a position to take transfer or sublease, as the case may be, of the lease.*

The Act does not give any further guidance as to what matters the Board should take into consideration when determining to accept or reject an application. The Board's Transfer of Perpetual Lease Policy adopted in March 2014 does not give any specific policy guidance other than to state in 6.1:

"The Board will consider the application in accordance with the Act"

It is at the Minister's discretion to accept or reject an application to sublease. If at any point the Minister declines to approve a sublet application, the requirement to reside on the lease remains with the leaseholder. A failure to reside on the lease may render the lease liable to forfeiture.

The application for a sublease must be made in the prescribed manner as set out in the regulations – specifically Form 5.

Background

Perpetual Lease 1992.01, being Lot 313 of DP821319, is held by the following leaseholders as tenants in common:-

- Daryl John Shick – 50% share;
- Richard James Shick – 25% share;
- Debra Lee Smith – 25% share.

Debra Lee Smith currently subleases her share of the lease to Richard James Shick. Daryl John Shick has an approved suspension of residency under section 21(7A) of the LHI Act, for an indefinite period.

Richard James Shick and Debra Lee Smith have stated their reasons for subleasing their shares of PL1992.01 to be the same on their Form 5, Schedule 2.2 as follows:-

Sublease my share of lease to Louis Sullivan Shick to comply with residency requirements while I am off the island and until the sale of my share to Louis Sullivan Shick and Daryl John Shick is finalised.

The proposed transfer of lease shares by way of sublease is consistent with the Act:-

- The application is made in the prescribed manner.
- Louis Sullivan Shick satisfies the definition of an Islander under the LHI Act, and currently resides with his family on the said lease, PL1992.01.
- By subleasing to Louis Sullivan Shick, Mr Shick and Ms Smith are able to satisfy the requirement that an Islander resides on their lease until the sale of their shares of PL1992.01 to Louis Sullivan Shick and Daryl John Shick is finalised.

There is otherwise no known objection to approval of the application.

Attachments

Attachment	Title
Nil	

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Justin Sauvage	Senior Manager Environment & Community Services

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Application to transfer PL1954.43 from Gower Chase Wilson as sole tenant to Gower Chase Wilson, Darcelle Matassoni, Deon Nobbs, Kayla Hiscox and Jayden Hiscox as Joint Tenants and subsequently an Application to transfer by way of sublease from Gower Chase Wilson, Darcelle Matassoni, Deon Nobbs, Kayla Hiscox and Jayden Hiscox to Gower Chase Wilson

Recommendations

1. The Board make the following recommendations to the Minister to be submitted concurrently but carried out in sequential order:
 - a. Transfer of PL1954.43 by way of gift from Gower Chase Wilson as sole tenant to Gower Chase Wilson, Darcelle Louise Matassoni, Deon Gower Nobbs, Kayla Jade Hiscox and Jayden Dean Hiscox as joint tenants; and
 - b. Transfer of PL1954.43 by way of sublease from, Darcelle Louise Matassoni, Deon Gower Nobbs, Kayla Jade Hiscox and Jayden Dean Hiscox to Gower Chase Wilson

Current position

All land on Lord Howe Island vests in the Crown and may only be dealt with in accordance with the provisions of the *Lord Howe Island Act, 1953* (the Act). The Minister may grant perpetual leases of vacant Crown Land for the purposes of residence (section 21 LHI Act).

The Board Administration has received applications on the prescribed forms for the following:

1. Application for consent to transfer PL1954.43 from Gower Chase Wilson as sole tenant to Gower Chase Wilson and his grandchildren as joint tenants;
2. Statutory Declarations all parties declaring they are islanders as defined in the Act;
3. Letter of justification from Darcelle Matassoni and Deon Nobbs to hold a second lease on Lord Howe Island (Attachment A);
4. Application for consent to transfer PL1943.43 by way of sublease from Gower Chase Wilson, Darcelle Louise Matassoni, Deon Gower Nobbs, Kayla Jade Hiscox and Jayden Dean Hiscox to Gower Chase Wilson.

Gower Chase Wilson resides on PL1954.43 and holds no other perpetual lease on Lord Howe Island.

Kayla Hiscox and Jayden Hiscox reside on the island and live with their parents on their mother's lease, Roslyn Hiscox, on PL1990.03.

The transfer is complicated by the fact that Darcelle Matassoni and Deon Nobbs hold and reside on PL1967.01, both parties live with their families and parents on the shared lease

occupying all dwellings. As part of their application, they have submitted a letter of justification and request to hold a second lease on Lord Howe Island (Attachment A).

The requirement to reside on the Perpetual Lease as set out in s21(7) of the Act nominally precludes a person from holding a second lease because they must reside on the lease. The Act only makes two explicit references to a person holding a second lease. Firstly an explicit exemption from residing on the lease (due to holding not more than one other lease) granted by the Minister under s22(7a) of the Act. Secondly s23(12) of the Act where the holding of a 2nd lease is permitted for a specified limited time where a lease is inherited, and the intent is to hold the lease until such time it can be devolved to the child or children of the beneficiary.

The application considered in the paper proposes a third option that enables lease holders satisfy residency requirements when holding more than one other lease by way of a sublease arrangement to an eligible islander who is able to discharge their residency on lease requirement. In this case the sublease would be back to Gower Chase Wilson. This is a practice that has been supported by the Board and respective Minister's for an extended period of time and in a technical sense satisfies the residency requirements of holding a lease.

All parties have demonstrated that they Islanders as defined in the Lord Howe Island Act. Gower Wilson being a heritage islander and Darcelle Matassoni, Deon Nobbs, Kayla Hiscox and Jayden Hiscox as 10 year islanders.

The transfer enables Gower Wilson to ensure his lease, PL1954.43 is securely passed down to all four grandchildren, enabling their families, as they continue to grow, to continue to have the opportunity to live on the island.

The final part of the transfer chain is for all parties to transfer 100% of the lease back to Gower Chase Wilson by way of a sublease. By doing this Darcelle Matassoni, Deon Nobbs, Kayla Hiscox and Jayden Hiscox are able to discharge the requirement to reside on their lease set out in section 21(7) of the Act.

(7) Subject to this subsection and subsections (7A) and (7B), a condition of residence on the lease shall attach thereto in perpetuity, and shall be performed by the holder or sublessee thereof for the time being...

As Gower Chase Wilson currently resides on the said lease, PL1954.43. This paper recommends that the Board endorse the sublease arrangement.

The transfer documents have been reviewed by Board staff and it has been confirmed that all the details provided are accurate and in accordance with the Lord Howe Island Act.

Attachments

Attachment	Title
A	Letter of justification and request to hold a second lease – PL1954.43 - Matassoni Darcelle and Nobbs Deon - 3 September 2021 - Closed

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Justin Sauvage	Senior Manager Environment & Community Services

LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Land Swap – Fletcher Owens

Recommendations

1. **Approve** The Board administration negotiate with the applicant to pursue the Boundary Adjustment as discussed on the 6th of May 2022 site visit.
2. **Approve** the preparation in consultation with the applicant and submission to the Board for approval an agreement between the Applicant and the Board. The agreement to include the following:
 - i. Identification of the area of land to form part of the boundary adjustment
 - ii. Agreement in principle of the compensation payable for the boundary adjustment, and details of how the compensation amount will be determined
 - iii. Details of who is responsible for each step including payment of expenses.
 - iv. A binding timeframe for the boundary adjustment to be completed, which if not met will result in the agreement expiring.

Summary

Fletcher Owens has approached the Lord Howe Island Board with a land swap proposal. This paper recommends that an alternative boundary adjustment proposal be pursued.

Current position

Background

In November 2021 the Lord Howe Island Board received an unsolicited proposal from Fletcher Owens to support a land swap of two parcels of land, allowing the applicant to consolidate two currently non-contiguous parcels of land into one contiguous parcel of land detailed at Attachment A and Attachment B.

Figure 1 below provides a view of the location of the parcels of land that form part of the land swap relative to other parts of the island.



Figure 1 Locality view of proposed parcels of land that form part of the land swap proposal

Proposal in detail

The proposal is for the southern portion of PT2 DP1261010, consisting of approximately 3162m² of land zoned Settlement currently held under Perpetual Lease 2021.02 held by Fletcher Owens to be swapped with Portion 174 DP757515 approximately 3463m² of land zoned Recreation currently held by the Lord Howe Island Board (LHIB). Table 1 summarises the key feature of the land swap.

Table 1 Summary of the key features of the proposed land swap parcels of land

	Southern portion of PT2 DP1261010	Portion 174 DP757515	Net loss or gain
Tenure	Fletcher Owens, PL2021.02	Lord Howe Island Board	N/A
Approximate Area of land	3162m ²	3463m ²	LHIB loses approximately 300m ² land
Zoning under Lord Howe Island Local Environment Plan 2010	Settlement	Recreation	N/A
Significant Native Vegetation	100% coverage	Approximately 95% coverage	LHIB loses approximately 172m ² of SNV currently under its control*

Development Potential	Nil	Nil with current land use zoning. Approximately 174m ² if rezoned Settlement.	Applicant gains approximately 174m ² of development potential.
Encumbrances	There is currently a DA approving the use of this parcel of land for irrigation area for waste water treatment system servicing Lot 1 and PT2. Currently the infrastructure associated with this DA has not been installed.	Easement in Common for right of access – driveway servicing Lot 1 and PT2. Easement is located in the south eastern corner of the portion.	

Figure 2 illustrates the portions of land that form part of the land swap. The parcel of land highlighted in purple is currently held by the LHIB, whilst PT2 highlighted in yellow is one lot that is currently bisected by Anderson Road.

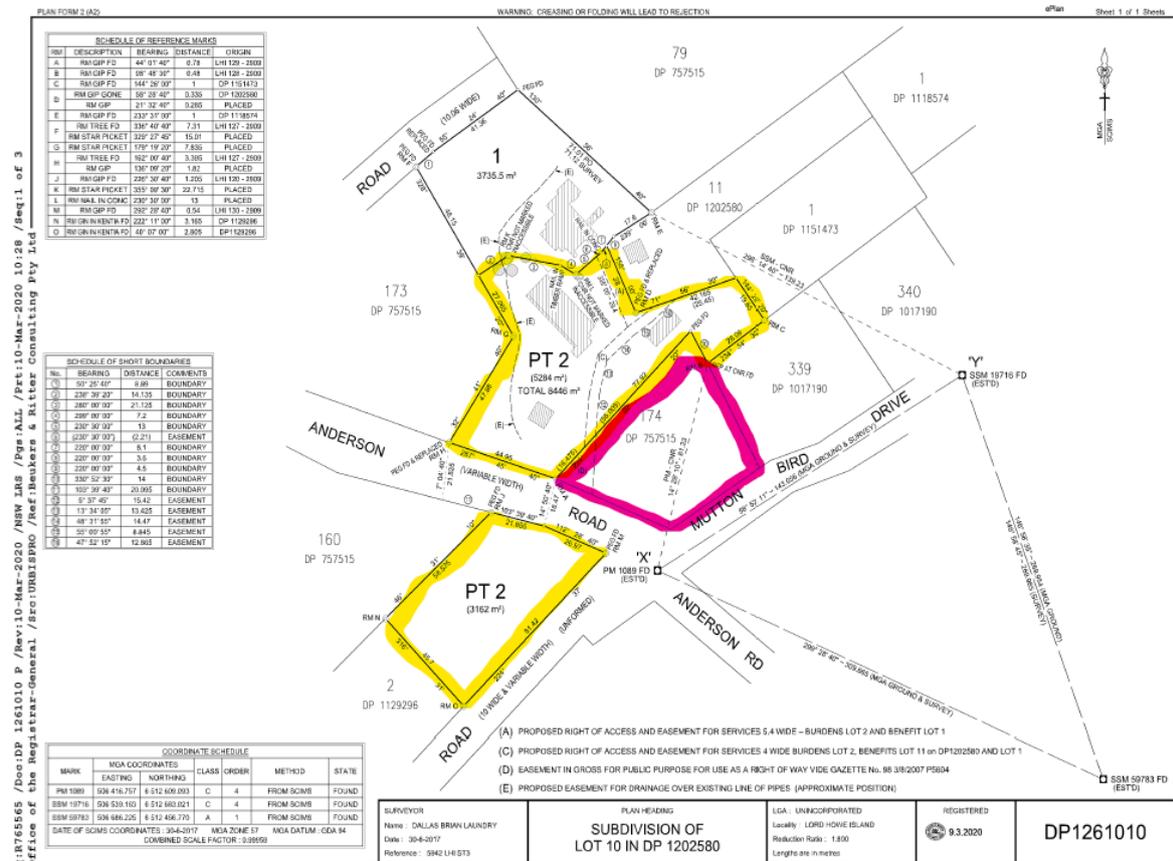


Figure 2 Lots Highlighted in yellow identify the existing single lot, currently dissected by Anderson Road. The Applicant proposes to swap the southern portion of Lot PT2 with the parcel of land outlined in purple

Merits of the land swap proposal

Environmental

The proposal as presented would not result in a significant net loss to the LHIB or environmental values the LHIB seeks to protect. It does result in a small net loss of the total area of Significant Native Vegetation (SNV) currently under LHIB control, but the area of land lost is small, and there is no net change to the total area of SNV.

If the planning proposal was to proceed it is recommended that concurrent to the rezoning of Portion 174 from recreation to settlement that consideration be given to the southern portion of PT2 being rezoned from Settlement to Environmental Protection. This zoning is consistent with the current development potential of this parcel and is the same zoning as Stevens reserve immediately to the south east of this lot.

The land swap may create a future subdivision opportunity for the applicant, allowing for a new lot to be created and possibly sold off as a separate Perpetual Lease, potentially resulting in a significant financial gain for the applicant. If the land swap was to proceed a valuation should be undertaken to ensure that the land swap proposal represents fair value to the Board. This valuation will also capture any future subdivision potential created by this proposal, and any difference in the price of the two parcels should be paid by the applicant to the Board, less administration fees paid.

Financial

The land swap proposal requires a significant amount of administrative steps including but not limited to:

- Preparation of the land swap agreement between the applicant and the Lord Howe Island Board.
- Preparation, submission and exhibition of a Planning Proposal for the rezoning
- Amendments to Perpetual Leases
- Survey of land boundaries
- DA for subdivision (amalgamation of new lots)
- Amendment of the Perpetual Lease boundaries and approval from the Minister for these amendments.

If supported, a binding agreement will need to be entered into to determine who is responsible for covering the costs for each step.

Social

Portion 174 is currently zoned Recreation in the Lord Howe Island LEP. The objectives for the Recreation zone are:

- (1) The objectives of Zone 6 Recreation are as follows—
 - (a) to set aside land for open space,
 - (b) to provide opportunities for the passive and active enjoyment of open space areas,
 - (c) to provide utility services that are essential to the community's needs in a manner that is in sympathy with the World Heritage values of the natural environment of the Island.

Currently this land is not actively used for recreation, in part due to its heavily vegetated nature and isolation from other reserve areas on the island, nor currently used to provide for utility services. A transfer of this parcel of land into private ownership will not result in any meaningful loss of recreation area to the community.

Site Visit by Board Members and consideration of alternative proposal

On the 6th May 2022 Board Members Atticus Fleming, Matthew Retmock, Therese Turner, James Lonergan and Bruce Baird attended a site inspection at the subject site with the CEO.

During the site visit the possibility of a boundary adjustment was discussed in order to facilitate an extension to the house in lieu of the land swap. Subsequent to the site visit the applicant has sent follow up correspondence to the CEO expressing a willingness to consider the boundary adjustment option but stating a preference to pursue the original land swap proposal.

The boundary adjustment proposal would entail a relatively minor boundary adjustment incorporating the small section of land in Portion 174 that is currently not identified as Significant Native Vegetation. The boundary adjustment could also include the driveway easement that currently transects the south western corner of Portion 174. The approximate area gained by the applicant (including the driveway) would be approximately 815m² as illustrated in figure 3 below:

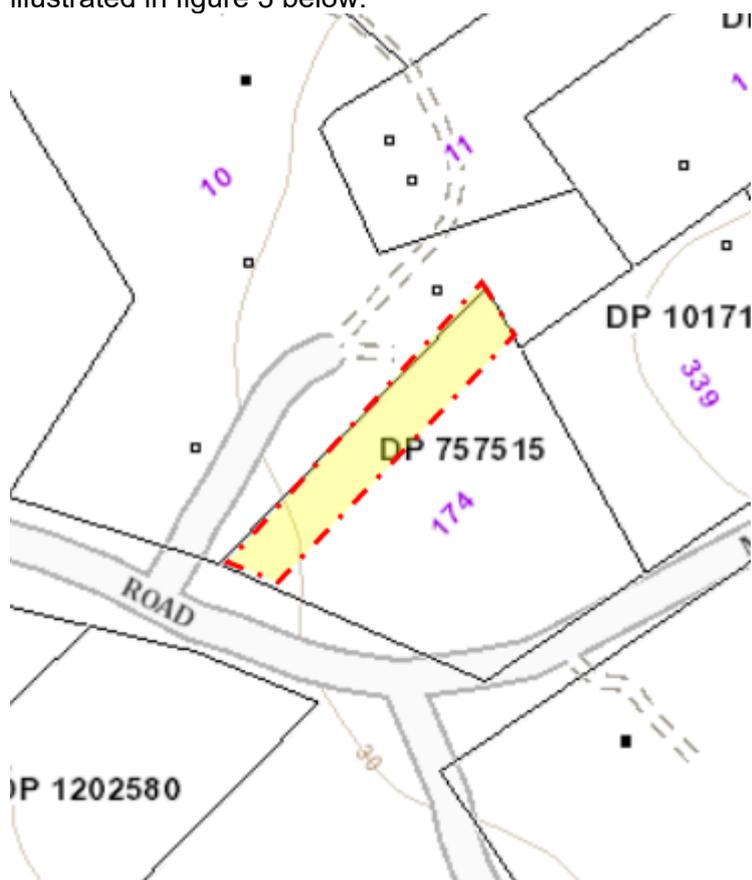


Figure 3 Possible boundary adjustment with area highlighted in yellow currently part of Portion 174 becoming part of PT2 DP1261010.

The administrative steps required to make this happen include:

- Agreement between Board and applicant on the terms of the sale or transfer of land from portion 174 to the applicant, including determination of any payment due to the Board for the acquisition of the land.
- DA for boundary adjustment, to be determined by the Board.
- Planning Proposal for the rezoning of the portion of land that forms part of the boundary adjustment. Noting – that it is not clear if the relevant planning authority will support the Planning Proposal as it constitutes a spot rezoning – a form of Planning Proposal that historically has been actively discouraged by the State government planning authority.
- Board and Ministerial approval for the adjustment of the property boundaries.

The boundary adjustment proposal is in many respects administratively more straightforward to pursue than the land swap proposal.

Conclusion

The land swap proposal creates limited additional benefit to the Lord Howe Island Board, but does allow the applicant to consolidate two currently physically separated parcels of land. It has the potential to create a subdivision opportunity in the future for the applicant, but to date the applicant has not expressed an intent to do this.

The Boundary Adjustment proposal is in many respects a conceptually simpler and more straightforward proposal that meets the one of the original objectives of the land swap proposal to provide additional area to expand the existing dwelling.

Attachments

Attachment	Title
A	Lorhiti Land Swap Proposal – Portion 174 – CLOSED
B	Land Swap Cover Letter – CLOSED

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Justin Sauvage	Senior Manager Environment and Community Services