

Agenda

Lord Howe Island Board



Meeting	Board Meeting May 2024
Location	Lord Howe Island Community Hall
Date/Time	Tuesday 21 st May 3.30pm – In-Camera Session Tuesday 21 st May 4.30pm - Closed Session Wednesday 22 nd May 9:00am to 10:30am – Open Session
Chairperson	Atticus Fleming AM , Deputy Secretary, National Parks and Wildlife Service
Board Members	Bruce Baird AM , Appointed Member (Tourism) Chris Bath , Appointed Member (Conservation) Robert Jeremy , Elected Member James Lonergan , Elected Member Matthew Retmock , Elected Member Therese Turner , Elected Member
Attendees	Suzie Christensen , Chief Executive Officer Paula Pollock , Senior Manager, Environment and Community Services (via Teams) Michael Chalmers , Senior Manager, Business and Corporate Services Bradley Josephs , Acting Senior Manager, Infrastructure and Engineering Services Luke Phillips-Page , Senior Projects Officer Infrastructure, Lord Howe Island Board (item 2.1) Samantha Chambers-Skegs , People and Change Lead, Lord Howe Island Board (item 2.1) Oriana Senese , Principal Project Manager, Critical Infrastructure Program, Lord Howe Island, Business Delivery, NSW National Parks & Wildlife Service (item 3.1) Mitchell Googe , Senior WHS Co-ordinator (E&H Group) (item 2.1)
Observer	
Invitees	Michael Vader , Executive Director, Business Delivery, NSW National Parks and Wildlife Service
Minutes	Chelsea Holden , Executive Assistant

21st May Agenda Items – Closed Session

3:30pm	In-Camera Session		Board members only
4:30pm	1. CONFLICT OF INTEREST DECLARATIONS		Presenter: A Fleming
	2. WH&S AND RISK MANAGEMENT		
	2.1. WH&S and Risk Management Update	Note	Preparer: S Chambers-Skegs
	Attachment A: LGM Report		Presenter: S Christensen
	Attachment B: LJM WHS Action Plan		Presenter: B. Josephs / M. Googe
	Attachment C: WH&S and Public Risk - CAMMS FOCUS - Incident Summary Report - 01/11/2022 to 30/04/2024		
	Attachment E: Tree Fall Incident Report		
	3. OPERATIONS AND SERVICES		
	3.1. Critical Infrastructure Project Update	Note	Presenter: S Christensen/ M Vader Preparer: O Senese/ L Philips Page

Agenda

Lord Howe Island Board



Meeting	Board Meeting May 2024		
	3.2. Lord Howe Island Jetty Upgrade Attachment A: Report Condition Assessment 2024 Worley Consulting	Note	Preparer: B Josephs Presenter: B Josephs
	4. LEASING AND LAND ADMINISTRATION		
	4.1. Lord Howe Island Planning Service Attachment A: LHI Planning Service – Council Proposal	Note	Preparer: P Pollock Presenter: P Pollock
	4.2. Application to suspend condition of residency on PL2020.02 – Losalini Thompson Attachment A: Form 1 – Application and support document – PL2020.02 – Losalini Thompson Attachment B: Policy – Suspension of Condition of Residency on Perpetual Leases Attachment C: Background - Condition of Residency and Handley	Decide	Preparer: P Pollock Presenter: P Pollock
	5. FINANCE AND BUSINESS MANAGEMENT		
	5.1. Financial Status Update Attachment A: Financial Report as at 31 March 2024	Note	Preparer: M Chalmers Presenter: M Chalmers
	5.2. Budget Timeframe	Note	Preparer: M Chalmers Presenter: M Chalmers
6:30pm	Closed Session Concludes		
	Wednesday 22 nd May Agenda Items – Open Session		
9:00am	6. GOVERNANCE		
	6.1 Appointment of Deputy Chairperson	Decide	Preparer: S Christensen Presenter: A. Fleming
	6.2 Minutes of Previous Meeting – Notice of Adoption Attachment A: Board Meeting Minutes March 2024 - CLOSED	Decide	Preparer: C Holden Presenter: S Christensen
	7. STATUS AND COMPLIANCE REPORTING		
	7.1 Compliance and Status Report Attachment A: Quarterly Public Accommodation Transfer Applications - CLOSED Attachment B: Review of Compliance with Residency Condition of Perpetual Leases - CLOSED	Note	Preparer: C Holden Presenter: S Christensen
	7.2 Actions from Previous Meeting Attachment A: Action sheet from previous Board meetings - CLOSED	Note	Preparer: C Holden Presenter: S Christensen
	8. CHIEF EXECUTIVE OFFICER'S REPORT Attachment A: Infrastructure & Engineering Services Attachment B: Environment & Community Services	Note	Preparer: S Christensen Presenter: S Christensen

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Lord Howe Island Board



Meeting	Board Meeting May 2024		
Attachment C: Projects			
9. FINANCE AND BUSINESS MANAGEMENT			
9.1. Financial Status Update - Verbal	Note	Presenter: M Chalmers Preparer: M Chalmers	
9.2. Lord Howe Island Tourism Association Proposal	Decide	Presenter: S Christensen Preparer: S. Christensen	
Attachment A: Draft Goods and Services Contract – Lord Howe Island Tourism Association			
Attachment B: LHITA Proposal – Deliverables and Strategy			
10. POLICY AND STRATEGY			
10.1. Application for retrospective approval to use two (2) mobility scooters for hire purposes – Wilsons Hire Service	Decide	Preparer: L Shick Presenter: S Christensen	
Attachment A: Applications for retrospective approval to use two (2) mobility scooters for hire purposes – Wilsons Hire Service – Campbell Wilson			
Attachment B: Vehicle Importation Transfer and Use Policy			
10.2. Draft Community Strategic Plan	Note	Preparer: D Matassoni Presenter: S Christensen	
Attachment A: Draft of Lord Howe Island Community Strategic Plan 2024-2034			
Attachment B: February 2024 CSP Survey Results			
10.3. Communications Strategy	Note	Preparer: S Chambers-Skeggs Presenter: S Chambers-Skeggs	
Attachment A: Communications Strategy			
11. DEVELOPMENT APPLICATIONS			
11.1. Owners Consent and Development Application - Urgent replacement existing wastewater system - Request for approval to assess and determine application out of session – Somerset Apartments	Decide	Preparer: P Pollock Presenter: P Pollock	
12. LEASING AND LAND ADMINISTRATION			
12.1. Creation of an easement in gross over Portion 109 - Bradley Wilson	Note	Preparer: S Christensen Presenter: S Christensen	
Attachment A: Easement Considerations Background			
Attachment B: Land Asset Disposal			
12.2 Cancellation of Permissive Occupancy – PO1969.04 – Estate of Brian Young	Decide	Preparer: P Pollock Presenter: P Pollock	
12.3 Application to transfer Special Lease 2011.10 - Estate of Retmock William to Retmock Ginny	Decide	Preparer: P Pollock Presenter: P Pollock	

Agenda

Lord Howe Island Board



Meeting	Board Meeting May 2024
	<p>Attachment A: Form 3 – SL2011.10 – Application for special lease and property management plan – Ginny Retmock</p> <p>BUSINESS ARISING FROM PREVIOUS MEETING</p> <p>GENERAL BUSINESS AND QUESTIONS ON NOTICE</p> <p>10:30am Morning tea for the Board and Community will be provided during a break at approximately 10:30, reflecting agenda progress.</p> <p>12:30pm Meeting Closed</p> <p>NEXT MEETING: 20 & 21 August 2024</p>

Board Meeting: May 2024	Agenda Number: 06.01	Record Number: ED24/3614
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Appointment of Deputy Chairperson

Recommendations

1. **Appoint** one of the Elected Board members as Deputy Chairperson

Current position

At the Board election held on 15 February 2024, four local Board members were elected.

The Board must now appoint one of the local Board members as Deputy Chairperson.

Background

Schedule 1A to the *Lord Howe Island Act 1953 (the Act)* outlines provisions relating to members and procedures of the Board.

The Deputy Chairperson is a statutory position created by Part 1 of Schedule 1A.

Schedule 1A Part 2, Section 3 of the Schedule states:

- (1) The Board is to appoint one of its members (not being the Chairperson) to be the Deputy Chairperson of the Board.
- (2) Subject to this Schedule, the Deputy Chairperson holds office for one year from the date on which he or she takes office

Under *the Act*, the Deputy Chairperson can only exercise the following statutory functions of the Chairperson in their absence:

- The power to preside over a meeting of the Board (clause 13(1) of Schedule 1A)
- The power to have a deliberative vote and in the event of an equality of votes have a second or casting vote (clause 13(2) of Schedule 1A)

It has been the practice of the Board that the Deputy Chairperson is the locally elected (Islander) Board member, who gained the most votes in the most recent Board election.

Attachments

Attachment	Title
NIL	NIL

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Chelsea Holden	Executive Assistant

Board Meeting: May 2024	Agenda Number: 06.02	Record Number: ED24/3308
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Adoption of minutes of previous meeting.

Recommendations

1. **Endorse** the March 2024 Board meeting minutes.

Current position

Process for Distribution of Board Meeting Minutes

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 Board Meeting Minutes

Minutes of the March 2024 meeting were distributed to each Board member and were endorsed as per the above process.

A copy of the amended draft minutes is attached.

Attachments

Attachment	Title
A	Board Meeting Minutes – March 2024– CLOSED

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Chelsea Holden	Executive Assistant

Board Meeting: May 2024	Agenda Number: 07.01	Record Number: ED24/3052
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Status and Compliance Reporting

Recommendations

1. **Note** the information contained in the Status Report for out of session matters, biosecurity update, owners consent and development applications approved under delegated authority, motor vehicle importation or transfer status, feedback and complaints.

Current position

At the December 2023 meeting the Board adopted to receive routine compliance reporting and information as one consolidated report. The following matters are included:

1.1 Out of Session Matters - Open	2
1.2 Out of Session Matters – Closed	3
2.1 Biosecurity Update	4
3.1 Owners consent approved under delegated authority	6
4.1 Development Applications approved under delegated authority	7
5.1 Motor vehicle importation or transfer status.....	8
6.1 Public accommodation licence transfer applications.....	10
7.1 Review of compliance with residency condition of perpetual leases and feedback complaints.....	11
7.2 Feedback and Complaints	12

1. Out of session Matters

1.1 Out of Session Matters - Open

No.	Date	Application	Vote	Comment
March 2024				
1	22 March 2024	<ol style="list-style-type: none"> Approve the importation of a commercial use vehicle, Mazda BT50 Dual Cab Utility, Registration Number DD47LJ, under exceptional circumstance for a period of two (2) years for Ellis Whitfield. Advise the applicant to provide evidence of the removal of the bull bar to the Board prior to a conditional approval letter being issued to Ellis Whitfield 	Supported: AF, BB, CB, MR, TT, JL	
2	22 March 2024	<ol style="list-style-type: none"> Reject an application for the one-off use of the Board's crane and jetty by Sea Lord Howe to return Lulawai to the water in consideration of the balance of risks and potential consequences that are unable to be sufficiently mitigated. Recommend that the Lulawai's owners implement alternative viable plans and provide all support necessary to assist. 	Supported: BB, CB, MR, TT Abstained: AF, JL	
April 2024				
1	16 April 2024	<ol style="list-style-type: none"> Approve MDC 2021.04.02, to permit packaged liquor sales in conjunction with onsite liquor tastings at Leanda Lei, Lot 1 DP 1131292, Middle Beach Road, Lord Howe Island, subject to the existing conditions of approval of DA2021.04, as amended by the modified and new conditions listed in the out of session report. 	Supported: AF, BB, CB, MR, TT, JL, RJ	This paper has been to be recirculated. The modification to existing condition 3 was undetermined. This condition requires Board approval, as it changes the building to a Class 8 – Processing Building and a Class 6 Retail Building. The new out of session will overwrite the previously circulated out of session business paper approved on 23/04/2024.
2	24 April 2024	Approve MDC 2022.7.2 for amendments (internal & external alterations to guest house, new shed, accessible pathways between buildings & new retaining wall to parking area), to the approved Tourist Accommodation incorporating alterations/additions and conversion of existing dwelling as a 4 x bedroom guest house, construction of new transit	Supported: AF, BB, CB, MR, TT, JL, RJ	

		lounge/new laundry and storage shed and construction of a replacement dwelling and new wastewater system, at Lot 1 DP 1279044, No. 1 Ocean View Drive, Lord Howe Island, subject to the existing conditions of approval of DA2022.7.1, as amended by modified and new conditions set out in the All About Planning assessment report executed 17 April 2024 (Attachment A)		
3		Approve MDC 2021.04.02, to permit packaged liquor sales in conjunction with onsite liquor tastings at Leanda Lei, Lot 1 DP 1131292, Middle Beach Road, Lord Howe Island, subject to the existing conditions of approval of DA2021.04, as amended by the modified and new conditions 2 & 3 listed below.	Supported: BB Unresolved as at 14/05	Question from RJ: Remove the sixth dot point under Condition 2 says: 'No packaged liquor sales can occur external to the subject distillery shed'

1.2 Out of Session Matters – Closed

Nil

2. Biosecurity Update

Routine plane and vessel checks at Port Macquarie (PMQ) and Lord Howe Island (LHI), rodent monitoring, and periodic checks remain critical tasks for the Biosecurity Team. Other key priorities progressed in this period have included improving biosecurity facilities and procedures at Port Macquarie points of departure, staff establishment and training and working closely with Birdon Shipping on refining biosecurity planning and procedures.

Rodent Report

Most recent confirmed rodent sign 12 August 2021.

Rat on a Rodent (ROAR) Notifications

Months	Reports	Evidence Collection	Investigations	Outcome
1 March – 24 April 2024	0	0	0	No evidence of rodent.

All reports are investigated intensively over a 7-day period.

Aircraft and Vessels (other than the Island Trader) Report

All vessels and aircraft arriving at Lord Howe Island were inspected except for one private plane. This was due to the pilot not having their flight tracking on. The passengers had already disembarked the plane when the biosecurity officer arrived.

	Aircraft			Vessels	
Period	Qantas	Private	Eastern	Private	Commercial
1 March – 24 April 2024	117 / 117	18 / 19	145 / 145	9 / 9	0
% Met	100%	95%	100%	100%	

Island Trader Report

Three voyages occurred during this period. All voyages at both PMQ and LHI were thoroughly checked by the biosecurity team during loading and unloading activities.

Period	PMQ Inspections	LHI Inspections
29 February – 24 April 2024	3	3
% Met	100%	100%

Inspections at the PMQ Birdon site include inside and outside cargo storage areas and surrounds. The Island Trader is inspected both inside and outside the hold. A range of biosecurity risk materials continue to be identified and treated at PMQ. The ongoing identification of biosecurity risk material at this site demonstrates a high risk and substantiates the efforts working with Birdon to attempt to reduce the risk of pest incursion on LHI, and the planned upgrade through the critical infrastructure program.

Inspections on arrival at LHI are conducted on the jetty and surrounding cargo storage areas. Due to the high standard of inspections at PMQ by contracted operators Tate Animals, limited biosecurity risk materials were detected on arrival.

Biosecurity monitoring

Table 1. below provides a status update of the rodent biosecurity monitoring effort undertaken to date against the monitoring frequency set out in the Surveillance Plan used by Bode and Brown in their efficacy modelling of the surveillance network.

The camera array and static monitoring components have been fully active over the reporting period. The static monitoring network consists of two distinct networks of passive monitoring devices. The first network located around the Jetty and Airport is monitored on a weekly basis, whilst a second more geographically spread monitoring network is checked monthly. Dog searches have been occurring on a 12-weekly cycle for all settlement blocks and 6-weekly cycle for unoccupied Crown settlement blocks. Contract dog teams continue to be used for full settlement searches or as required.

Device	Number of devices	Check frequency target	Status	Comments – Including Actual checks completed or status
Camera array	162	Monthly	Met	Images analysed by eVorta AI software (and human) <ul style="list-style-type: none"> March: 87,435 April: Currently still being undertaken. 49,163 images to date. No rodents seen.
Static monitoring devices (kill traps, wax tags, bait stations, chew cards, tracking tunnels)	249	Monthly	Met	Completed.
Airport and Jetty static monitoring devices (kill traps, wax tags, bait stations, chew cards, tracking tunnels)	80	Weekly	Partially Met	Every 7 - 10 days. Jetty rounds complete on average every 7 days, Airport complete on average every 9 days.
Dog searches	Full sweep of the settlement	Twelve-weekly	Met. 280 Settlement Blocks Checked.	Search Rounds completed as follows: <ul style="list-style-type: none"> April 1-24
Dog searches	Settlement Crown Block Search	Twelve-weekly	Met 72 Crown Settlement Blocks Checked.	Search Rounds completed as follows: <ul style="list-style-type: none"> March 2-21

Table 1: Rodent biosecurity monitoring effort: 1 March – 24 April 2024

3. Owners consent approved under delegated authority

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

1. The development value is not more than \$2 million
2. The proposal does not relate to the subdivision of land or the creation of a new residential dwelling, and
3. The proposal complies with any planning instrument in force relating to the Island.

No Owner Consent applications determined by the CEO since the March 2024 Board Meeting.

4. Development Applications approved under delegated authority

The Minister for the Environment, under section 80(1) of the *Environmental Planning & Assessment Act 1979*, 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 determined by the CEO since the March 2024 Board Meeting.

5. Motor vehicle importation or transfer status

Since the last full 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 2024 Board meeting.

Applicant	Vehicle Type	Preferred Vehicle	Use	Variation to Applicant	Comment
Brian Busteed	Toyota Hilux Ute	N	Commercial	0	Approved 14/03/2024 – Replacement – transferred from Warren O'Brien
Derek O'Brien	Mitsubishi Minicab Miev	Y	Private	0	Approved 14/03/2024 - Replacement

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

1.3 As at 23 April 2024

Registered Road Vehicles – by approval classification						
Essential	Commercial	Private	Hire	Plant & Equipment	Imported without approval	Total
32	126	186	8	23	57	432

Registered Road Vehicles – by vehicle type						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
194	35	35	17	41	110	432

There remains a total of 57 vehicles imported without approval prior to the current policy:

- 49 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 imported without approval in 2020 (unclear if this is for hire purposes).
- 2 vehicles, a mobility scooters imported without approval in 2023 (unclear if these are for hire purposes)
- 5 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
4	0	7	5	6	35	57

ONGOING COMPLIANCE AUDIT

There is a total of 37 vehicles awaiting removal:-

- 36 vehicles - The replacements have been imported, however, the condition to remove the replaced vehicle has not been adhered to by the applicant.
- 1 vehicles – temporary importations which have a time limit for removal.

Vehicles due for removal – By Type						
Car/Utility	Bus	Motorcycle / Scooter	Truck	Plant & Equipment	Trailers	Total
15	0	9	3	4	6	37

A number of other compliance issues were identified:-

- Owners – deceased;
- Owners - left island;
- Owners - moved premises;
- Others – such as non-removal of bull bar.

The Board has eight (7) vehicles due for removal which are Included in the above total, being three (3) truck, three (3) plant & equipment and one (1) trailer.

A plan is in development for the Board vehicles highlighted for removal and once the actioning of that plan has commenced:-

- A householder will be issued to the community reminding vehicle owners of their obligations.
- Compliance letters will be issued to the vehicle owners in breach of their conditions of approval.

Process improvements are in development and will be implemented to ensure stronger compliance with the Vehicle Importation, Transfer and Use Policy in the future.

6. Public accommodation licence transfer applications

The Board Members requested that management provide a quarterly report on the status of each of the public accommodation licence transfer applications, including an update on the decommissioning of accommodation units where relevant.

Attachment A: Report – Quarterly – Status of Public Accommodation Transfer Applications - Closed

7. Review of compliance with residency condition of perpetual leases and feedback complaints

In response to the Handley Review, a review of residency status of all lessees was undertaken in late 2017 by the administration with advice from local Board members. This paper provides an update on the status of the residency on lease investigations.

Context

The policing of residency on lease requires the Board to prove in the positive that a resident is not residing on their lease. This makes investigations into residency status resource intensive and challenging.

The Board administration seeks to investigate all potential non-compliance with lease matters. Investigations into non-compliance are prioritised according to the degree of non-compliance and the time the matter has been ongoing.

There are currently eight (7) investigations underway. A detailed overview of each matter is listed at Attachment A.

Actions undertaken since the December 2023 meeting:-

- Two (2) compliance matters have been resolved.
- Two (1) new compliance matters has arisen.
- Seven (7) emails/letters have been issued as part of new and ongoing breaches since the December 2023 Board Meeting.

The Board's resolution from the September 2022 stated:-

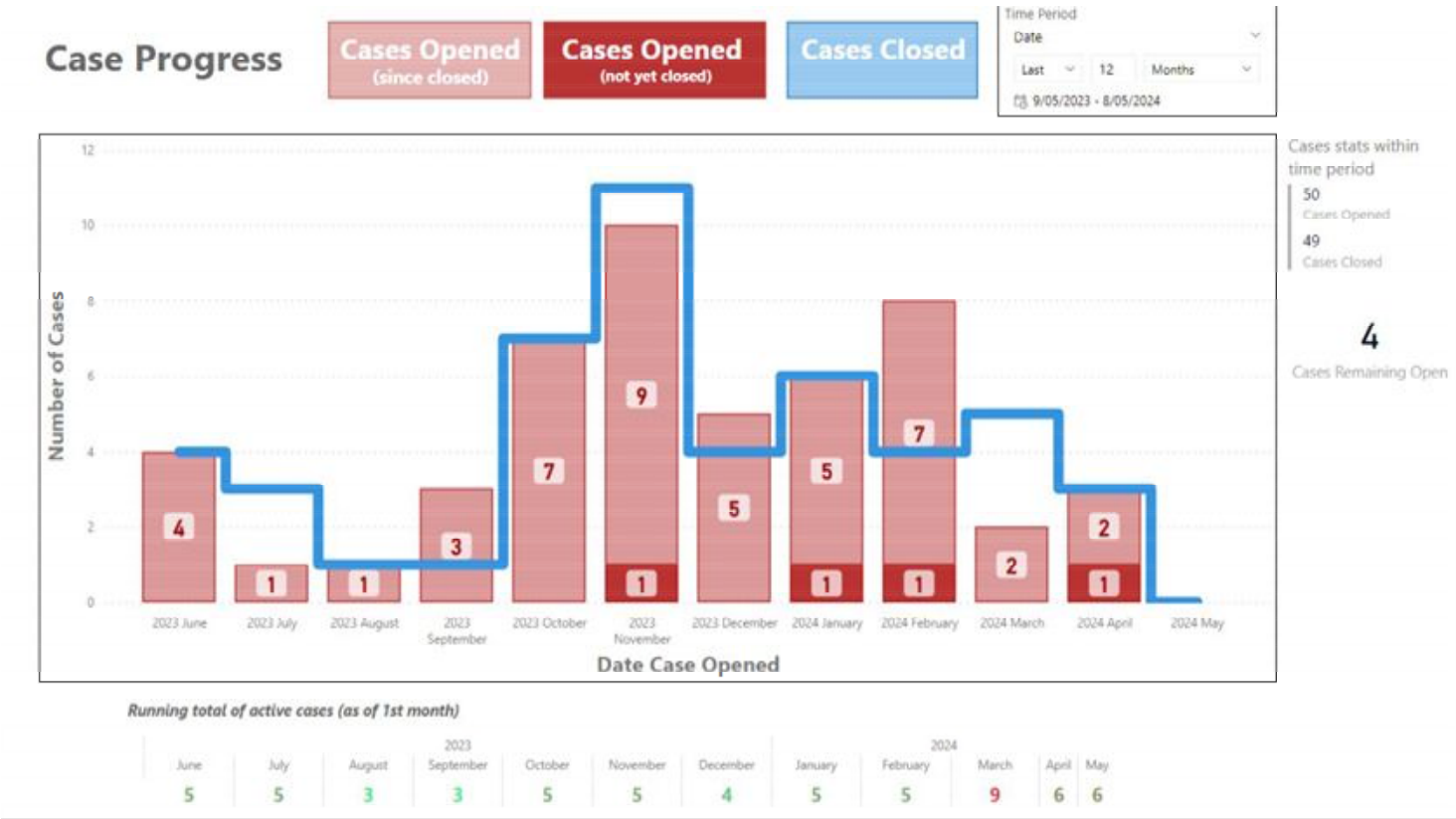
Action: Management bring a substantive plan to resolve each of the residency compliance matters to the next board meeting. Matters are to be prioritised and decision made on what action is to be taken.

Substantive Plan at Attachment B details the prioritisation of investigations with suggested next steps.

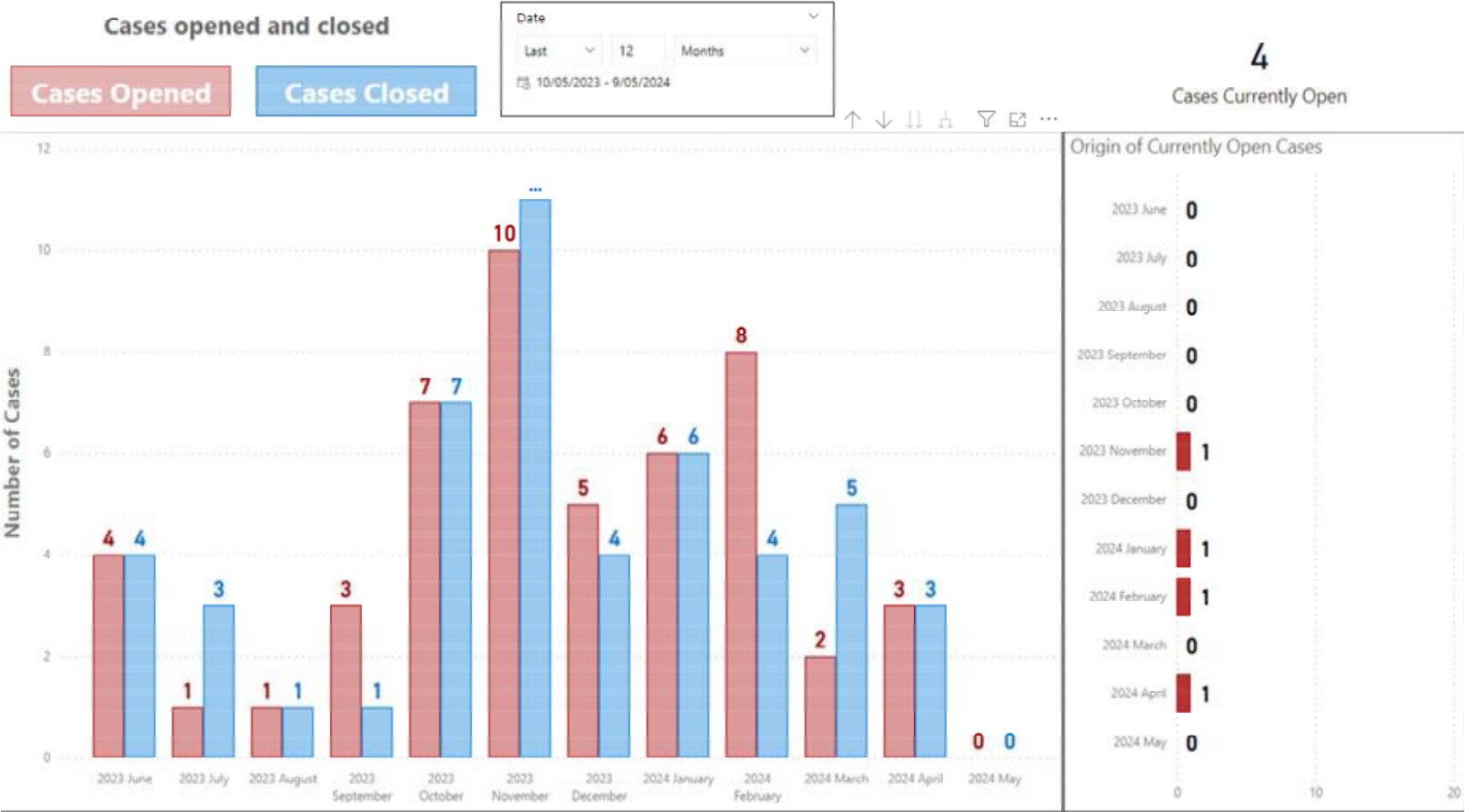
Attachment B: Report – Review of Compliance with Residency Condition on Perpetual Leases – Closed.

8. Feedback and Complaints

Total Number of Complaints opened and closed between June 2023 – May 2024.
The four cases remaining open are from November, January, February and April.



Cases Open and Closed



Attachments

Attachment	Title
A	Status of Public accommodation Licences transfers - Closed
B	Review of Compliance with Residency Condition on Perpetual Leases - Closed

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Lynda Shick	Land & Property Officer
Sophie Powell	GIS Officer
Paula Pollock	Senior Manager Environment and Community Services
Chelsea Holden	Executive Assistant

Board Meeting: May 2024	Agenda Number: 08.00	Record Number: ED23/3579
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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

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.

51 actions were completed since December, 7 are in progress and 5 are yet to commence or are on hold pending PaTH / My Workzone implementation.

A list of actions from decisions of the September 2023 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
Chelsea Holden	Executive Assistant

Board Meeting: May 2024	Agenda Number: 08.00	Record Number: ED24/3053
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Chief Executive Officer's report 13/03/2024 – 06 May 2024

Recommendations

1. **Note** the Chief Executive Officer's report including attachments

Current position

Executive Summary

The following briefing provides an overview of highlights, risks, and opportunities during the reporting period.

Key Change / Issues

- Critical Infrastructure Program
 - The procurement for Program Management Services for upgrades to critical infrastructure has been finalised. APP Corporation has been appointed and an inception meeting held. Program governance detailed project planning and risk management documentation is well advanced and will be presented on 16 May to the Program Board, comprised of NPWS Senior Managers and the LHIB CEO and chaired by Atticus as Dep, Secretary of NPWS
 - Community engagement is a high priority, and a specialist engagement firm has been procured. Master planning has commenced with consultants appointed and site visits undertaken 6-8th May. Public consultation sessions are planned for end May on concept designs and plans.
 - The PRP for the Waste Management Facility (WMF) has been updated by EPA, and site clean-up / remediation has commenced. A new license condition (U3) has been added requiring submission of a development application by the end of August 2024.
 - A planned major jetty repair and upgrade program was recently halted upon discovery of dry rot and other issues. A further assessment by specialist engineers has been completed, and a report submitted identifying structural condition and safety limitations, along with recommendations for further repair works (see Business paper 3.02). The jetty will continue to perform and critical part of marine freight to the Island until such time as new infrastructure is delivered, and in the long term as a secondary facility in case of unseen events or emergencies. It will be important to retain the facility at a standard suitable

for commercial use, and funds will be allocated as a priority in the current and future budget to ensure that.

- Transport for NSW has commenced planning for renewal of the LHI – Sydney Regular Public Transport (RPT) route. LHI's interests are being represented by DCCEEW, and the long-term needs advocated for. Engagement at departmental Secretary level has ensured a collaborative approach and the understanding for the need for both short term renewal and a longer-term solution. This remains a very high-risk matter for the Island, however progress in the past period has been welcome.
- Access to some standard governance services within DCCEEW has been achieved through provision of @environment email addresses. On-boarding and training for staff is underway. This will allow access to on-line training, including cybersecurity, code of ethics and conduct, public interest disclosure and over 10,000 professional and personal development trainings. Staff will be able to lodge their conflicts of interest and secondary employment notifications in the ethics portal, and access *Compass*, the governments intranet for reference to the most up-to date policies and procedures. This access will go some way to improve efficiency, minimise risks, and build the capacity of staff. Full transition to corporate systems via the PaTH project is notionally planned to occur after DCCEEW is onboarded in October however costings and a project plan are yet to be received to inform a business decision in this regard.
- Other projects recommended by the E&E review remain on track. The draft Community Strategic Plan is included in the papers (10.02). An organisational communication plan has also been finalised (10.03). Supporting documents developed to inform the LEP review have been scoped.
- The E&E review along with recent workforce planning and community feedback identified the need to improve planning services within the Board, mainly through more appropriate and adequate resourcing. Support has been bolstered through a KPMG planner, however this solution if not sustainable in the longer term and work is well progressed to establish a viable solution, subject to ratification by the Board.

Thanks are extended to Michael Chalmers for undertaking Acting CEO duties during recent medical leave, supported by backfill of the MBCS and Manager Admin role. Paula Pollock is currently on a period of well-earned leave and will work 'remotely' from the mainland after her leave period. Permanent recruitment of the MIES role and Team Leader Assets is underway along with ongoing recruitment activity across Biosecurity, Weeds and Business and Corporate Services teams.

Backfilling positions internally is a great opportunity to build internal capacity, however, rarely results in the team operating with a full complement of resources. Coupled with ongoing recruitment challenges driven by lack of accommodation options, the team are stretched to deliver, however the attached Unit reports (A-IES, B-ECS, C-Projects), Compliance report (07.01) and other business papers included in the agenda demonstrate ongoing progress and commitment to customer service and organisational improvement by the LHIB staff.

Attachments

Attachment	Title
A	IES report
B	ECS report
C	Projects

Approval and contact

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

CEO BOARD REPORT

INFRASTRUCTURE AND ENGINEERING SERVICES

OPEN SESSION

Item

Core Service Streams

1. Aerodrome Operations
2. WMF Operations
3. Electricity Generation and Distribution Operations
4. IES public operations and assets

Major Projects, Major Maintenance Items and Procurements

5. Jetty Maintenance
6. Roads Project

Summary of Activities and Issues

1. Aerodrome Operations

On March 29, 2024, Qantas flight VH-TQX (QF2263) experienced an engine issue and returned to the island. As per protocol, the Aerodrome Emergency Plan was promptly enacted, ensuring a coordinated response. The situation was successfully managed without further incident.

On April 16, 2024, the Wildlife Hazard Management Committee convened to assess and enhance the Wildlife Hazard Management Plan. This review process culminated in the plan's update and reissue on April 30, 2024. As of April 30, 2024, there have been a total of 1022 aircraft movements recorded for the year, resulting in 2 bird strikes and 6 air ambulance operations.

On April 17, 2024, a Military Medivac operation was executed, involving a C27J Spartan aircraft from 35 Squadron Amberley, which brought an Aeromedical Evacuation (AME) team from 37 Squadron Richmond between 10:45 pm and 12:35 pm.

Subsequent events included the LEMC Airside Induction/Familiarization session on April 18, 2024, and the review, update, and reissue of the Aerodrome Emergency Plan on May 1, 2024. Lastly, the Airside Traffic Instruction (ATI) sessions were conducted from May 1 to May 3, 2024, ensuring ongoing adherence to safety protocols and regulations.

2. WMF Operations

Remediation efforts at the WMF (Waste Management Facility) have continued, though experienced a recent slowdown attributed to shipping constraints. As a result, progress has been affected, prompting the scheduling of a meeting with the EPA (Environmental Protection Agency) by the end of May to discuss current Pollution Reduction Programs.

Asbestos removal works are to commence as scheduled for the end of May, marking a crucial phase in the remediation project. Approximately 40 cubic meters of hazardous waste are scheduled for removal from the island.

A mechanical contractor has been hired to assist with heavy machinery disassembly to enable removal.

Throughout the reporting period, a noticeable decline in waste data was observed, primarily attributed to minimal shipping activity during this time frame, a factor that was anticipated. Consequently, this decline has led to a substantial accumulation of waste awaiting shipment, necessitating meticulous logistical planning to maintain compliance with relevant licenses and regulations. Effective management of logistics will be imperative to navigate through this backlog efficiently and ensure all stakeholders uphold their compliance obligations.

Amidst operational challenges, the continuity of operations at the WMF has been upheld by the commendable efforts of two Field Officers who successfully managed operations during the Coordinator's annual leave.

3. Electricity Generation and Distribution Operations

The total energy demand for this reporting period was 414700kWH with diesel generation totalling 129700kWH and solar generation totalling 285000kWH (approx. 69% solar). Fuel consumption for the reporting period was 38400 litres which is a difference of 550 litres for the same reporting period last year. Fuel energy efficiency for the reporting period was 10.97 kWh/L.

Due to high Island load and inclement weather during the reporting period there were 0 days of full solar generation.

There are currently 297 customers connected to the electrical supply system. There were no **unplanned** customer supply interruptions to the distribution system during the period. There was 1 **planned** customer supply interruption to the distribution system during the period.

The back-up Generator that was sent back to Penske for a full engine rebuild is progressing along and should be back on the Island towards the end of this May.

Power station Transformer No.2 which was sent back to the mainland for repair has been completed and is due back on the Island on the next ship. This will be put back into service on its arrival and is an integral part of maintaining a reliable electricity grid.

Powerhouse staff are pleased to report that up to the current reporting period there has been no Island wide loss of supply due to generation plant failure on either the hybrid solar system or diesel generator system for a total of 37 months.

4. IES operations

Ongoing maintenance and operational activities play a crucial role throughout the entire island, especially with the growing use of BBQ facilities and the necessity for regular mowing.

Continuous road maintenance encompasses tasks such as maintaining drains, patching potholes, and pruning road verges to minimize hazards and risks.

Regular monitoring and upkeep of algae growth on jetty stairs and the boat ramp are ongoing tasks.

Recent efforts focused on repairing damages to the jetty caused by Birdon Shipping. Significant damage was inflicted on metal brackets and fixing hardware during the incident.

5. Jetty Maintenance

See Business Paper 3.02

6. Roads Project

The procurement process for materials yielded no tenders, while only one tender was submitted for shipping services. However, this single bid was rejected on the basis of cost and the perceived risks associated with its execution.

A revised methodology for sealing works has been endorsed by an engineering firm, developed by AIS leveraging insights from previous projects. This updated approach reduces material quantity needs, now requiring approximately 350 metric tons compared to the previous 800 metric tons. However, there is a heightened demand for DGB20 due to mainland road projects. The new methodology eliminates the need for pre-coated gravel to be shipped, streamlining supply and shipping processes.

Birdon's shipping capacity of around 30 metric tons per voyage has been discussed, but it does not align with the project's timeframe objectives. Alternative options include specialized chartered voyages capable of transporting between 100 to 150 metric tons, potentially expediting deliveries within a couple of months. Logistics surrounding the removal of old machinery from the island are also being addressed. Negotiations are ongoing for a private voyage dedicated to transporting road-base materials.

Contract documents and pricing scope are being reviewed, with awareness of funding deadlines and a commitment to accommodating project timelines. If procurement strategies align, engagement could be secured by early to mid-May, ensuring completion before September.

Attachments

Attachment	Title
Nil	

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Brad Josephs	A/ Manager Infrastructure and Engineering Services

CEO BOARD REPORT

ENVIRONMENT AND COMMUNITY SERVICES

OPEN SESSION

Item

This report is a brief summary of ECS activities and issues covering the period March 2024 to May 2024.

Core Service Streams

1. Biodiversity Management
2. Biosecurity
3. Weed Management
4. Threatened Plants
5. Visitor Infrastructure
6. Marine Management / Moorings
7. Environmental Assessment
8. Environmental Health Assessment
9. Land Administration
10. Development Assessment and Land Use Planning
11. Spatial and data

Summary of Activities and Issues

Summary of Activities and Issues

1. Biodiversity Management

Operations

Foreshore Management

A staged clean-up of the lagoon foreshore has commenced, with reference to the [LHI Lagoon Foreshore Management Plan](#) and the [Public Spaces \(Unattended Property\) Act 2021](#). The last thorough clean-up was undertaken in 2016, and since then, there has been an accumulation of watercraft, (some likely abandoned), in the dune area.

A summary of priorities is provided below:

Phase	Description	Timing (2024)
1	Boat ramp area	February/March
2	Amend foreshore management plan (recognize boat repair, maintenance and storage areas)	March/April
3	Compliance strategy and monitoring schedule	April
4	Create foreshore cleanup app	March/April
5	Address Boatshed issues (shared understanding of encroachment, permissible activities, operational areas and fees)	May
6	Dune area (clear abandoned items from the foreshore)	May-June

There will be frequent and clear communication with the community on this process through Householders and other means.

Phytophthora testing

Staff from the Botanic Gardens of Sydney's PlantClinic and Tate Animal Enterprises visited the Island from Friday 5 April – Friday 12 April to conduct phytophthora searches in the PPP and settlement area using Alice, a Springer Spaniel, trained to detect the soil-borne disease. These are some of the first field based trials completed by Alice, who has been trained to confidently discriminate between infected and non-infected plants. This method has produced promising results in training and laboratory environments and it is hoped that deploying Alice will enable landscape-scale detection of the pathogen at speed.

With the help of LHIB staff, samples were collected using both conventional sampling methods and detection dogs. The Botanic Gardens of Sydney's PlantClinic also trialed different detection methods to enable LHIB to collect and prepare on-Island samples for testing. This will provide faster, more accurate results than previously available by shipping the samples to the mainland.

Increasing the speed of Phytophthora detection will help in the ongoing challenge of preventing the introduction of the pathogen to the PPP. Results from the field trials will be cross-referenced over the coming months with the other sampling methodologies. LHIB will share the results once available.

Woodhen management

No woodhens had been banded since November 2022 resulting in a large number of unbanded birds across the island.

In advance of the woodhen census this coming November-December, unbanded woodhens were banded between 2 – 12 April to help improve efficiency during the survey. A total of 598 woodhens were captured and banded by LHIB staff in the settlement and areas of the Permanent Park Preserve between 2-12 April. During the two-week banding period, 564 new and previously unbanded woodhens were banded. Colour bands were replaced on a further 35 birds. 455 birds were fitted with an orange colour band, and 144 birds were fitted with a white colour band. A sample of 175 birds were weighed with an average weight of 615g. The largest bird weighed came in at a whopping 950g - 70g heavier than any bird caught in any other year!

The official survey will run alongside an alternate population monitoring method in an attempt to move away from the current census method. The woodhen population is now too large to allow every bird to be banded and counted, which would require too many resources to complete. Any new method employed moving forward will need to be able to detect changes in population size, so if numbers start to decrease, intervention actions can be initiated.

Planning and Strategic

Infrastructure

Refurbishments to amenities at North Bay were undertaken by the LHIB Environment and Community Services team in March. Picnic tables in the main picnic area were secured and painted, and the interior and exterior of the main shed was sanded and painted. New hardwood bench seats were also installed, and the main shed's decking was sanded and oiled. A new interpretive sign, designed in collaboration with LHI Marine Parks, was also installed and includes information about the Marine Park and the North Bay PPP area and its unique features. Structural maintenance was undertaken on the toilet block, which was pressured cleaned, and a new cupboard was installed. A new water tank will be installed.

Other track maintenance work will be prioritised over the winter months, including replacement of the boardwalks along the Transit Hill track.

An additional comprehensive examination of the rope and anchor points in the southern mountains will be conducted by qualified professional before the end of the year.

The track down to Little Island has become severely undercut due to tidal erosion. Vehicle access along the track is currently restricted to essential purposes only. A new path for the track will need to be identified and assessed for any potential environmental impacts.

EcoPass

The Lord Howe Island EcoPass Permits are due to be renewed to approved guides operating tours in the PPP. Before permits are renewed, a review of the EcoPass Permit conditions has been completed, informed by a risk assessment of the walking tracks across the Island (with input from relevant tour operators), the NSW EcoPass conditions, and the Australian Adventure Activity Standards. The review will inform the renewed permits.

Issues of note are:

- Application of EcoPass to any business that provides tours in the PPP
- Change to guide: client ratios to better align with industry standards
- First aid training and kit requirements
- Exclusion of commercial tours from informal tracks in the PPP

The EcoPass conditions will be finalised before the end of this tourist season so that business can start to plan for the next season.

Resourcing and recruitment

- Lucy Copcutt, BSc. Zoology, has been successful in a competitive suitability assessment as a field officer in the World Heritage team for a 12 month period.

2. Biosecurity

Operations

Surveillance network and periodic rodent detection checks

A full round of checks of the surveillance network has been carried out throughout April. This is an essential part of the biosecurity defence network for the island and takes considerable time and effort. This has been managed by the biosecurity teams' newest officer, Louis Shick.

A strategic review of the LHI surveillance network and the biosecurity surveillance at the ports of departure and entry will be carried out in the next six months. This ties in with an existing project which is evaluating the feasibility of using existing technology to future proof the network.

Dogs

The dog team has been very busy in the last month with 290 planes checked, three visits from the Trader and visits by a number of private vessels. In addition to this scheduled work, contract dog teams have been on the island carrying out periodic checks for rodents and phytophthora within the settlement alongside the Islands Biosecurity dog team.

A search is underway to locate a suitable dog to replace Sebbi. If a dog is located and found to be suitable, Sebbi will be retired with full biosecurity honours.

African big-headed ants

A programme to contain and control African Big Headed Ant (ABHA) has been implemented following the rediscovery of the invasive species in the settlement in March. A draft action plan is now in place which includes working closely with the community to bring this infestation under control.

The ultimate aim will be to eradicate the species from LHI. Working closely with Tate Animals whilst the species is present, the biosecurity dog team will be looking to upskill one of the LHI dogs to search and indicate on ants. This is an innovative technique which has been refined during the fire ant infestation on the mainland and will allow for the rapid delimitation of infested areas if present on the island.

Birdon and Eastern Air Services

The Birdon 'Lord Howe Island seas freight Biosecurity Management Plan' and Eastern Air Services Passenger and Freight Biosecurity Management Plan' will be reviewed and updated/ issued in May.

Resourcing and recruitment

- Darryl Birch joined the Biosecurity team at the end of March and is settling in as the team leader biosecurity. Thanks should be given to the senior team members who have led the team up to this point in addition to conducting their normal operational duties.
- Lea Ohlback has joined the ECS unit to provide admin support for the team.
- A recruitment process will commence shortly to fill a vacant biosecurity officer role. It is essential that this role is filled as the team develops its broader biosecurity scope in addition to the established rodent detection work.

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Paula Pollock	Senior Manager Environment and Community Services

CEO BOARD REPORT

PROJECT REPORT

OPEN SESSION

Item

This report is a brief update of progress on current projects. The budget reflects the full spend of the project to date across the project's lifetime. Current year budget and expenditure is presented in the financial update (3.01).

IES

- SCCF – CBD Amenities
- SCCF – Skatepark
- SCCF - Community Hall Activation
- Commercial Property Maintenance (Historical)

CEO

- Efficiency and Effectiveness Review

ECS

- Biosecurity NPP Project
- Improved Biosecurity Measures (Training)
- Lagunaria Swamp Project
- Threatened Plant Monitoring & Survey
- Conservation of LHI Stick Insect
- Biodiversity Benefits Monitoring
- Middle Beach Stairs
- Restoring Blackburn Island
- Reveg - Pinetrees Paddock

Summary of Activities and Issues

R	Red	Project is likely to deliver late/over budget/has insufficient resourcing
A	Amber	Project has missed some targets but overall end date/budget is not at risk
G	Green	Project on track

	Project Title	Schedule	Budget	Resources	Overall RAG
IES	SCCF – CBD Amenities	R	A	A	R
	SCCF – Skatepark	R	R	A	R
	SCCF - Beach Access	R	G	G	R
	SCCF - Community Hall Facilities Activation	G	G	G	G
	Commercial Property Maintenance (Historical)	G	G	G	G
CEO	Efficiency and Effectiveness Review Project (<i>Sub-projects listed individually below</i>)	R	G	A	A
	<i>Community Strategic Plan (CSP)</i>	G	G	G	G
	<i>Workforce Plan</i>	A	G	A	A
	<i>Local Environment Plan</i>	R	G	G	R
	<i>Asset Management Plan</i>	R	G	A	R
	<i>Policy Review</i>	A	G	G	G
	<i>Revenue Review</i>	A	G	G	G
	<i>Engagement Plan</i>	G	G	G	G

IES Reports

SCCF – CBD Amenities

Due to some limiting factors discovered in the pre-DA meeting a change to this project has been approved.

The revised scope would see a new wastewater system installed on the post office side of the road that would allow an additional irrigation area for all businesses on this side.

It would swap out the proposed composting system for low-flush technology now available and would enable appropriate toilets to be installed in the Cooked Post/Diamonds/Beach Boutique area with public access.

The new scope would also allow for the Community Hall toilets to be upgraded.

The revised scope aims to adhere to the same budget and timeframes and will better meet the current and future needs of the CBD.

A Project Management Plan is being revised for the CBD Amenities project outlining an ambitious timeline to achieve completion of construction in 2024. Key milestones for the project are:

1. D&C Contractor Engaged – Jun 24
2. Concept Design Complete – Jul 24
3. DA Board Meeting – Aug 24
4. DA Approved – Sep 24
5. Construction Period – Oct-Dec 24 Construction Certificate Approved – Apr 25
6. Construction Certificate Approved – Apr 25

This will be confirmed over the next couple of weeks as we move to procurement phase following signoff of the Project Management Plan and Budget.

SCCF – Skatepark

Convic has finalised the lower-cost skate-based options to fit within the budget and the Skate Park Committee are satisfied with the design. The project plan has been updated to reflect the new design which will require a new Development Application (DA). The DA is being prepared and will be submitted in the coming months.

SCCF - Beach Access

The trial period for the beach access mat has now concluded and feedback from the Senior Citizens and the wider community has been collected. The mat will be brought in for the winter months and next seasons location moved to somewhere with a gentler incline to enhance accessibility.

SCCF - Community Hall Facilities activation:

- **Acoustics:** The acoustic boards are part way through being installed. The install of the boards was more detailed than first anticipated but works should be completed by the end of May.
- **AV System:** A variation for additional funds is still to be confirmed and next steps in procurement process to take place once approved.

- **Storage:** Following the expression of interest (EOI), a contractor has been engaged to undertake the construction of the weatherproof storage units beneath the hall and in the annex. Plans for construction are currently in progress, including the procurement of materials and scheduling of construction dates.
- **Community Hall Hire Policy:** Following the discussions and feedback from stakeholders, we are in the process of drafting a more straightforward and affordable Community Hall hire agreement. This initiative aims to enhance accessibility, enabling the community to utilise the hall for a wide range of purposes.
- **Public Library / Book Exchange:** EOI for local construction is to go out in the coming weeks.

Commercial and Residential Property Maintenance (Historical)

An asset condition review was completed while preparing the Asset Management Plan. This review informed a list of required historical maintenance and essential infrastructure upgrades, and work schedule priorities. Josh Owens has been contracted to coordinate this work over an 18-month period and commenced in April 2023.

Josh is working with local trades and specialised contractors as needed to attend to this list with over 60% of work now complete.

Access to available trades is a risk that is being closely monitored to ensure appropriate timeframes are met. In early March Mackies Electrical team from Port Macquarie carried out a wide range of electrical work to complete some of these jobs.

EER Projects

Policy Review

A full review of internal and external policies and procedures is currently underway using a governance framework created by DPE. Policy review checklists are now complete.

A regulation coverage matrix has been developed alongside the checklists. This matrix maps each existing policy with its corresponding section in the LHI Regulation, allowing us to visualise where there are sections of the Regulation not covered by a policy & identify the potential for policy consolidation or retirement.

The first drafts for the identified consolidation policies (Leases, Biosecurity and Compliance & Enforcement) and associated procedures have been finalised. Board engagement is required to confirm overall policy intent, following which meetings will be set up with all Subject Matter Experts to initiate the SME review process.

Once SME input has been compiled, it will be integrated with recommendations to finalise the documents. The final drafts will be sent to the DCCEE legal team for review before community consultation and the Board approval process can be finalised.

A Policy Adoption Plan is now being developed to assist the Board with the implementation of the new and updated policies. It will show the roadmap to adopting the policies and required actions.

Revenue Review

The revenue review has been finalised.

LEP Review

Scoping work has begun for the LEP in order to ensure all foundational studies are done to inform the review.

ECS Projects

Middle Beach Stairs

The Middle Beach Stairs project is progressing with a methodology to scope and plan both sets of stairs developed as part of the Project Management Plan. The plan aims to achieve completion of construction in 2024. Key proposed milestones for the project are:

- 1. D&C Contractor Engaged – May 24
- 2. Concept Design Complete – Jun 24
- 3. DA Board Meeting – Aug 24
- 4. DA Approved – Sep 24
- 5. Construction Period – Oct-Dec 24
- 6. Construction Certificate Approved – Apr 25

(these dates are to be confirmed through Phase 1 activities in March):
See ECS Report - Attachment B of CEO's Report for full update.

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Darcelle Matassoni	Senior Project Officer

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Board Meeting: May 2024	Agenda Number: 09.02	Record Number: ED24/1739
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Lord Howe Island Tourism Association Proposal

Recommendations

1. **Approve** a one off-grant grant of \$55,000 to the Lord Howe Island Tourism Association (LHITA), to be paid by instalments through a formal grant agreement (Attachment A).
2. **Note** the development of a Memorandum of Understanding (MoU) between LHITA, LHIB, and DNC. This MoU aims to formalise collaboration, ensuring transparent, accountable efforts toward shared goals.

Current position

The Lord Howe Island Tourism Association (LHITA) supports the visitor economy by attracting engaged visitors aligned with community values and the Destination Management Plan (DMP). LHITA have submitted a proposal for the Boards consideration to provide visitor services for Lord Howe Island, as part of a revised strategic approach to its operations (Attachment B).

The proposal has been developed in close collaboration with the CEO and complements their negotiations with Destination North Coast regarding funding historically received for promotion, along with clear plans for providing member services funded by members contribution of \$44,000 per annum.

The LHITA proposal offers to deliver comprehensive visitor services, environmental information, website management, survey implementation, and performance monitoring. Key reporting milestones include contract signing, quarterly report submissions against KPI's, and an annual report submission. These actions aim to enhance tourism sustainably while preserving the island's unique attributes.

In addition, LHITA proposes forming collaborative bodies for effective coordination, including enhanced expertise from DNC on the LHITA committee and DMP steering committee.

The proposal has been reviewed by management, and provides value for money, effective servicing of visitors, and clear accountability and reporting mechanisms that will enable the LHIB to fulfil its obligations with respect to grant management.

The proposed budget to deliverables ratio has been assessed against LHIB costs to deliver the same service. It's more cost effective than LHIB delivering the same service due to lower

wage rates, shared operating costs, and the ability to leverage membership fees and DNC funding.

Financial Implications

LHIB has received \$55,000 directly for this purpose through a variation to the MOU in place with DCCEEW to fund the implementation of the Efficiency and Effectiveness review, and critical weed work. This funding has not been spent to date and is allocated in the approved budget for this activity. No funds will be drawn from LHIB's untied funds.

Ongoing funding for visitor services may be reconsidered in the upcoming 24/25 budget development and approval process.

Attachments

Attachment	Title
A	Draft Contract LHITA
B	LHITA Visitor Services Proposal

Approval and contact

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

Department of Planning and Environment



Goods and Services Contract

Department	NSW Department of Planning and Environment
Agency/Division	Lord Howe Island Board
Contractor	Lord Howe Island Tourism Association
Services	Visitor Services

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Details

Table 1:Details

Department	Name	The Crown in right of the State of New South Wales acting through the Department of Planning and Environment (ABN 20 770 707 468).
	Agency/ Division	Lord Howe Island Board (ABN 33 209 968 043)
	Address	Bowker Avenue /PO Box 5 Lord Howe Island NSW 2898
Department Authorised Officer (refer to clause 8.1 - Notices)	Name	Michael Chalmers
	Position	Senior Manager Business and Corporate Services
	Address	Bowker Avenue/PO Box 5 Lord Howe Island NSW 2898
	Telephone	(02) 6563 2066
	E-mail	Micahel.Chalmers@lhib.nsw.gov.au.
Contractor ('You')	Name	Lord Howe Island Tourism Association
	Address	xxx
	ABN	xxx
Your Authorised Officer (refer to clause 8.1 - Notices)	Name	xxx
	Position	xxx
	Address	xxx
	Phone	
	E-mail	tourism@lordhoweisland.info
Services	Information services for visitors to Lord Howe Island as detailed in Schedule C - Services	
Commencement Date (refer to clause 2 - Term)	01 April 2024	
Fee (refer to clause 4.1 – Payment conditions)	The maximum total Fee is \$60,500 (including GST) [payable in instalments as set out in Schedule A – Budget and Schedule B - Services]	

Additional Insurance Policies (refer to clause 6.1 – Insurance)

Table 2:Additional Insurance Policies (refer to clause 6.1 – Insurance)

Types of Insurances	Minimum Sum Insured	Tick if Required
Professional Indemnity	\$1 million in respect of any one claim	<input type="checkbox"/>

Types of Insurances	Minimum Sum Insured	Tick if Required
Products Liability	\$10 million minimum for any single occurrence and in the aggregate as to the number of occurrences in the policy period.	<input type="checkbox"/>
Comprehensive Motor Vehicle		<input type="checkbox"/>

Special Conditions

1.1 Covid-19

- (1) Both parties acknowledge the uncertainty arising from the current pandemic COVID-19, the measures taken by State and Commonwealth Governments in relation to the emergency, and the consequential effects on daily activities ("C-19 Emergency").
- (2) If either party becomes aware that it is, will be or has been materially affected in its ability to comply with any of its obligations on time under this Agreement because of the C-19 Emergency, it must, as soon as possible, give the other party a written notice which sets out:
 - (a) the nature and extent of the obligations affected by the C-19 Emergency;
 - (b) the ways in which the C-19 Emergency will affect its ability to perform those obligations; and
 - (c) a proposal that the parties either vary the Agreement to mitigate the effects of the C-19 Emergency (for example, to change time frames and/or the scope of Services) or terminate by agreement.
- (3) When a party receives a notice under **clause 1.1(2)**, it must respond to the notice as soon as practicable, and the parties will attempt in good faith to reach agreement promptly to vary or terminate the Agreement.
- (4) Despite any other provisions in this Agreement, if the Department considers that, as a result of the C-19 Emergency:
 - (a) there is likely to be significant delay before you will be able to complete your obligations;
 - (b) the Department will no longer require the goods and/or services; or
 - (c) the Agreement is no longer viable;
 the Department may terminate the Agreement by notice, with effect on the date stated in the notice.
- (5) You release the Department from any claims in respect of termination under this clause.

Terms

1 Interpretation and Definitions

1.1 Interpretation

Unless the context requires otherwise, in this Agreement:

- (a) the terms set out in the left-hand column of the Contract Details have the meaning ascribed to them in the right-hand column of the Contract Details;
- (b) where any time limit pursuant to this Agreement falls on a day which is not a Business Day then the time limit will be deemed to have expired on the next Business Day;
- (c) a reference to a statute, regulation, ordinance or by-law will be deemed to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing same from time to time;
- (d) specific examples do not limit the meaning of general words introduced by "including" or "for example" or similar expressions;
- (e) references to persons include bodies corporate, government agencies and vice versa;
- (f) references to the parties include references to respective directors, officers, employees and agents of the parties;
- (g) nothing in this Agreement is to be interpreted against a party solely on the grounds that the party put forward this Agreement or any part of it;
- (h) where an expression is defined, any other grammatical form of that expression has a corresponding meaning; and
- (i) monetary amounts are expressed in Australian dollars.

1.2 Definitions

Agreement means this agreement between you and the Department for you to provide the Goods and Services and comprises the Contract Details, Terms, Schedules and any documents referenced in this Agreement.

Background IP means Intellectual Property that a party makes available for the purpose of this Agreement, whether upon commencement of this Agreement or during the term of the Agreement, and:

- (a) is in existence prior to the Commencement Date; or
- (b) is brought into existence independently of this Agreement or the project to which the Services relate.

Business Day means any day other than a Saturday, Sunday or public holiday in New South Wales.

Claim means any cost, expense, loss, damage, claim, action, proceeding or other liability (whether in contract, tort or otherwise), however arising and includes legal costs on a full indemnity basis.

Confidential Information of a party means all trade secrets, financial information and other commercially or scientifically valuable information of whatever description and in whatever form (whether written or oral, visible or invisible) which:

- (a) is by its nature confidential (or which a party knows or ought to know (acting reasonably) is confidential);
- (b) a party has designated as confidential;
- (c) is capable of protection at common law or equity as confidential information; or
- (d) is derived or produced partly from information described in paragraph (a), (b) or (c) above,

but does not include information that:

- (e) is in the public domain; or
- (f) a party receiving the information independently knows or develops other than as a result of a breach of this Agreement or any other obligation of confidentiality owed by or to any other person.

Contract Material means all documents, data and other material first created or brought into existence under this Agreement and includes videos, audio recordings, photographs, reports, questionnaires, software, technical information, plans, maps, charts, photographs, drawings, calculations, tables, schedules and electronic data.

Correctly Rendered Invoice means an invoice rendered in accordance with the Department's [Information for Suppliers webpage](#) and which satisfies the requirements for tax invoices under GST Law.

Deliverables means all the goods, supplies or services you provide to the Department in the course of supplying the Goods (other than the Goods themselves) or performing the Services, including reports, documents and other materials embodying data, results and other information. Further details of the Deliverables, if any, are set out in the Schedules.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999*.

Intellectual Property or IP includes:

- (a) all rights in relation to copyright, inventions, plant varieties, trademarks, designs, patents; and
- (b) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including trade secrets and know-how,

but does not include Moral Rights.

Licensed Software means the Software set out in **Schedule A – Goods**.

Moral Rights has the same meaning as in the *Copyright Act 1968 (Cth)*.

Notice means any approvals, consents, instructions, orders, directions, statements, requests and certificates, or other communication one party gives to another party in writing under this Agreement.

Personal Information has the same meaning as in the *Privacy and Personal Information Protection Act 1998 (NSW)*.

Schedules means **Schedules A – Goods, Schedule B – Services**

WHS Law means the *Work Health & Safety Act 2011*, and any ancillary rules, guides, orders, directions, regulations, codes of practice and other instruments under it, as amended from time to time.

2 Term

- (a) This Agreement will commence on the Commencement Date.
- (b) Unless terminated, this Agreement will end once you have provided the Goods and Services to the Department's satisfaction and the Department has paid all Fees due.

3 What you must do

3.1 Your general obligations

- (a) You must:
 - (i) supply and deliver the Goods to the delivery address notified by the Department and in accordance with the delivery timeframes in the Schedules;
 - (ii) provide any Deliverable in accordance with this Agreement by any relevant delivery date and at any times, intervals and frequency specified in the Schedules;
 - (iii) perform the Services as an independent contractor in accordance with this Agreement;
 - (iv) provide any documentation relating to the Goods and Services, as necessary or appropriate, completed to the satisfaction of the Department;
 - (v) perform all work reasonably incidental to the delivery of the Goods and Services;
 - (vi) carry out your obligations under this Agreement with a high degree of professional care and skill including in accordance with any key performance indicators or performance standards specified in the Schedules;
 - (vii) maintain sufficient capability and resources to meet your obligations under this Agreement;
 - (viii) obtain and maintain at your own cost all licences, approvals and consents necessary to meet your obligations under this Agreement;
 - (ix) comply with all applicable laws and all policies, guidelines and reasonable directions the Department has provided to you;
 - (x) avoid damage to property and the environment when carrying out the Services or providing the Goods, and make good any such damage at your expense; and
 - (xi) prevent nuisance or inconvenience to anyone who may be affected when carrying out the Services or providing the Goods.
- (b) You warrant that the Goods:
 - (i) are unused, of good quality, fit for purpose and free from defects and omissions in material, design or workmanship;
 - (ii) on title passing to the Department will be free from any charge or encumbrance; and
 - (iii) comply with any applicable specifications, requirements and laws.

3.2 Errors and Defects

- (a) If Goods delivered to the Department do not conform with this Agreement, then the Department, irrespective of whether it has paid for the Goods, may reject the Goods by giving written notice to you ("Rejection Notice").
- (b) If the Department issues a Rejection Notice in respect of any Goods, in addition to any other rights the Department may have under this Agreement or by law, you must immediately, at the Department's option:
 - (i) refund any moneys paid in advance for the Goods (if applicable) identified in the Rejection Notice and retake possession of the Goods at your cost; or
 - (ii) replace or repair the Goods at your cost.

3.3 Warranty periods

- (a) If the Goods are or become defective in any way (other than as a consequence of the Department wilfully damaging the Goods) during the Warranty Period, then, at the Department's absolute discretion:
 - (i) you must immediately replace or repair the Goods at your cost; or
 - (ii) the Department may terminate this Agreement and you must fully refund, or the Department may set off against any future payment due to you, any amounts paid for the defective Goods.
- (b) If the result achieved by the Services is, or becomes, defective in any way during the Warranty Period, then you must immediately re-perform the Services or remedy the defect at your cost.
- (c) If requested by the Department, you must provide a detailed report on the steps you have taken to prevent similar defects occurring in future.
- (d) You must ensure the Department obtains the benefit of any manufacturer or third party (including subcontractor) warranty applicable to the Goods or Services or any part of them.

3.4 Title and risk

- (a) The Goods become the property of the Department on delivery of the Goods to the Department.
- (b) The risk of loss or damage to the Goods passes to the Department on completion of delivery of the Goods to the Department's premises.
- (c) If you retake any Goods, the risk of loss or damage to the Goods passes back to you on removal from the Department's premises.

3.5 Licensed Software

- (a) You grant to the Department a non-exclusive, irrevocable licence ('the Licence') to use the Licensed Software, if any, for the life of the Goods ('the Licence Period'). to:
 - (i) install the Licensed Software;
 - (ii) run (but not modify or adapt) the Licensed Software and use the Licensed Software for the Licence Period; or
 - (iii) make such number of copies of the Licensed Software as are reasonably required for operational use, backup, archive and security.

- (b) The Department acknowledges that ownership in the Licensed Software does not pass to the Department and the Department must use the Licensed Software only in accordance with this Agreement.
- (c) The Department must not, on the Licensed Software, remove, alter, obscure or deface any:
 - (i) trademark, service mark, get up, logo or branding, proprietary or restricted use legend; or
 - (ii) disclaimer, warning, instruction or advisory notice or other materials provided with the Goods.
- (d) You must, at no additional charge to the Department, make available to the Department any updates and new releases for the Licensed Software if and when you make these generally available to your other customers during the Licensed Period.
- (e) You must provide to the Department during the Licence Period, at no additional charge:
 - (i) the necessary services to enable the Department to install the Licensed Software;
 - (ii) any ad hoc issue resolution or support services for the Licensed Software; and
 - (iii) training in the use of the Licensed Software.
- (f) The Department may transfer ownership of the Goods on which the Licensed Software is installed to a third party upon which the Licence in the software will transfer to the new owner.

3.6 Subcontractors

- (a) You must not, without the prior written consent of the Department, subcontract the performance of any part of the Services or provision of the Goods and the Department may, at its discretion
 - (i) refuse consent;
 - (ii) grant consent; or
 - (iii) grant consent subject to terms and conditions determined by the Department.
- (b) If the Department grants consent under clause [3.6\(a\)](#), you:
- (c) must engage any subcontractors under written agreement on terms consistent with this Agreement;
 - (i) must abide by the terms and conditions (if any) imposed by the Department with its consent; and
 - (ii) remain fully responsible under this Agreement for the performance of the Services or provision of the Goods despite any subcontracting arrangements.

3.7 Work health and safety

- (a) You must:
 - (i) ensure the health and safety of all people who your activities may affect under this Agreement, including your employees and

subcontractors and members of the public, in compliance with the WHS Law;

- (ii) undertake your own identification and detailed analysis of all work health and safety risks associated with the Services; and
 - (iii) develop and implement a job safety analysis and a site-specific safety management plan.
- (b) You will ensure that your subcontractors have:
- (i) the necessary resources in place to comply with the WHS Law; and
 - (ii) taken all necessary measures to identify reasonably foreseeable hazards in relation to the Services or Goods which could potentially give rise to risk to health and safety of any persons and have taken all necessary measures to assess and eliminate or control the risks arising from those hazards.

4 About Payments

4.1 Payment conditions

- (a) The Department will pay you the Fee for performing the Services and delivering the Goods on the condition that:
 - (i) you deliver any Goods, complete any Services and provide any Deliverables in accordance with this Agreement and to the Department's satisfaction;
 - (ii) the Department receives a Correctly Rendered Invoice from you that clearly identifies the Goods delivered and Services completed and the Fees claimed; and
 - (iii) you provide any additional information the Department requests so it may determine whether or not the amount is payable.
- (b) The Department will pay a Correctly Rendered Invoice within 30 calendar days, or 5 Business Days if you are a [registered small business](#) under the NSW Government's Faster Payment Policy, of the Department receiving all information requested under **clause 4.1(a)**.
- (c) Notwithstanding **clause 4.1(b)**, if the Department pays any of the Fee, this does not constitute an admission on the part of the Department that the Goods and Services have conformed with this Agreement and no payment will be deemed to release you from your obligations that are yet to be fully discharged in accordance with this Agreement.

4.2 What the Fee includes

- (a) The Fee is inclusive of all fees, costs, expenses, charges and disbursements you incur in providing the Goods and Services.
- (b) If you are an individual, the parties agree that the Fees are inclusive of any compulsory superannuation contribution at the rate payable under the *Superannuation Guarantee (Administration) Act 1992* (Cth) or any related laws.
- (c) The Department is not liable to pay you any additional amount above the Fee.

4.3 GST

- (a) Unless otherwise indicated, all consideration for any supply under this Agreement is exclusive of any GST imposed in relation to the supply.
- (b) If GST is imposed on a supply made under this Agreement, the Department will pay an additional amount equal to the GST imposed on that supply at the time and in the manner as the payment for the supply, subject to such additional amount being clearly and accurately identified in a Correctly Rendered Invoice.
- (c) You must be registered under the GST Law at the time of making any supply under this Agreement on which GST is imposed.
- (d) If you are not registered under the GST Law as required under **clause 4.3(c)**, you will not be entitled to receive and the Department will not be obliged to pay any additional amount as provided under this **clause 4.3**.
- (e) If for any reason the Department pays you an amount under this **clause 4.3** which is more than the GST imposed on the supply, you must repay the excess to the Department on demand or the Department may set off the excess against any other amounts due to you.

5 Intellectual Property and Information

5.1 Intellectual Property

- (a) You must not infringe the Intellectual Property rights of any person in providing the Services or delivering the Goods.
- (b) Intellectual Property in all Contract Material vests in the Department, unless otherwise stated in the Special Conditions.
- (c) Nothing in this Agreement will affect the ownership by either party of its Background IP.
- (d) To the extent any of your Background IP is incorporated into the Contract Material, you grant the Department a non-exclusive, perpetual, transferable, royalty free licence to use the Background IP as part of the Contract Material.
- (e) You must obtain, and provide to the Department upon request, written consent from all persons who may have Moral Rights in the Contract Materials or Deliverables in relation to the Department doing any of the following acts with or to the Contract Materials or Deliverables:
 - (i) reproducing, communicating, modifying or adapting all or any part, with or without attribution of authorship;
 - (ii) adding to it or removing part of it; and
 - (iii) using it in a different context to that originally envisaged, but not false attribution of authorship.

5.2 Confidential Information

- (a) Each party must keep the other party's Confidential Information confidential and not disclose it to any other person without the prior written consent of the disclosing party.

- (b) Each party may disclose the other party's Confidential Information to its personnel and legal and professional advisors provided they ensure that the recipient:
 - (i) keeps the Confidential Information confidential; and
 - (ii) does not use the Confidential Information except for the purposes of this Agreement.

5.3 Privacy

- (a) You must:
 - (i) ensure that Personal Information that the Department provides, or you collect under or in connection with this Agreement is used only for the purposes of this Agreement and is protected against loss and against unauthorised access, use, modification or disclosure or against other misuse;
 - (ii) unless you are otherwise required or authorised by law to do so, not disclose any Personal Information without the written consent of:
 - (A) the individual to whom the Personal Information relates; or
 - (B) the Department;
 - (iii) comply with the Information Protection Principles applying to NSW public sector agencies under the *Privacy and Personal Information Protection Act 1998 (NSW)* when doing any act or engaging in any practice in relation to Personal Information as if you were an agency directly subject to that Act; and
 - (iv) include equivalent requirements regarding Personal Information (including this **clause 5.3**) in any subcontract entered into for the provision of any of the Goods and Services under this Agreement.
- (b) Where you are an individual you authorise the Department to make Personal Information concerning you, such as your name, address and details of your work performance, available to other State, Commonwealth and local government agencies and funding agencies, for reporting, statistical and accounting purposes. You do not have to supply this information; however, the Department may not be able to fulfil its obligations under other arrangements without revealing that information to such agencies. You may obtain details of any Personal Information about you the Department holds by contacting the Department's Authorised Officer.

5.4 Disclosure of Information

- (a) You acknowledge that, under the *Government Information (Public Access) Act 2009*, the Department may be required to publicly disclose information about this Agreement (including at <https://tenders.nsw.gov.au>). The Department will comply with its obligations under the *Government Information (Public Access) Act 2009*.

5.5 Access to Information

- (a) In order for the Department to comply with its obligations under the *Government Information (Public Access) Act 2009*, if this Agreement involves you providing any services to the public on behalf of the

Department you must, within seven (7) days of receiving a written request by the Department, provide the Department with immediate access to the following information contained in records you hold:

- (i) information that relates directly to the performance of the Services;
 - (ii) information you have collected from members of the public to whom you provide, or offers to provide, the Services; and
 - (iii) information you receive from the Department to enable you to provide the Services.
- (b) For the purposes of **clause 5.5(a)**, information does not include:
- (i) information that discloses or would tend to disclose your financing arrangements, financial modelling, cost structure or profit margin;
 - (ii) information that you are prohibited from disclosing to the Department by provision made by or under any Act, whether of any State or Territory, or of the Commonwealth; or
 - (iii) information that, if disclosed to the Department, could reasonably be expected to place You at a substantial commercial disadvantage in relation to the Department, whether at present or in the future.
- (c) You will provide copies of any of the information in **clause 5.5(a)**, as the Department requests, at your own expense.
- (d) Your failure to comply with any request pursuant to **clause 5.5(a)** or **5.5(c)** will be considered a breach of an essential term and the Department may terminate this Agreement by providing Notice in writing with the termination to take effect 7 days after receipt of the Notice, unless you remedy the breach to the Department's satisfaction within the 7 day period.

6 Dealing with Risk

6.1 Insurance

- (a) You must maintain, at your own cost, during the term of this Agreement:
- (i) a broadform public liability policy of insurance to the value of at least \$10 million in respect of each claim and in the aggregate as to the number of occurrences in the policy period;
 - (ii) workers' compensation insurance as required by all relevant laws of Australia relating to workers compensation; and
 - (iii) the Additional Insurance Policies listed in the Contract Details for the minimum sum provided.
- (b) If specified as being required in the Contract Details, a professional indemnity insurance policy must be maintained for a period of 7 years from the end of the Agreement.
- (c) You must not do, permit or suffer any act, matter or thing or omission whereby any of the policies referred to in this clause may be vitiated, rendered void or voidable.
- (d) Where the Department requests, you must provide a copy of valid and current certificates of currency the insurer has issued for each or any of the policies described above which will include the policy number, expiry date,

level of cover (per claim and aggregate), policy excess, summary of cover (including exclusions and endorsements) and jurisdictional limits.

- (e) Without limitation to **clause 6.1**, each party warrants that it has and will maintain appropriate insurance to cover any liability it may incur in relation to this Agreement.

6.2 Indemnities

- (a) You must indemnify and keep indemnified the Department, the Crown in right of the State of New South Wales and their officers, employees and agents from and against any loss (paid or payable including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by any of those indemnified arising directly or indirectly from any Claim by any person as a result of or in connection with:
 - (i) the Services or Goods or the use of any Deliverables;
 - (ii) your breach of this Agreement including any failure to provide the Services or Goods;
 - (iii) your or your subcontractor's or employee's unlawful or negligent act or omission in connection with this Agreement;
 - (iv) any illness, injury or death of any person you, or your subcontractors or employees, cause or contribute to in connection with this Agreement;
 - (v) any loss or damage to real or personal property you, or your subcontractors or employees, cause in connection with this Agreement; or
 - (vi) you or your subcontractor's acts or omissions in connection with this Agreement that is in infringement of any Intellectual Property, or privacy rights of the Department or any third party.
- (b) Your liability to indemnify the Department under this clause will be reduced proportionately to the extent that the Department's negligent or unlawful acts or omissions, or those of its officers, employees or agents contributed to the relevant loss or liability.
- (c) Your liability to indemnify the Department under this clause does not exclude or reduce the liability of, or benefit to, a party that may arise by operation of the common law, statute or the other terms of this Agreement.

6.3 Liability Caps

- (a) Subject to clause [6.3\(b\)](#):
 - (i) Your aggregate liability to the Department under or in respect of the Agreement whether in contract, tort (including negligence), statute or any other cause of action is limited to an amount equal to five times the total Fee; and
 - (ii) the Department's aggregate liability to you under or in respect of the Agreement whether in contract, tort (including negligence), statute or any other cause of action, is limited to one times the total Fee.
- (b) Nothing in the Agreement operates to limit or exclude:
 - (i) liability that cannot by law be limited or excluded;

- (ii) an amount payable under an insurance policy taken out in conjunction with this Agreement;
- (iii) the liability of either party in respect of personal injury (including sickness and death) or real or tangible property loss or damage;
- (iv) liability of a party in respect of a breach of **clause 5.2** (Confidential Information) or **clause 5.3** (Privacy);
- (v) your liability under **clause 5.1** (Intellectual Property);
- (vi) liability of either party for unlawful or illegal acts or conduct; or
- (vii) the Department's liability to pay such of the Fee as is due and payable.

7 Reduction in Scope and Ending this Agreement

7.1 Termination

- (a) Where a party has breached this Agreement:
 - (i) the other party may give a Notice to that party requiring it to rectify that breach within 30 days of receiving that Notice; and
 - (ii) if the party which received the Notice fails to rectify that breach in time, the other party may terminate this Deed immediately by giving a further Notice.
- (b) In addition, the Department may terminate this Agreement by Notice, with effect on the date stated in the Notice, if:
 - (i) you breach any of the following provisions: clause [3.1](#) (Your General Obligations); clause [3.4](#) (Title and Risk), clause [3.5](#) (Licensed Software), clause [3.7](#) (Work Health and Safety); clause [5.1](#) (Intellectual Property); clause [6.1](#) (Insurance), clause [5.2](#) (Confidential Information) and clause [9.10](#) (Assignment);
 - (ii) if the Department issues a Rejection Notice in respect of Goods under clause [3.2\(b\)\(i\)](#) and the Department declines to exercise its option for repair or replacement under clause [3.2\(b\)\(ii\)](#);
 - (iii) the Department considers that there has been a material change in circumstances in your financial position, your structure or your identity; or
 - (iv) you become insolvent, if you are the subject of a debtors or creditors petition under the *Bankruptcy Act 1966*, or if you resolve to go into administration or liquidation or have a summons for your winding up presented to a Court or enter into any scheme of arrangement with your creditors.
- (c) Without prejudice to **clause 7.1(b)**, the Department may also terminate this Agreement for convenience by Notice, with effect on the date stated in the Notice.
- (d) This **clause 7.1** does not exclude or reduce the rights of a party to terminate the Agreement arising by operation of the common law or statute or the other terms of this Agreement.

7.2 Consequences of termination

On termination or expiry of this Agreement:

- (a) accrued rights and obligations are not affected;
- (b) the Department must pay you for Goods provided and Services performed up to the effective date of termination or expiry (after taking into account any payments already made to you prior to that date);
- (c) if termination occurs under **clause 7.1(c)**, the Department must also pay you for any expenses you have incurred as at the date of termination in preparing to perform your obligations under this Agreement;
- (d) any payments made by the Department to you for work not yet performed as at the effective date of termination or expiry must be returned by you to the Department; and
- (e) you must return or dispose of all Background IP provided by the Department to you (and certify that such Background IP has been disposed of if required by the Department); and
- (f) you must promptly deliver all Contract Material to the Department at your own expense, or as otherwise directed by the Department.

7.3 Reduction

- (a) Without limitation to **clause 7.1** (Termination), the Department may provide Notice to you to reduce the scope of the Services and / or Goods at the Department's convenience, with effect from the date stated in the Notice.
- (b) If the scope of the Goods or Services is reduced:
 - (i) the Department's liability to pay the Fees abates in accordance with the reduction in the Goods or Services; and
 - (ii) the Department will pay you for any expenses that you have directly and properly incurred as at the date of the reduction that would not have been incurred if the reduced scope of Goods or Services were originally contracted for.

7.4 What you must do if you receive a Notice

Upon receipt of a Notice of termination or reduction you must:

- (a) stop work as specified in the Notice;
- (b) take all available steps to minimise loss resulting from that termination; and
- (c) continue work on any part of the Goods or Services not affected by the Notice.

7.5 Dispute Resolution

- (a) If a dispute arises in relation to this Agreement ("a Dispute"), a party must comply with this **clause 7.5** before starting arbitration or court proceedings except proceedings for urgent interlocutory relief.
- (b) A party claiming that a Dispute has arisen must notify the other party in writing giving details of the Dispute.
- (c) During the 14 days after notice is given under **clause 7.5(b)** (or longer period if the parties agree in writing), each party must use its reasonable efforts through a meeting of senior officers (or their nominees) to resolve

the Dispute. If the parties cannot resolve the Dispute within that period, they must refer the Dispute to a mediator if one of them requests.

- (d) If the parties cannot agree on a mediator within seven days after a request under **clause 7.5(c)**, the chairperson of Resolution Institute (ACN 008 651 232) or the chairperson's nominee will appoint a mediator. If, within seven days of a request to the chairperson, no mediator is appointed, then the party which requested the mediation will choose the mediator. If that party does not choose a mediator within two further days, then the mediation will not occur, and the parties may proceed to arbitration or court proceedings.
- (e) Each party to a Dispute must pay its own costs of complying with this clause and split the costs of the mediator evenly.

8 Other Legal Matters

8.1 Notices

- (a) Unless otherwise stated in this Agreement, all Notices must be hand-delivered, posted or emailed to the other party's Authorised Officer. A party can notify a change in its Authorised Officer from time to time by Notice given in accordance with this clause [8.1](#).
- (b) The receiving party will be deemed to have received the Notice as follows:
 - (i) if hand delivered, on the day on which it is delivered or left at the relevant address;
 - (ii) if sent by post:
 - (A) if posted within Australia using Express Post, the priority letter service option of regular post, or the priority service option for Registered Mail, on the fourth Business Day after the day on which it is posted;
 - (B) if posted within Australia using the regular post option, on the fifth Business Day after the day on which it is posted;
 - (C) if posted to or from outside Australia, on the tenth Business Day after the day on which it is posted;
 - (iii) if sent by email before 5.00pm on a Business Day, the first of the following occurring:
 - (A) when the sender receives an automated message confirming delivery; or
 - (B) four hours after the time sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not been delivered;
 - (iv) if sent by email after 5.00pm on a Business Day or on a day that is not a Business Day, then it will be deemed to be received on the next Business Day.
- (c) Any such mode of service will be in all respects valid notwithstanding that the party on whom service is affected may be in liquidation, bankruptcy or wound up and notwithstanding any other matter or event whatsoever.

9 General

9.1 Electronic Execution

- (a) Each party consents to this Agreement and any variations of this Agreement being signed by electronic signature by the methods set out in this clause.
- (b) This clause applies regardless of the type of legal entity of the parties. If this Agreement or any subsequent variations are signed on behalf of a legal entity, the persons signing warrant that they have the authority to sign.
- (c) For the purposes of this clause, the parties agree that the following methods validly identify the person signing and indicate that person's intention to sign this Agreement and any variation of it:
 - (i) insertion of an image (including a scanned image) of the person's own unique signature onto the Agreement;
 - (ii) insertion of the person's name onto the Contract; or
 - (iii) use of a stylus or touch finger on a touch screen to sign the Agreement;
provided that in each of the above cases, words to the effect of 'Electronic signature of me,[NAME], affixed by me on [DATE]' are also included on the Agreement;
 - (iv) use of a reliable electronic signature and exchange platform (such as DocuSign or AdobeSign) to sign the Agreement; or
 - (v) as otherwise agreed in writing (including via email) between the parties.
- (d) The parties agree that the above methods are reliable as appropriate for the purpose of signing this Agreement and that electronic signing of this Agreement by or on behalf of a party indicates that party's intention to be bound.
- (e) A signed copy of this Agreement transmitted by email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

9.2 Survival

The following clauses survive termination or expiry of this Agreement: clause [3.5](#) (Licensed Software), clause [5.1](#) (Intellectual Property), clause [5.2](#) (Confidential Information), clause [5.3](#) (Privacy), clause [6.2](#) (Indemnities), clause [6.3](#) (Liability Caps), clause [7.1](#) (Termination), clause [9.3](#) (Keeping of records), this clause [9.1](#) and any other clause which by its nature is intended to survive this Agreement.

9.3 Keeping of records and rights of access to such records

You:

- (a) must keep complete and accurate records and books of account with respect to your provision of the Goods and performance of the Services (the "Records"), and must retain such Records for a minimum of seven (7) years after expiry or termination of this Agreement;
- (b) authorise the Department and any State or Commonwealth Government department or agency (the "Auditors") that has provided moneys to the

Department for the purposes to which the Goods or Services relate, to examine and inspect, at reasonable times and on reasonable Notice, any Contract Material you hold, and allow any such Records to be copied; and

- (c) must provide all reasonable assistance in order for the Auditors to properly carry out the inspections and audits referred to in this clause.

9.4 Conflict of Interest

You must not:

- (a) act as a contractor to any person who carries on or is involved in any capacity in an activity or business; or
- (b) carry on or be involved in any capacity in an activity or business, which may conflict with, or adversely affect, your ability to carry out your obligations under this Agreement, and you agree to immediately notify the Department in writing if a risk of such a conflict arises.

9.5 Entire agreement

This Agreement states all the express terms the parties have agreed on. It supersedes all prior contracts, obligations, representations, conduct and understandings concerning the Goods and Services.

9.6 Variation

This Agreement may only be varied by agreement in writing including by an exchange of emails confirming the agreed variation.

9.7 Inconsistency

If there is any inconsistency between provisions in this Agreement then the order of precedence will be:

- (a) the Contract Details; then
- (b) the Special Conditions; then
- (c) these Terms; then
- (d) any Schedules or attached Annexures.

9.8 Negation of employment, partnership or agency

- (a) This Agreement does not create a relationship of agency, partnership, and/or employment between the parties.
- (b) You must not represent yourself as being an employee or agent of the Department or as otherwise able to bind or represent the Department.

9.9 Waiver

- (a) If a party fails to exercise any of its rights under this Agreement, or delays exercising those rights, that failure or delay will not operate as a waiver of those rights or any future rights or in any respect estop a party from relying on the terms of this Agreement to their full force and effect.
- (b) Any waiver by a party of a breach of this Agreement must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.

9.10 Assignment

You must not assign or novate your obligations or interests under this Agreement, without the prior written consent of the Department.

9.11 Counterparts

This Agreement may be signed in any number of counterparts which taken together will constitute one instrument.

9.12 Governing Law

The laws of New South Wales govern this Agreement and the parties submit to the non-exclusive jurisdiction of the courts in that State.

9.13 No merger

The rights and obligations of the parties under this Agreement do not merge on completion of any transaction contemplated by this Agreement.

9.14 Severability

If any provision of this Agreement is unenforceable, illegal or void, then it is severed, and the rest of this Agreement remains in force.

9.15 Costs

The parties agree to pay their own legal and other costs and expenses in connection with the preparation, execution and completion of this Agreement and other related documentation.

9.16 Remedies cumulative

The rights and remedies provided under this Agreement are in addition to other rights and remedies given by law independently of this Agreement.

9.17 No fetter on powers

This Agreement does not restrict or otherwise affect the Department's unfettered right and discretion to exercise its statutory powers.

Execution Clauses**Department**

Signed for and on behalf of the Crown in right of the State of New South Wales acting through the

Department by its authorised signatory but not so as to incur personal liability:

Suzie Christensen

Name

Signature

Chief Executive Officer

Lord Howe Island Board

Position

Date

(a) **Contractor (Association)**

Signed for on and on behalf of Lord Howe Island Tourism Association in accordance with S24 of the NSW Associations Incorporation Act 2009 by:

Signature of Committee
Member (1)

Signature of Committee
Member (2)

Name of Committee
Member (1)

Name of Committee Member
(2)

Address of Committee
Member (1)

Address of Committee
Member (2)

Date

Date

Schedule A – Budget

Table 3: Schedule A – Budget

Services			Fee	Performance Timeframe	When to send invoice
Item No./Code	Name	Description of Deliverables			
	Visitor Services Wages		\$45,000	01/04//2024 to 30/03/25	As set out in Schedule C
	Visitor Services Operational expenses		\$10,000	01/04/2024 to 30/05/25	As set out in Schedule C
		TOTAL FEE (excl. GST)	\$55,000		
		TOTAL FEE (inc. GST)	\$60,500		
Payment Terms - 30 days after receipt of a valid invoice.					

SCHEDULE B – Services

Statement of Requirements

1. Summary of service:

Provide an information service that assist to maintain a high level of Lord Howe Island Visitor satisfaction, ensure access to meaningful experiences, and raises their awareness about sustainability issues and practices and the importance of protecting Lord Howe Island's environment and culture.

2. Service details

You will:

- provide visitors with relevant information about the Lord Howe Island Group and available experiences including maps, brochures, guides, and advice on activities, attractions, both in person, online and via electronic or phone enquiry.
- provide information to visitors about safe use of the Islands tracks and water experiences.
- provide access to general information on transportation options, such as car rentals, bike hire, and local transport, public wifi access, grocery and other suppliers, and health, safety and emergency services availability, referring visitors to local business and agencies as required. This information should be developed by and sourced from these local businesses and agencies.
- provide access to up-to-date weather and flight information in person and via weblinks on line
- provide general information provided by the Lord Howe Island Board (LHIB) on environmental and biosecurity precautions, and mooring use, and refer enquiries and visitors to the LHIB as necessary
- maintain and further develop the Lord Howe Island Tourism Association website to ensure the above information is available on line and is accurate, current and accessible at all times.
- Regularly monitor key performance indicators related to visitor services.
- Compile data on visitor trends, satisfaction levels (visitors/community/members), and feedback.
- Generate reports to communicate findings and recommendations to relevant stakeholders.

3. In kind services

You may

- provide general assistance with bookings for tours and activities and dining in conjunction with the other visitor services, however it is expected that this service to members is funded by membership fees and contributions.

- market the Island as a tourist destination aligned with the agreed Destination Management Plan, via professional Public Relations and Marketing services, web and social media platforms and partnerships with influencers and others. It is expected that this activity is funded through other sources.

4. Methodology and approach

You will

- develop an Annual Operational Plan and consolidated budget to achieve the above services, including reasonable operating expenses and a workforce plan to meet in person and online outputs and deliverables.
- maintain compliance with relevant legislation including but not limited to work health and safety and employment law and the NSW Associations Incorporation Act.

5. Project KPI's and reporting

- 5000 individual visitors access service annually. To be reported quarterly against each channel (on line / electronically/ social media, by phone or in person). It is acknowledged that the spread of enquiries is seasonal and may be less in the winter quart and shoulder seasons.
- 95% of enquiries answered within 24 hours. To be reported quarterly
- Accurate and current information available or accessible at all times. To be monitored daily and recorded quarterly via self-audit.
- Visitor satisfaction with the range, accessibility and delivery of information. To be reported annually encompassing data across the year.

6. Monitoring and reporting

- Monitor key performance indicators related to visitor services and report quarterly and annually to the LHIB.
- Compile data annually on range and volume of information requests, visitor trends and satisfaction levels and feedback.
- Generate reports annually to communicate findings and recommendations to relevant stakeholders.

7. Project milestones and timeframes:

Milestone	Timeframe	Payment (ex GST)
Signing of contract	June 1st 2024	\$12,500
Receipt of Quarterly report and subject to performance	August 30 th 2024	\$12,500
Receipt of Quarterly report and subject to performance	November 30 th 2024	\$12,500
Receipt of Quarterly report and subject to performance	February 28 th 2025	\$12,500
Receipt of Annual report and subject to performance	June 31 st 2025	\$ 5,000



Strategy Overview

The Lord Howe Island Tourism Association (LHITA) is adopting a structured and strategic approach to revitalise its visitor economy. As we progress, our focus is on attracting a steady stream of involved and conscious visitors who will actively participate in the island's community and economy. This strategy is outlined in response to the evolving needs for adaptation and restructuring, especially following changes in funding and the need to realign our marketing efforts with the Destination Management Plan (DMP).

Strategic Objectives and Implementation

1. **Leveraging DMP Insights for Targeted Engagement:** Our strategy leverages the insights from the DMP to specifically target companies, individuals, and clubs that align with our vision for the island. By proactively engaging with these entities, rather than passively processing requests, we aim to initiate impactful island awareness campaigns. This targeted approach ensures that our partnerships are aligned with LHITA's core values and strategic goals.
2. **Efficient and Aligned Communication:** Ensuring efficient communication and maintaining alignment with the DMP vision are paramount. The association is focused on establishing clear categories and criteria for potential collaborators to streamline processes and enhance communication efficiency. This involves detailed planning around the type of support offered, including travel, accommodation, and activities on the island for passionate individuals.
3. **Committee and Organisational Structure:** The restructuring of LHITA's committee and organisation is crucial to our strategy. Following budget adjustments, we have analysed and revised the entire workflow to maximise efficiency. The structure is now geared towards achieving clear deliverables, setting up a tender process for key roles, and ensuring that governance remains a priority. A highly capable Executive Officer (EO) or tourism officer will oversee communication with stakeholders, vet opportunities, and ensure they align with our strategic goals, reporting directly to the committee on budget and performance.
4. **Budget and Funding Strategies:** Our financial strategy involves detailed budgeting for various activation categories. We plan to co-fund activities, balancing the outcomes for the island and our partners. Our funding strategy also includes detailed categorisations of support levels, from discounted operations for individual coverage to complete funding for high-impact activities, which include accommodations and flight expenses covered by LHITA.
5. **Community Involvement and Impact Evaluation:** Community alignment and involvement are essential to our strategy. By fostering maximum engagement with local businesses and the community, we aim to enhance the visitor experience authentically. Our annual evaluation process will review the effectiveness of our initiatives and their impact on the island's economy, adjusting strategies as needed based on feedback and outcomes. We aim to develop several initiatives to transparently communicate our analytical insights as well as industry/government grant opportunities.

Conclusion

The refined strategy of LHITA is designed to not only enhance the visitor experience but also to ensure sustainable growth and development of Lord Howe Island's tourism sector. By aligning our activities with the DMP, focusing on targeted and efficient engagements, and restructuring our organisational workflow, LHITA is set to foster a vibrant and active visitor economy that resonates with our core values and strategic goals. This approach will position us well to meet our objectives and ensure long-term benefits for both the island and its visitors.

Strategic Collaboration

To further enhance and streamline our strategic initiatives, LHITA is spearheading the formation of two critical collaborative bodies: the DMP Steering Committee and a specialised joint subcommittee. These structures are designed to foster robust collaboration among LHITA, LHIB, and DNC, ensuring that our shared goals for the island's tourism and community development are pursued effectively and cohesively.

A key output for these subcommittee will be the development of a Memorandum of Understanding (MoU) among the three parties. The MoU will delineate the key responsibilities, roles, and contributions of each stakeholder, providing a clear framework for collaboration. This document will ensure that each party's commitments are clearly defined and mutually agreed upon, facilitating transparency and accountability in our joint efforts. Elements of the MoU will include:

- Clear definitions of roles and responsibilities for each organisation.
 - Guidelines for communication and information sharing among the stakeholders.
 - Procedures for conflict resolution and decision-making.
 - Metrics and criteria for evaluating the success of collaborative initiatives.
- **Specialised sub Committee (Yet to be named):**
The Specialised joint subcommittee will be created for coherent collaboration between all three stakeholders. Due to the above average engagement funding by DNC and The Board, this initiative will ensure that the committees strategy is in line with the broader regional plan, through to state and federal targets. A member of the Board and DNC will attend a number of committee meetings as ex officio members.
 - **DMP Steering Committee:**
The DMP Steering Committee is a pivotal element in our strategy, involving key stakeholders from LHITA, LHIB, and DNC. This committee's primary role is to oversee the strategic direction and implementation of the Destination Management Plan (DMP). By involving all major stakeholders, the committee ensures that each organisation's perspectives and expertise are integrated into the decision-making process, leading to well-rounded and effective tourism strategies. The responsibilities of the DMP Steering Committee include:
 - Regular review and updates of the DMP to reflect changing conditions and new opportunities.
 - Coordination of joint initiatives and projects that benefit the island's tourism sector.
 - Allocation and monitoring of resources and funding in alignment with the DMP's objectives.
 - Evaluation of outcomes and impact of implemented strategies, ensuring continuous improvement.

Budget Considerations and Planning

The following provides a comprehensive overview of the funding sources supporting Lord Howe Island's tourism sector, alongside a plan for the allocation of these funds. The Lord Howe Island Tourism Association (LHITA) is committed to strategically utilising these resources to maximise the island's visibility within our target market and the broader travel industry. This strategic spending is designed to enhance our promotional efforts and drive further amplification initiatives, ensuring that Lord Howe Island remains a top choice for travellers.

LHIB Funding (\$55,000):

We are conducting a comprehensive review of all key engagement areas, including the Notice Board in the CBD area, the Visitor Centre in the museum building, and potential future initiatives like digital kiosks and an "Ask a Local" campaign. Our focus is on creating, collating, and summarising key metrics to assess these initiatives' effectiveness. We are particularly attentive to the complexities of managing the Visitor Centre, including streamlining back-of-house systems, defining clear role structures, and ensuring that digital correspondence with visitors is clear, consistent, and timely.

- **Key Budget Allocations:** Funds will cover visitor experience staff working on a casual rotational basis and the necessary reporting staff, such as bookkeeping.

DNC Funding (\$145,000):

Our focus with these funds is on enhancing marketing efforts. We are developing clear deliverables to recruit a specialist who will maximise the island's visibility to our target markets. This effort will ensure that the right kind of visitors, as outlined by the DMP, are aware of and aspire to visit the island, engaging with our associated operators to facilitate their visitation. Additionally, recognising the importance of organisational governance, we plan to hire an Executive Officer to oversee committee governance and subcommittee operations, ensuring efficiency in line with our constitution, contracts and timely reporting to our stakeholders.

- **Budget for New Roles:**
 - **Executive Officer:** \$20,000 - \$25,000, ideally sourced locally to enhance efficiency and reduce travel costs.
 - **PR:** \$33,000 - this role is currently in place with an on island individual.
 - **Marketing:** \$30,000 + minimum with scope for expansion. ,Potentially an agency or individual with a strong track record in destination marketing, tasked with clear deliverables and a defined action path from the committee and subcommittees. This salary may drastically increase should it become clear that in hiring a top candidate the return will far outlay the salary increase. An example would be their proficiency in delivering low to zero cost high quality activations that raise the level of awareness to the island without an increase on budget.

Membership Fees (\$44,000):

These funds will be dedicated to maximising island visitation and experiences and will be transparently reported back to the association in a timely manner.

Final Budget Summary:

1. **LHIB Funding (\$55,000):**
 - **Visitor Experience Wages:** \$42,000 + \$5,000 bookkeeping + Enquiry flow (website + Socials)
 - Covers salaries for staff members on a casual rotational basis and necessary reporting staff like bookkeepers.
 -
2. **DNC Funding (\$145,000):**
 - **Executive Officer:** \$25,000
 - Responsible for compliance, organisation, and reporting; ideally sourced locally to minimise travel costs.
 - **Marketing/PR Specialists:** \$63,000 +
 - Allocated for hiring either an agency or individual with expertise in destination marketing, tasked with maximising visibility to our target markets.
3. **Combined Remaining DNC + Membership Fees (\$99,000 + Additional from DNC):**
 - **Marketing Initiatives:** \$118,000 +
 - Utilised for extensive marketing efforts, including advertising campaigns, activations, promotional materials, and digital marketing tools.
 - **Overheads:** Remaining funds from DNC and Membership fees will cover travel, office expenses, and bookkeeping. This ensures that operational needs are seamlessly met without impacting the targeted initiatives' funding.

Revised Budget Allocation:

- **Visitor Experience Wages + Admin :** \$55,000
- **Total Marketing/PR (Specialist/agency + Individual):** \$63,000 +
- **Overheads:** Covered by the residual funds from DNC and Membership fees.
- **Marketing activation funds - Circa** \$118,000

Deliverables by LHITA

- 1.
- 2.
3. **Information Services Delivery**
 - Provide detailed, accurate information to visitors through various channels:
 - Distribute maps, brochures, and guides about the Lord Howe Island Group and available experiences.
 - Offer advice on activities, attractions, and safety measures for using the island's tracks and water experiences.
 - Inform visitors about transportation options, public wifi access, grocery suppliers, and availability of health, safety, and emergency services.
 - Provide up-to-date weather and flight information both in person and via online links.
2. **Environmental and Biosecurity Information**
 - Facilitate access to information provided by the Lord Howe Island Board (LHIB) regarding environmental sustainability, biosecurity precautions, and mooring use.
 - Direct inquiries to the appropriate LHIB contacts as needed.
3. **Website Management and Development**
 - Maintain and enhance the LHITA website to ensure that information is accessible, accurate, and current.
 - Integrate robust analytics tools to track visitor interactions and form trend insights for membership base.
4. **Survey Implementation and Data Analysis**
 - Deploy internet access points at the airport with a survey prompt for incoming visitors to gather feedback on their stay and information support received.
 - Manage data collection and analysis at the Visitor's Center, which will collate information from surveys to assess service effectiveness.
5. **Performance Monitoring and Reporting**
 - Regularly monitor service effectiveness through key performance indicators.
 - Compile and analyse data on visitor trends, satisfaction, and feedback from various collection points including surveys and website analytics.
 - Generate and deliver detailed quarterly and annual reports to the LHIB and other stakeholders, outlining performance, insights, and recommendations for service improvement.
6. **Operational Planning and Compliance**
 - Develop and annually update the Operational Plan, incorporating budget considerations and workforce planning to support in-person and online services.
 - Ensure all operations comply with relevant legislation, including health and safety laws and data protection regulations.
7. **Marketing and Public Relations**
 - Conduct marketing initiatives to promote Lord Howe Island as a tourist destination in alignment with the Destination Management Plan.
 - Utilise professional services, social media, and partnerships to enhance the island's visibility and appeal.
8. **Budget and Finance Considerations**
 - The LHITA agrees that the funding set aside for visitors services is sufficient to meet the deliverables set out in this document. The Intervals aligned with our quarterly report submissions will also be adequate with our cash flow projections.

Key Milestones

- **Contract Signing:** 1st June 2024
- **Quarterly Report Submissions and Performance Review:**
 - 30th August 2024
 - 30th November 2024
 - 28th February 2025
-
-
- **Annual Report Submission and Final Performance Review:** 31st June 2025

These deliverables ensure that LHITA provides comprehensive visitor services, leverages technology for feedback and data analysis, and continuously improves the visitor experience based on detailed insights and analytics. This approach aligns with strategic goals to enhance tourism while preserving and promoting the unique environmental and cultural attributes of Lord Howe Island.

Board Meeting: May 2024	Agenda Number: 10.01	Record Number: ED24/253
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Application for retrospective approval to use two (2) mobility scooters for hire purposes – Wilson Hire Service - Campbell Wilson

Recommendations

1. **Approve** the application for retrospective approval to use two (2) mobility scooters for hire purposes through Wilson's Hire.
2. **Approve** the applicant being advised that any future importations of mobility scooters and transfers of private mobility scooters from members of the community to Wilsons Hire requires Board approval.
3. **Note** a comprehensive review of all Board policies that will include the Vehicle Importation Transfer and Use Policy in relation to mobility scooters

Current position

On 26/11/2020 and 01/09/2023, Mr Campbell Wilson imported two (2) mobility scooters for hire purposes without approval from the Board.

Compliance letters were issued to Mr Wilson on 18/11/2022 and 23/10/2023 respectively, outlining the requirements for importing mobility scooters for hire under 3.11 of the Vehicle Importation Transfer and Use Policy. Birdon was also advised of this matter.

Mr Wilson contacted the administration office and advised that he thought that he had ongoing Board approval to import mobility scooters though had no documentation to support this. Mr Wilson advised he was not aware that he was required to gain Board approval to import the mobility scooters for hire purposes.

An internal review of records was undertaken in relation to this matter. Mr Wilson has been provided with copies of relevant records for his information.

On 22/11/2023, Mr Wilson lodged two (2) applications for retrospective approval for the mobility scooters imported on 26/11/2020 and 01/09/2023 (Attachment B). His applications detail demand, usage and justification.

Background

On 12th June 2015, Campbell Wilson, requested the addition of two (2) mobility scooters to the Wilson's Hire Service hire fleet. As mobility scooters were not covered in the Vehicle

Importation Transfer and Use Policy (the Policy) at that time, an amendment to the Policy was proposed in relation to importation of mobility scooters for hire.

The Board considered Mr Wilsons application at the September 2015 Board meeting and resolved to:

- 1) Adopt the changes to the Policy as shown in Track Changes on the draft Policy document, and
- 2) Approve the importation of one mobility scooter for hire by Wilson's Hire Service on a one-year trial basis, on the condition that it is used by people of physical disability or limited mobility who are provided with guidelines for safe use.

Mr Wilson was advised in writing of the Board's resolutions on 16 October 2015 and invited to submit an application to import one (1) mobility scooter for hire purposes on the prescribed form.

No application to import a mobility scooter was ever received from Mr Wilson.

- Section 3.11 of the policy lacks clarity on whether motorised wheelchairs and mobility scooters need specific approval conditions for hire, merely stating approval is needed.
- Section 8.5 of the policy does not detail if there is an annual fee associated with the hire service.
- Mobility scooters are not classified as vehicles by Transport for NSW.
- Mobility scooters are not listed in the hire vehicle quota in the policy.

Conclusion

Campbell Wilson has indicated that the demand for mobility scooters is very high and visitors schedule their holiday around the availability of these scooters. He has ongoing bookings for the two scooters for months in advance. As the main hire service on the island, Wilsons Hire is filling a specific need for visitors to the island with limited mobility.

It is recommended that the Board give retrospective approval for the two (2) mobility scooters currently in use by the Campbell Wilson through Wilsons Hire Service.

Board members should note that a comprehensive review of this Policy is required, with a view to simplifying the approach and improving clarity around requirements.

Attachments

Attachment	Title
A	Applications for retrospective approval for the importation of two (2) mobility scooters for hire – Wilsons Hire Service - Campbell Willson
B	Vehicle Importation Transfer and Use Policy
C	Lord Howe Island Regulation 2014 and Vehicle Importation Transfer and Use policy context

Approval and contact

Approver	Position
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Suzie Christensen	Chief Executive Officer
Preparer	Position
Paula Pollock	Senior Manager Environment & Community Services

LORD HOWE ISLAND BOARD

APPLICATION TO IMPORT A VEHICLE

Under Clauses 84 and 87 of the Lord Howe Island Regulation 2014

Approval to import and use a vehicle on the island will be subject to the provisions of the *Lord Howe Island Board Vehicle Importation, Transfer and Use Policy* (the Policy). Please read this policy prior to completing this form. No entitlement to import or use a vehicle is provided for under this policy. All applications to import and use a vehicle will need to demonstrate a genuine need for the importation and use of a vehicle, and for the vehicle selected. The Board reserves the right to reject any application for any vehicle where it believes that a vehicle is not in the public interest and/or the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island and/or where an applicant has failed to adequately justify the need for a proposed vehicle.

Please note that a non-refundable application fee (as listed in the Board's annual fees and charges) applies to the importation of a motor vehicle.

APPLICATION FEE

Total fees lodged: Receipt No.: Receiving Officer:

APPLICANT DETAILS

Name: Campbell Wilson, T/A Wilson's Hire Service

Email: cmmsm.wilson@bigpond.com Phone: 0459 546 794

Portion/Lot and Plan/DP number: Port 1A1 PWD 41R Perpetual Lease No: Lot 262 DP 48483

Type of Approved dwelling (house, flat, staff accommodation): House

Is this vehicle application for (please select one option):

☐ Private Use ☐ Commercial Use ☐ Essential Service ☒ Hire Use

On what basis are you eligible to apply for the importation and use of a vehicle under the policy? Please complete the Private, Commercial, Essential or Hire section below:

☐ **Private Use** Note: Refer section 7.1.1 and 8.1 of the policy.

Please indicate which of the following a,b,c,d or e private use descriptions apply to you:

a. ☐ Is a person who resides in an approved dwelling on Perpetual Lease as either:

i. ☐ the holder/owner OR

ii. ☐ sub-lessee of the lease OR

iii. ☐ as the owner-occupant of a multiple occupancy OR

iv. ☐ by way of a current tenancy agreement under the NSW Residential Tenancy Act 1987

AND ☐ Has resided on the island for a continuous period of 24 months at time of application. Proof of Tenancy will be required and should be supplied with application. OR

b. ☐ An employee of an Essential Service provider (for more information refer to the Policy) OR

c. ☐ Lord Howe Island Board employees other than a person described in a) (for more information refer to the Policy) OR

d. ☐ A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. Application demonstrates that there is no viable alternative to the importation and use of a vehicle as attached. OR

e. ☐ A person as per a) under Private Use Eligibility who:

i. has no existing approval for a commercial vehicle which is suitable for private use

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

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- ii. Does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.

☐ **Commercial**

Note: Refer section 7.1.2 and 8.2 the policy.

☐ A person who meets the private use eligibility (also complete private use section a – e above), who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

Name of approved business:

☐ **Essential**

Note: Refer section 7.1.3 and 8.4 the policy.

Name of essential service provider as per Schedule of Essential Services in the policy:

☒ **Hire**

Note: Refer section 7.1.4, 7.5 and 8.5 the policy.

Name of business licence and approved hire car permit holder: Wilson's Hire Service / Campbell Wilson

VEHICLE TO BE IMPORTED — Electric Mobility Scooter. Details unknown, but they weigh

Make: Model: approximately 120 kgs. They are

Engine Capacity: No. of Cylinders: rechargeable electric.

Body Type (e.g. Hatch, Station wagon, Utility):

Unladen Weight (in Tonnes or Kgs):

4WD or 2WD: Registration No.:

Fuel Type (e.g. Petrol, Diesel, Electric):

Dimensions of vehicle: See maximum vehicle size limits in section 3.7 and 3.8 of this policy.

Length (mm): Width (mm): Height (mm):

Is this vehicle a preferred vehicle as per section 4.1 of the Vehicle, Importation, Transfer and Use policy?

- a) ☐ A motor vehicle meeting the requirements as per 4.1 (a) of the policy?
 b) ☒ Electric Vehicle meeting the requirements as per 4.1 (b) of the policy?
 c) ☐ Motor Scooters meeting the requirements as per 4.1 (c) of the policy?

If the vehicle applied for meets the Board's preferred vehicle criteria, the Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles (see section 5.1 (a) and 6 (a) of the policy). To receive the incentives, please provide a copy of your vehicle's registration paper and wharfage invoice on importation of your vehicle and a short letter or email requesting reimbursement of the incentives.

Is this vehicle electric or hybrid?

☒ Yes

No

Is a Bull bars/Roo bars/Nudge bar fitted? Refer section 3.12 of the policy and demonstrate that the winch is essential to the vehicle's use.

Yes

☒ No

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

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Do you own or have use of other vehicles on the island?

☒ Yes

☐ No

NOTE: 'Vehicle' includes a road registered/registrable motorcycle or scooter.

If yes, please specify:

MAKE	MODEL	REGISTRATION	APPROVED USE e.g. Private, Commercial, Essential
Subaru	Forester		Private
Mazda	CX-3	ELC-13N	Commercial
Mitsubishi	ASX	EBG-32W	Commercial

Will the vehicle to be imported replace one of the above vehicles?

☐ Yes

☒ No

If yes, which vehicle is being replaced?

NOTE: Unless otherwise approved by the Board, the vehicle being replaced must be removed from the island within the timeframe specified by the Board.

Please provide a detailed justification of why you require a vehicle and the specific vehicle applied for:

The LH1 Board approved a trial for the hire of a mobility scooter several years ago. I then imported a scooter for this trial. Demand for this service was immediately quite high due to the minimal number of hire vehicles available - which I fully support. Unfortunately, reliability has been a major problem due to electric components frequently being exposed to the weather. So while we are currently only operating one fully serviceable scooter, we do have others that are non-operational. Two of these were imported by us and one was acquired from a local who had been using the scooter privately.

Demand for this service is still very high. We have actually been running bookings for two (2) scooters, and there are many periods in the next several months where we have bookings for two. On that basis, I would like to formally (and retrospectively) apply for the one (1) scooter we currently have in operation and

also apply for approval to import a second mobility scooter for hire.

NOTE: Please attach an additional sheet if space is inadequate.

Please state whether you considered alternatives to the vehicle selected, including an alternative form of transport:

Clearly a mobility scooter has less environmental and visual impact than a regular motor vehicle, so much so that private importation does not even require any application / approval process for the importation. But, given the demand, it is clear that something like this forms an integral part of the tourism infrastructure for the island. Many of those booking a scooter actually base their travel dates around the availability of a scooter.

NOTE: Please attach an additional sheet if space is inadequate.

APPLICANT'S DECLARATION

I, Campbell Wilson being the applicant, hereby declare that the information provided above is true and accurate and make application to import a vehicle in accordance with the above.

Signature:  Date: 22/11/23

LORD HOWE ISLAND BOARD

APPLICATION TO IMPORT A VEHICLE

Under Clauses 84 and 87 of the Lord Howe Island Regulation 2014

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Please note that a non-refundable application fee (as listed in the Board's annual fees and charges) applies to the importation of a motor vehicle.

APPLICATION FEE

Total fees lodged: Receipt No.: Receiving Officer:

APPLICANT DETAILS

Name: Campbell Wilson, T/A Wilson's Hire Service

Email: cmmsm.wilson@bigpond.com Phone: 0459 546 794

Portion/Lot and Plan/DP number: Port 1A1 PWD 41R Perpetual Lease No: Lot 262 DP 48483

Type of Approved dwelling (house, flat, staff accommodation): House

Is this vehicle application for (please select one option):

☐ Private Use ☐ Commercial Use ☐ Essential Service ☒ Hire Use

On what basis are you eligible to apply for the importation and use of a vehicle under the policy? Please complete the Private, Commercial, Essential or Hire section below:

☐ **Private Use** Note: Refer section 7.1.1 and 8.1 of the policy.

Please indicate which of the following a,b,c,d or e private use descriptions apply to you:

a. ☐ Is a person who resides in an approved dwelling on Perpetual Lease as either:

i. ☐ the holder/owner OR

ii. ☐ sub-lessee of the lease OR

iii. ☐ as the owner-occupant of a multiple occupancy OR

iv. ☐ by way of a current tenancy agreement under the NSW Residential Tenancy Act 1987

AND ☐ Has resided on the island for a continuous period of 24 months at time of application. Proof of Tenancy will be required and should be supplied with application. OR

b. ☐ An employee of an Essential Service provider (for more information refer to the Policy) OR

c. ☐ Lord Howe Island Board employees other than a person described in a) (for more information refer to the Policy) OR

d. ☐ A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. Application demonstrates that there is no viable alternative to the importation and use of a vehicle as attached. OR

e. ☐ A person as per a) under Private Use Eligibility who:

i. has no existing approval for a commercial vehicle which is suitable for private use

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

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- ii. Does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.

☐ **Commercial**

Note: Refer section 7.1.2 and 8.2 the policy.

☐ A person who meets the private use eligibility (also complete private use section a – e above), who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

Name of approved business:

☐ **Essential**

Note: Refer section 7.1.3 and 8.4 the policy.

Name of essential service provider as per Schedule of Essential Services in the policy:

☒ **Hire**

Note: Refer section 7.1.4, 7.5 and 8.5 the policy.

Name of business licence and approved hire car permit holder: Wilson's Hire Service / Campbell Wilson

VEHICLE TO BE IMPORTED — Electric Mobility Scooter. Details unknown, but they weigh

Make: Model: approximately 120 kgs. They are

Engine Capacity: No. of Cylinders: rechargeable electric.

Body Type (e.g. Hatch, Station wagon, Utility):

Unladen Weight (in Tonnes or Kgs):

4WD or 2WD: Registration No.:

Fuel Type (e.g. Petrol, Diesel, Electric):

Dimensions of vehicle: See maximum vehicle size limits in section 3.7 and 3.8 of this policy.

Length (mm): Width (mm): Height (mm):

Is this vehicle a preferred vehicle as per section 4.1 of the Vehicle, Importation, Transfer and Use policy?

- a) ☐ A motor vehicle meeting the requirements as per 4.1 (a) of the policy?
 b) ☒ Electric Vehicle meeting the requirements as per 4.1 (b) of the policy?
 c) ☐ Motor Scooters meeting the requirements as per 4.1 (c) of the policy?

If the vehicle applied for meets the Board's preferred vehicle criteria, the Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles (see section 5.1 (a) and 6 (a) of the policy). To receive the incentives, please provide a copy of your vehicle's registration paper and wharfage invoice on importation of your vehicle and a short letter or email requesting reimbursement of the incentives.

Is this vehicle electric or hybrid?

☒ Yes

No

Is a Bull bars/Roo bars/Nudge bar fitted? Refer section 3.12 of the policy and demonstrate that the winch is essential to the vehicle's use.

Yes

☒ No

Do you own or have use of other vehicles on the island?

☒ Yes

☐ No

NOTE: 'Vehicle' includes a road registered/registrable motorcycle or scooter.

If yes, please specify:

MAKE	MODEL	REGISTRATION	APPROVED USE e.g. Private, Commercial, Essential
Subaru	Forester		Private
Mazda	CX-3	ELC-13N	Commercial
Mitsubishi	ASX	EBG-32W	Commercial

Will the vehicle to be imported replace one of the above vehicles?

☐ Yes

☒ No

If yes, which vehicle is being replaced?

NOTE: Unless otherwise approved by the Board, the vehicle being replaced must be removed from the island within the timeframe specified by the Board.

Please provide a detailed justification of why you require a vehicle and the specific vehicle applied for:

The LH1 Board approved a trial for the hire of a mobility scooter several years ago. I then imported a scooter for this trial. Demand for this service was immediately quite high due to the minimal number of hire vehicles available - which I fully support. Unfortunately, reliability has been a major problem due to electric components frequently being exposed to the weather. So while we are currently only operating one fully serviceable scooter, we do have others that are non-operational. Two of these were imported by us and one was acquired from a local who had been using the scooter privately.

Demand for this service is still very high. We have actually been running bookings for two (2) scooters, and there are many periods in the next several months where we have bookings for two. On that basis, I would like to formally (and retrospectively) apply for the one (1) scooter we currently have in operation and

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

also apply for approval to import a second mobility scooter for hire.

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NOTE: Please attach an additional sheet if space is inadequate.

Please state whether you considered alternatives to the vehicle selected, including an alternative form of transport:

Clearly a mobility scooter has less environmental and visual impact than a regular motor vehicle, so much so that private importation does not even require any application / approval process for the importation. But, given the demand, it is clear that something like this forms an integral part of the tourism infrastructure for the island. Many of those booking a scooter actually base their travel dates around the availability of a scooter.

NOTE: Please attach an additional sheet if space is inadequate.

APPLICANT'S DECLARATION

I, Campbell Wilson being the applicant, hereby declare that the information provided above is true and accurate and make application to import a vehicle in accordance with the above.

Signature:  Date: 22/11/23

LORD HOWE ISLAND BOARD POLICY

TITLE	Vehicle Importation, Transfer and Use Policy		
DATE ADOPTED	December 2006	AGENDA ITEM	8 (ii) December 2006
CURRENT VERSION	March 2024	AGENDA ITEM	10.01 March 2024
REVIEW	Biannually	RECORD NUMBER	ED17/765
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Lord Howe Island Regulation 2014 (NSW)</i> <i>Local Government Act 1993</i>		
ASSOCIATED POLICIES	N/A		

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1 Policy Overview

The aim of this policy is to limit the overall number and impact of vehicle movements on the island's road system, with a particular focus on the types of vehicles driven on the island. The vision is for the Island's fleet to consist of a limited number of low impact vehicles, with electric vehicles being encouraged.

The Board has developed this policy to guide management of vehicles on the island, in accordance with the provisions of the Lord Howe Island Regulation 2014. The policy is to guide the Board's use of the powers provided for under the Regulation regarding motor vehicles so that vehicle and traffic management is aligned with the expectations and aspirations of the community, and with the island's environment and economy.

The Board will determine whether the importation of a vehicle is in the public interest and consider the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts on the island. Unless otherwise provided for under this policy, no entitlement to import or use a vehicle is provided for. All applications to import or transfer and use a vehicle will need to demonstrate a genuine need for the import or transfer, use of a vehicle, and for the vehicle selected.

In particular, the Board will manage vehicle importation to limit the number of vehicles on the island, and the frequency and intensity of their use, to ensure that the impacts of vehicles and traffic on the island are minimised.

The Board recognises that the frequency and intensity of vehicle use are major influences on road safety, aesthetics and ambience of the island and where possible should be kept to a minimum.

The Board will continue to review and develop the policy, and associated programs and initiatives. These reviews will occur biannually.

2 Legislative Framework

The Board's power to regulate motor vehicles on Lord Howe Island is established under Part 6 of the *Lord Howe Island Regulation 2014*, in particular clauses 84, 86 and 87. Essentially, the Board's approval is required for any importation of a vehicle to the island (c 84), hire of motor vehicles (c86) and for any use of that vehicle on the island, including how a vehicle is used (c 87).

84 Approval to import motor vehicles

- (1) *A person must not, except in accordance with the approval of the Board, bring a motor vehicle onto the Island.*

Maximum penalty: 50 penalty units.

- (2) *An application for approval to bring a motor vehicle onto the Island must relate to one vehicle only.*

86 Hire of motor vehicles

- (1) *A person must not, except in accordance with the approval of the Board, hire or offer for hire a motor vehicle to any other person for use on the Island.*

Maximum penalty: 50 penalty units.

- (2) *This clause applies whether or not the person from whom the motor vehicle is or is to be hired, or any employee or agent of that person, is to drive or ride the motor vehicle.*

87 Use of motor vehicles

- (1) *A person must not drive or ride a motor vehicle on the Island unless the Board has given its*

approval to the use of that vehicle on the Island.

(2) A person who has obtained the approval of the Board under this clause may drive or ride the motor vehicle concerned only in accordance with that approval.

2.1 Relevant Legislative Provisions Relating To Approvals:

Under Part 1, clause 4 (2) of the *Lord Howe Island Regulation 2014*, any approval given by the Board is subject to Chapter 7, Part 1, Division 3 of the Local Government Act 1993. This part of the Local Government Act (LG Act) specifies how approvals are to be applied for, made, amended and terminated. In particular, under Section 94 of the LG Act, the Board may apply conditions to any approval, and may apply a time limit on any approval. Under Section 103 of the LG Act, an approval, unless otherwise specified, lapses by default after five (5) years.

3 Definitions

3.1 Motor Vehicle (from here on referred to as a “vehicle”):

As defined under the *Lord Howe Island Regulation 2014* (c 83):

A motor vehicle means a vehicle (other than an aircraft or a vessel) propelled by volatile spirit, steam, gas, oil or electricity and includes:

- (a) An incomplete or partially constructed motor vehicle; or*
- (b) The chassis, body, frame or remains of a motor vehicle; or*
- (c) A trailer or caravan.*

Note: For the purpose of this policy, the above definition includes motor vehicles, motorbikes, mopeds (pedal assisted or non pedal assisted), motor scooters, mini bikes, quad bikes, trikes etc whether the motor is a permanent or temporary fixture and regardless of whether a motor vehicle licence or registration is required. A Power Assisted Pedal Cycle as defined by the NSW Roads and Maritime Services (RMS) is not considered a Motor Vehicle under this Policy.

3.2 Reside

As defined under the *Lord Howe Island Act 1953*.

3.3 Dwelling

As defined under the *Lord Howe Island Local Environment Plan 2010* and the Board’s policy definition of a Separate Domicile, but not including Staff Accommodation as defined under *Lord Howe Island LEP 2010*.

3.4 Tenant

A person who lawfully occupies an approved dwelling on the island under a tenancy arrangement in accordance with the *NSW Residential Tenancy Act*.

3.5 Essential Services

Essential services for the purpose of this policy are set out in the Schedule of Essential Services

3.6 Vehicle Hire

To hire, attempt to hire, expose for hire or solicit for hire any vehicle on the island, to any person, for

money or other consideration of any kind.

3.7 Vehicles for Private Use

For the purpose of this policy, any lawful use of a vehicle, including activities approved in a business licence issued under clause 49 of the *Lord Howe Island Regulation 2014*, but not including vehicle hire.

As a result of community concern over road safety, the Board has introduced maximum size of a vehicle for private use permissible on the island, which is based on the 2023 model of a 2 wheel drive Toyota Hilux utility:

- a) Length 5330 mm (not including tow ball);
- b) Width 1855 mm (not including side mirrors); and
- c) Height 1900 mm (not including roof racks or roll bars or headboard on the tray).

Note: this maximum size requirement does not apply to vehicles previously approved, nor boat trailers designed specifically to accommodate the length and width of the associated boat.

3.8 Vehicles for Commercial Use

For the purpose of this policy, any vehicle which has been specifically applied for and approved under the policy provisions relating to Commercial Vehicles.

As a result of community concern over the number of outsized vehicles, the Board has introduced a maximum size of a standard vehicle for commercial use permissible on the island, which is based on the 2023 model of a 2 wheel drive Toyota Hilux utility and the maximum size of a commercial commuter bus, which is based on the 2023 Toyota Hiace 12-seater bus:

3.8.1 Vehicles for Commercial Use - Standard

- a) Length 5330mm (not including tow ball);
- b) Width 1855mm (not including side mirrors); and
- c) Height 1900 mm (not including roof racks, roll bars or headboard on the tray).

Note: this maximum size requirement does not apply to vehicles previously approved, nor boat trailers designed specifically to accommodate the length and width of the associated boat.

3.8.2 Vehicles for Commercial Use – Commuter Bus Only

- a) a) Length 5915mm (not including tow ball);
- b) b) Width 1950mm (not including side mirrors); and
- c) c) Height 2280mm (not including roof racks, roll bars or headboard on the tray).

Where a vehicle with different dimensions to the standard is required for specialised work, the case must be made as to why a non-standard vehicle should be approved.

3.9 Commercial Use

To sell or hire, attempt to sell or hire, expose for sale, hire or profit or solicit for sale, hire or profit any article, thing or service to any person, or conduct, or assist in the conduct of, any amusement, entertainment, instruction, performance or activity for money or other consideration of any kind.

3.10 Power Assisted Pedal Cycle

A Power-Assisted Pedal Cycle under this policy is defined by the NSW RMS.

A Power-Assisted Pedal Cycle is designed to be propelled solely by human power and has one or more auxiliary (electric) propulsion motors attached to assist the rider. This means that it must be possible to propel the bicycle only by the rider pedalling it. The primary driving force should be the rider, and the motor is only intended to help the rider, such as when going uphill or cycling into a headwind, or to cycle at a speed they cannot maintain solely by pedalling.

Power Assisted Pedal Cycles are to meet NSW RMS vehicle standards and it is noted that they not be permitted to propel the bicycle when the rider is not pedalling (an optional low-speed start-up mode that allows the motor to power the cycle up to 6 km/h).

3.11 Motorised wheelchairs and mobility scooters

A motorised wheelchair under this policy is defined by Transport for NSW.

Motorised wheelchairs are mobility aids with two or more wheels and have a top speed of 10km/h on level ground. Mobility scooters or 'gophers' are classified as motorised wheelchairs. A motorised wheelchair does not include a wheeled recreational device such as a motor scooter, pram, stroller, trolley or any other motor-assisted machine.

Motorised wheelchairs are only permitted for private use without approval. They are not allowed to be used for Hire purposes unless approval has been granted by the LHI Board.

3.12 Bull bars/Roo bars/Nudge bars

Bull bars/roo bars etc are not permitted to be imported on a vehicle or added to a vehicle on LHI unless approval is given by the CEO of the Board. The CEO may only grant approval for a request for a bull bar/roo bar if it includes a winch and if it can be satisfactorily demonstrated that the winch is essential to the vehicle's use.

Where it can be demonstrated that vehicles come standard with a 'nudge bar' the CEO of the Board will take this into consideration when assessing a request to import a vehicle.

Second-hand vehicles with a bull bar already attached will be required to have the bull bar/roo bar removed prior to importation to island.

Note: this item does not apply to vehicles which have bull bars/roo bars and have previously been approved for importation to the Island .

It is noted that all vehicles must comply with Australian Design Rules to ensure they are safe. Therefore when a bullbar is removed from a vehicle it must be restored to a compliant condition including replacing any body or bumper panels to ensure pedestrian and occupant safety.

4 Vehicle Types

Any vehicle which is approved by the Board for importation and use on the islands roads, other than plant and equipment, or motor assisted pedal bicycles, unless required by law, must be registrable and registered in the State of NSW in the name of the applicant.

4.1 Preferred Vehicles

The Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles which are either:

- a) A motor vehicle meeting the following requirements:
 - i. Have a Vehicle Kerb weight\mass of less than 1154kg; and
 - ii. Generate noise less than 82 dba (data on noise emissions provided in green vehicle guide www.greenvehicleguide.gov.au); and
 - iii. Have vehicle size “footprint”
 - Length 4000 mm (max)
 - Width 1700 mm (max)
 - Height 1720 mm (max)
- b) Electric Vehicles:
 - i. Electric vehicles include any vehicle that has battery storage and has an electricity plug-in recharge capacity. These vehicles (or the batteries for these vehicles) must have the ability to be plugged into an electricity power point connected to the LHI Grid.
 - ii. Hybrid electric vehicles that do not have a plug in recharge capacity are not deemed electric vehicles for the purpose of this policy.
 - iii. Electric vehicles for private use must not exceed the maximum vehicle footprint as defined under Section 3.
- c) Motor Scooters:
 - i. 4 stroke motor scooters with a maximum capacity of 250cc.

4.2 Other Vehicles

Any other vehicle may be imported subject to this policy. The Board will retain absolute discretion in determining an application and will consider whether the importation of a vehicle is in the public interest and the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts on the island.

4.3 Boat Trailers

Approval to import and use boat trailers will be at the discretion of the Board subject to application on the prescribed form. Boat trailers must only be used to transport and store boats belonging to residents.

4.4 Box Trailers

Approval to import and use box trailers will be at the discretion of the Board subject to application on the prescribed form.

4.5 Caravans

The importation of caravans is prohibited under this policy.

4.6 Specialist / Other Trailers

Approval to import and use will be at the discretion of the Board and subject to application on the prescribed form.

4.7 Plant and Equipment

Plant and Equipment – being any conditionally registered or non-registrable vehicles such as tractors, forklifts, excavators, backhoes etc. Approval to import and use will be at the discretion of the Board and subject to written application in accordance with this Policy.

This provisions of this Policy do not relate to:

- a) Ride-on Lawn Mowers, Dingo Diggers and similar plant. Importation and use of such plant by an eligible person will be deemed to be approved by the Board.

5 Fees

5.1 Importation or Transfer

- a) Vehicles meeting the Board's Preferred Vehicle criteria will be exempt from the importation application fee.
- b) A non-refundable application fee (as listed in the LHIB Fees and Charges) per vehicle will apply to all applications for the importation or transfer of vehicles which do not meet the Board's Preferred Vehicle criteria.
- c) A non-refundable application fee (as listed in the LHIB Fees and Charges) per vehicle will apply to all applications to renew a commercial vehicle or hire vehicle approval.
- d) Box trailers will be exempt from the above fee.
- e) Boat trailers will be exempt from the above fee.

6 Incentives

- a) Vehicles meeting the Board's Preferred Vehicle criteria will be exempt from the Board's wharfage fee for the vehicle.
- b) Box trailers will be exempt from the wharfage fee for the vehicle (limit of one exemption per lease).

7 Eligibility to Import and Use

Unless otherwise provided for under this policy, no entitlement to import or use a vehicle is provided for. All applications to import or transfer and use a vehicle, including boat trailers and box trailers, will need to demonstrate a genuine need for the import or transfer, use of a vehicle, and for the vehicle selected.

The Board reserves the right to reject any application for any vehicle where it believes that a vehicle is not in the public interest and/or the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island and/or where an applicant has failed to adequately justify the need for a proposed vehicle.

An application to import or transfer and use a vehicle must be made on the prescribed form and include any additional information as the Board may require or the applicant wishes to provide.

7.1 Eligibility

The following persons will be eligible to apply to import or transfer a vehicle:

7.1.1 Vehicles for Private Use

- 1) A person who resides in an approved dwelling on a Perpetual Lease, either as: the holder,

owner, or sub-lessee of the lease or; as the owner-occupant of a multiple occupancy or ; by way of a current tenancy agreement under the *NSW Residential Tenancy Act 1987* and

- a) has resided on the island for a continuous period of 24 months at time of application. (Proof of Tenancy will be required and should be supplied with application); and
 - b) has no existing approval for a commercial vehicle which is suitable for private use; and
 - c) does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.
- 2) An employee of an Essential Service provider (other than the Board) who does not have access to the private use of a vehicle provided by the Essential Service may apply to import or transfer a preferred vehicle if they can demonstrate to the Board a genuine need for the vehicle. This will only apply where the employee will occupy the position for a period greater than 12 months and is subject to any specification set out in the schedule of Essential Service entitlements. Any approval will be in accordance with this policy. Approval under this clause will be terminated at the cessation of employment with the Essential Service provider.
- 3) Lord Howe Island Board employees other than a person described in a), may after 12 months service staff apply to import a preferred vehicle in accordance with the Board's vehicle importation and use policy. Applications must demonstrate need for vehicle in accordance with this policy. Any approval will be in accordance with this policy. Approval to import vehicle will result in termination of private use rights of LHI Board vehicle. Approval under this clause will be terminated at the cessation of employment with the Board.
- 4) A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. In such cases, the Board may exercise discretion, provided that the applicant has demonstrated that no viable alternative to the importation and use of a vehicle exists.

7.1.2 Vehicles for Commercial Use

A person as per **1)** under **Private Use Eligibility** who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

Note: In general, the Board will only consider approval for a commercial vehicle for businesses which need to transport clients and guests and/or goods and equipment and then only when the business need cannot be serviced from an existing allocation within the island's fleet.

7.1.3 Vehicles for Essential Services

Any authorised officer of an approved Essential Service, as set out in the Schedule of Essential Services in this Policy.

7.1.4 Vehicles for Hire

- a) Any person eligible under this policy who is also eligible to hold a business licence under clause 49 of the *Lord Howe Island Regulation 2014*.
- b) The Board may from time to time hire out vehicles from its existing fleet where the proposed hire arrangement does not replicate or compete with an arrangement which could be provided by an approved hire vehicle operator as per **a)**.

7.2 Use

Any person who is lawfully entitled to do so, may use a vehicle on the island, and such persons will be deemed to have the approval of the Board to do so, subject to that use complying with this policy, and any conditions applying to any approval given under this policy.

All vehicles will be used on the island in accordance with all relevant State and Commonwealth legislation, policies and procedures.

7.3 Private and Commercial Use

Unless otherwise provided for in this policy, vehicles approved for private and/or commercial use may be used for any lawful purpose, including commercial use, except hire of the vehicle, provided that any commercial use is associated with an approved business on the island.

Where a person has approval for a private use vehicle and a commercial use vehicle, the commercial use vehicle cannot be used for private use.

7.4 Essential Services

Vehicles approved for essential services are to be used exclusively by the essential service provider and its employees or agents for its official business. Board approval is required for Private Use of Essential Service vehicles. Private use will be limited to transferred officers of the Essential Service where the Essential Service provider has a documented policy applying to its employees or agents which allows for other uses.

Use restrictions will be set out as conditions of approval.

7.5 Hire Vehicle Use

Hire vehicles may be used for any lawful purpose, including commercial activity provided that the commercial activity is associated with an approved business on the island. Any hiring of a vehicle on the island will be subject to a lawful and documented hire agreement between the approved person (the hirer) and a person who has entered into such an agreement with the hirer (the hiree).

8 Allocations

The Board may approve up to the following allocations to eligible persons (refer to Eligibility provision), subject to demonstrated need.

8.1 Private Use

One (1) vehicle per approved dwelling.

8.2 Commercial Use

One (1) vehicle per approved business licence. Where a person holds multiple business licences, additional vehicles will only be considered where there is a demonstrated need. Access to private use vehicles will be considered when assessing need.

8.3 Essential Services Allocation

Essential Services will be eligible to import vehicles as follows:

8.4 Schedule of Essential Services

ESSENTIAL SERVICE	VEHICLE ALLOCATION
Lord Howe Island Board	A fleet comprising of all vehicle types, being the minimum number of vehicles required to ensure the safe, effective and efficient

	delivery of the Board's charter, to a maximum of 13 road going vehicles.
NSW Police	1 Vehicle
NSW MPA	1 Vehicle
Bureau of Meteorology	1 Vehicle
NSW Education	1 Vehicle
NSW Health	1 Vehicle – Ambulance
Doctor (GP)	1 Vehicle
NSW RFS	1 Vehicle – Fire Engine
NSW SES	1 Vehicle – Emergency Response Vehicle
NSW SES	1 Trailer
NSW Marine Rescue	1 boat trailer (with RIB)
Transport for NSW Maritime (for use by LHI Port Operations and NSW Police)	1 fuel trailer
Transport for NSW Maritime	1 boat trailer

8.5 Additional Vehicle Allocation for Hire Car Use

The *Lord Howe Island Regulation 2014* requires a separate approval for the use of a motor vehicle as a hire vehicle.

Clause 86 of that Regulation states that:

(1) A person must not, except in accordance with the approval of the Board, hire or offer for hire a motor vehicle to any other person for use on the Island.

(2) This clause applies whether or not the person from whom the motor vehicle is or is to be hired, or any employee or agent of that person, is to drive or ride the motor vehicle.

In addition to any other allocation:

- a) The Board may approve up to (8) additional vehicles on the island for use as hire vehicles. The Board reserves the right to revise this quota at any time subject to a demonstrated business need.
- b) The Board will review on an annual basis the fee charged for approval to use a car as a hire vehicle.
- c) Hire Car approvals are not transferable without the written approval of the Board.
- d) In addition to any fee applied for approval to hire a car on the island, the Board reserves the right to apply a transfer fee to any transfer of a hire car approval.
- e) Up to 4 vehicles may be allocated per applicant, to an island total of 8 hire cars.
- f) Vehicles are to be Preferred Vehicles unless otherwise agreed to by the Board.

9 Review of Applications

In determining any application to import or transfer a vehicle, where the application is proposed to be refused, or where the CEO believes that the application will prove controversial, the CEO will consult with, and document the majority view of the elected members regarding the application.

Where the CEO intends determining the application contrary to the majority view of the elected members, the CEO will document the reasons for doing so and provide a written briefing to the Chairperson, who will determine the matter in consultation with the Board.

10 Approval Periods – Importation and Use

10.1 Private Use Approval Period

Approval to import a vehicle for Private Use will be six (6) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.

10.2 Commercial Approval Period

- a) Approval to import a vehicle for Commercial Use will be three (3) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.
- b) Approval to use a commercial vehicle on the island will cease when the business ceases, as evidenced by termination of a business licence.
- c) A commercial vehicle cannot be used for private use where a person also has approval for a private vehicle (other than when the private use vehicle is a motor bike, motor scooter etc).

10.3 Hire Vehicle Approval Period

- a) Approval to import a vehicle under Hire Vehicle allocation will be six (6) months. If the vehicle is not imported within that time, the approval to import will lapse and a new application must be made.
- b) Approval to use a Hire Vehicle on the island will, unless otherwise varied at the discretion of the Board, be for five (5) years, subject to annual review. At the end of the approval period, the owner of the vehicle must reapply to retain and use the vehicle on the island, based on a demonstrated business need. Note renewal fees apply.

11 Approval Conditions

The Board may apply such conditions as it deems necessary to any approval to import and/or use a vehicle on the island. In particular, the Board will apply conditions to safeguard the public interest and to minimise the impacts of vehicle use on the natural, built, social and economic environment of the island.

For any vehicle (including a trailer, plant and equipment) to be imported, the importer must provide a statutory declaration stating that the vehicle has been inspected and cleaned with a high pressure hose to ensure that no weeds, seeds, insects, spiders, etc. are transported to the island. Such a declaration is required to be submitted to the Board prior to the vehicle leaving the mainland.

Approvals to import a vehicle for private use will be specific for the applicant and a dwelling. The approval will include details of the dwelling where the vehicles are allocated.

Where the circumstances of the owner of an approved private vehicle change resulting in a new place of residence (approved dwelling) on Lord Howe Island, the vehicle approval is terminated. The owner of the vehicle must reapply under the conditions of this policy. The vehicle owners' circumstances will be considered when assessing this new application and special consideration may be given.

Where the owner of a private use vehicle leaves the island the vehicle must be garaged at the approved dwelling and the approval to use the vehicle is suspended until the owner returns to the island. In circumstances where the vehicle is used by a family member who normally resides with the vehicle owner and does not have access to another private use vehicle, the family member may continue to use the vehicle during the period of owner absence.

In the case of deceased estates, where a private use vehicle is attached to the dwelling of the deceased, the vehicle must remain garaged at the approved dwelling and its use suspended until the administration of the estate has been completed. Where the executor or a caretaker living on the estate does not have access to another private use vehicle, these persons may use the vehicle during the period of administration.

In determining any development consent in its role as a Consent Authority under the *NSW Planning and Assessment Act 1979*, or application for a Business Licence under clause 49 of the *Lord Howe Island Regulation 2014*, the Board will consider: whether the development and/or activity will require the importation and use of vehicles additional to those provided for under the **Private Use Allocation** and the potential impact of the importation and use of the vehicle/s including whether it is in the public interest and whether the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island.

11.1 Breach of Approval

Failure to comply with the conditions of approval will be deemed a breach of the Board's approval and may result in that approval being withdrawn and the vehicle being removed from the island.

Where the Board believes a Breach of the approval has occurred, the Board's Administration will write to the vehicle owner advising them of the alleged breach and asking them to respond to the allegation and justify as to why their approval should not be revoked. Vehicle owners will have 14 calendar days to respond. Failure to respond within the prescribed timeframe will result in immediate revocation of approval.

Following termination of approval the Board's Administration will write to the vehicle owner of this revocation of approval instructing the vehicle owner to not use the vehicle and remove the vehicle from the island within 60 days.

Vehicle Owners may reapply to the Board for approval. Until approval has been granted the vehicle is not to be used.

12 Vehicle Replacement

Unless a case for exceptional circumstances can be established to the satisfaction of the Board, replacement of vehicles will be on a 'one on – one off' basis,

Where the applicant has another vehicle (commercial or private use) that is suitable for use, the applicant must demonstrate the need to replace the vehicle.

13 Vehicle Transfers

Vehicle approvals will not be transferable without the written approval of the Board. Prior to granting an approval, the Board needs to be satisfied that there is a demonstrated need for the transfer. Failure to demonstrate that need will result in approval not being granted.

Applications to transfer will be made on the prescribed form and will be determined in accordance with this policy.

In addition to any fee applied for lodging an application seeking approval of a vehicle on the island, the Board reserves the right to apply a transfer application fee to any request to transfer any vehicle.

In the case of a private vehicle, the transfer fee will be the equivalent of the appropriate importation fee.

14 Delegations

The Chief Executive Officer of the Board is delegated to determine any application made under this policy, provided that the application complies with this policy.

The Chief Executive Officer of the Board is delegated to suspend or withdraw any approval given under this policy where it can be established to the satisfaction of that officer that a significant breach of the conditions of approval has occurred.

In determining any application to import or transfer a vehicle, where the application is proposed to be refused, or where the CEO believes that the application will prove controversial, the CEO will consult with, and document the majority view of the elected members regarding the application.

Where the CEO intends determining the application contrary to the majority view of the elected members, the CEO will document the reasons for doing so and provide a written briefing to the Chairperson, who will determine the matter in consultation with the Board.

15 Reporting and Monitoring

The Lord Howe Island Board will maintain a Vehicle Approvals Register, which will include:

- a) The names, addresses and number and type of vehicles of persons approved to import and use a vehicle;
- b) Category of Approval (Private, Commercial, Hire etc);
- c) Conditions of Approval;
- d) Approval Period;
- e) Types of Vehicles Held; and
- f) Registration Details of all Vehicles Held.

The Chief Executive Officer of the Board will provide to the Board at each meeting, a report on:

- a) Vehicle applications approved or rejected since the last meeting and a statement detailing the reasons for approval or rejection addressing the matters required to be considered in the Policy and any alternatives to the importation and use of the vehicle;
- b) Cumulative total of vehicles on the island at the time of the report, including a breakdown of vehicle types and use (ie essential, commercial, private, hire etc).

16 Attachment: Application to Import a Vehicle

LORD HOWE ISLAND BOARD

APPLICATION TO IMPORT A VEHICLE

Under Clauses 84 and 87 of the *Lord Howe Island Regulation 2014*

Approval to import and use a vehicle on the island will be subject to the provisions of the *Lord Howe Island Board Vehicle Importation, Transfer and Use Policy* (the Policy). Please read this policy prior to completing this form. No entitlement to import or use a vehicle is provided for under this policy. All applications to import and use a vehicle will need to demonstrate a genuine need for the importation and use of a vehicle, and for the vehicle selected. The Board reserves the right to reject any application for any vehicle where it believes that a vehicle is not in the public interest and/or the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island and/or where an applicant has failed to adequately justify the need for a proposed vehicle.

Please note that a non-refundable application fee (as listed in the Board's annual fees and charges) applies to the importation of a motor vehicle.

APPLICATION FEE

Total fees lodged: Receipt No.: Receiving Officer:

APPLICANT DETAILS

Name:

Email: Phone:

Portion/Lot and Plan/DP number: Perpetual Lease No:

Type of Approved dwelling (house, flat, staff accommodation):

Is this vehicle application for (please select one option):

☐ Private Use ☐ Commercial Use ☐ Essential Service ☐ Hire Use

On what basis are you eligible to apply for the importation and use of a vehicle under the policy? Please complete the Private, Commercial, Essential or Hire section below:

☐ Private Use

Note: Refer section 7.1.1 and 8.1 of the policy.

Please indicate which of the following a,b,c,d or e private use descriptions apply to you:

- a. ☐ Is a person who resides in an approved dwelling on Perpetual Lease as either:
 - i. ☐ the holder/owner OR
 - ii. ☐ sub-lessee of the lease OR
 - iii. ☐ as the owner-occupant of a multiple occupancy OR
 - iv. ☐ by way of a current tenancy agreement under the NSW Residential Tenancy Act 1987
- AND ☐ Has resided on the island for a continuous period of 24 months at time of application. Proof of Tenancy will be required and should be supplied with application. OR
- b. ☐ An employee of an Essential Service provider (for more information refer to the Policy) OR
- c. ☐ Lord Howe Island Board employees other than a person described in a) (for more information refer to the Policy) OR
- d. ☐ A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. Application demonstrates that there is no viable alternative to the importation and use of a vehicle as attached. OR
- e. ☐ A person as per a) under Private Use Eligibility who:
 - i. has no existing approval for a commercial vehicle which is suitable for private use

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

- ii. Does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.

☐ **Commercial**

Note: Refer section 7.1.2 and 8.2 the policy.

☐ A person who meets the private use eligibility (also complete private use section a – e above), who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

Name of approved business:

☐ **Essential**

Note: Refer section 7.1.3 and 8.4 the policy.

Name of essential service provider as per Schedule of Essential Services in the policy:

☐ **Hire**

Note: Refer section 7.1.4, 7.5 and 8.5 the policy.

Name of business licence and approved hire car permit holder:

VEHICLE TO BE IMPORTED

Make: Model:

Engine Capacity: No. of Cylinders:

Body Type (e.g. Hatch, Station wagon, Utility):

Unladen Weight (in Tonnes or Kgs):

4WD or 2WD: Registration No.:

Fuel Type (e.g. Petrol, Diesel, Electric):

Dimensions of vehicle: See maximum vehicle size limits in section 3.7 and 3.8 of this policy.

Length (mm): Width (mm): Height (mm):

Is this vehicle a preferred vehicle as per section 4.1 of the Vehicle, Importation, Transfer and Use policy?

- a) ☐ A motor vehicle meeting the requirements as per 4.1 (a) of the policy?
 b) ☐ Electric Vehicle meeting the requirements as per 4.1 (b) of the policy?
 c) ☐ Motor Scooters meeting the requirements as per 4.1 (c) of the policy?

If the vehicle applied for meets the Board's preferred vehicle criteria, the Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles (see section 5.1 (a) and 6 (a) of the policy). To receive the incentives, please provide a copy of your vehicle's registration paper and wharfage invoice on importation of your vehicle and a short letter or email requesting reimbursement of the incentives.

Is this vehicle electric or hybrid?

Yes No

Is a Bull bars/Roo bars/Nudge bar fitted? Refer section 3.12 of the policy and demonstrate that the winch is essential to the vehicle's use.

Yes No

.....

Do you own or have use of other vehicles on the island?

Yes

No

NOTE: 'Vehicle' includes a road registered/registrable motorcycle or scooter.

If yes, please specify:

MAKE	MODEL	REGISTRATION	APPROVED USE e.g. Private, Commercial, Essential

Will the vehicle to be imported replace one of the above vehicles?

Yes

No

If yes, which vehicle is being replaced?

NOTE: Unless otherwise approved by the Board, the vehicle being replaced must be removed from the island within the timeframe specified by the Board.

Please provide a detailed justification of why you require a vehicle and the specific vehicle applied for:

[illegible]

NOTE: Please attach an additional sheet if space is inadequate.

Please state whether you considered alternatives to the vehicle selected, including an alternative form of transport:

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NOTE: Please attach an additional sheet if space is inadequate.

APPLICANT’S DECLARATION

I being the applicant, hereby declare that the information provided above is true and accurate and make application to import a vehicle in accordance with the above.

Signature: Date:

17 Attachment: Application to Transfer a Vehicle

LORD HOWE ISLAND BOARD

APPLICATION TO TRANSFER A VEHICLE

Under Clauses 84 and 87 of the *Lord Howe Island Regulation 2014*

Approval to transfer and use a vehicle on the island will be subject to the provisions of the *Lord Howe Island Board Vehicle Importation, Transfer and Use Policy* (the Policy). Please read this policy prior to completing this form. No entitlement to transfer or use a vehicle is provided for under this policy. All applications to transfer and use a vehicle will need to demonstrate a genuine need for the transfer and use of a vehicle, and for the vehicle selected. The Board reserves the right to reject any application for any vehicle where it believes that a vehicle is not in the public interest and/or the likely impacts of the vehicle, including environmental impacts on both the natural and built environments, and social and economic impacts will be unacceptable for the island and/or where an applicant has failed to adequately justify the need for a proposed vehicle.

Please note that a non-refundable application fee (as listed in the Board's annual fees and charges) applies to the transfer of a motor vehicle.

NOTE: In the case of a commercial vehicle, including a private vehicle which is transferred as a commercial vehicle, the Board will require the transferor and the proposed transferee to provide a Statutory Declaration stating that the proposed price to be paid between those parties regarding the transfer of the vehicle is no greater than current market value of the vehicle, plus freight and wharfage costs. The Board will levy a non-refundable application fee of no greater than 10% of that amount.

APPLICATION FEE

Total fees lodged: Receipt No.: Receiving Officer:

TRANSFEROR DETAILS (Person selling vehicle)

Name:

Email: Phone:

Portion/Lot and Plan/DP Number: Perpetual Lease No:

TRANSFEEEE DETAILS (Person buying vehicle)

Name:

Email: Phone:

Portion/Lot and Plan/DP Number: Perpetual Lease No:

Type of Approved Dwelling (house, flat, staff accommodation):

Is this vehicle application for (please select one option):

☐ Private Use ☐ Commercial Use ☐ Essential Service ☐ Hire Use

On what basis are you eligible to apply for the importation and use of a vehicle under the policy? Please complete the Private, Commercial, Essential or Hire section below:

☐ Private Use

Note: Refer section 7.1.1 and 8.1 of the policy.

Please indicate which of the following a,b,c,d or e private use descriptions apply to you:

- a. ☐ Is a person who resides in an approved dwelling on Perpetual Lease as either:

Lord Howe Island Board

Vehicle Importation, Transfer and Use Policy

- i. ☐ the holder/owner OR
- ii. ☐ sub-lessee of the lease OR
- iii. ☐ as the owner-occupant of a multiple occupancy OR
- iv. ☐ by way of a current tenancy agreement under the NSW Residential Tenancy Act 1987

AND ☐ Has resided on the island for a continuous period of 24 months at time of application. Proof of Tenancy will be required and should be supplied with application. OR

- b. ☐ An employee of an Essential Service provider (for more information refer to the Policy) OR
- c. ☐ Lord Howe Island Board employees other than a person described in a) (for more information refer to the Policy) OR
- d. ☐ A person who can demonstrate exceptional circumstance which cannot be addressed by this policy. Application demonstrates that there is no viable alternative to the importation and use of a vehicle as attached. OR
- e. ☐ A person as per a) under Private Use Eligibility who:
 - i. has no existing approval for a commercial vehicle which is suitable for private use
 - ii. Does not reside with another person who has approval for a Commercial vehicle which is suitable for private use.

☐ **Commercial** Note: Refer section 7.1.2 and 8.2 the policy.

☐ A person who meets the private use eligibility (also complete private use section a – e above), who operates an approved business on the island and can demonstrate to the satisfaction of the Board that the business requires the use of a vehicle and that the business need cannot be met from the existing island fleet.

Name of approved business:

☐ **Essential** Note: Refer section 7.1.3 and 8.4 the policy.

Name of essential service provider as per Schedule of Essential Services in the policy:

☐ **Hire** Note: Refer section 7.1.4, 7.5 and 8.5 the policy.

Name of business licence and approved hire car permit holder:

VEHICLE TO BE IMPORTED

Make: Model:

Engine Capacity: No. of Cylinders:

Body Type (e.g. Hatch, Station wagon, Utility):

Unladen Weight (in Tonnes or Kgs):

4WD or 2WD: Registration No.:

Fuel Type (e.g. Petrol, Diesel, Electric):

Dimensions of vehicle: See maximum vehicle size limits in section 3.7 and 3.8 of this policy.

Length (mm): Width (mm): Height (mm):

Is this vehicle a preferred vehicle as per section 4.1 of the Vehicle, Importation, Transfer and Use policy?

- a) ☐ A motor vehicle meeting the requirements as per 4.1 (a) of the policy?
- b) ☐ Electric Vehicle meeting the requirements as per 4.1 (b) of the policy?
- c) ☐ Motor Scooters meeting the requirements as per 4.1 (c) of the policy?

If the vehicle applied for meets the Board's preferred vehicle criteria, the Board will give preference, by way of incentives, to the importation and use of small and low impact vehicles (see section 5.1 (a) and 6 (a) of the policy). To receive the Lord Howe Island Board Vehicle Importation, Transfer and Use Policy

incentives, please provide a copy of your vehicle's registration paper and wharfage invoice on importation of your vehicle and a short letter or email requesting reimbursement of the incentives.

Is this vehicle electric or hybrid?

Yes

No

Is a Bull bars/Roo bars/Nudge bar fitted? Refer section 3.12 of the policy and demonstrate the essential use below.

Yes

No

Do you own or have use of other vehicles on the island?

Yes

No

NOTE: 'Vehicle' includes a road registered/registrable motorcycle or scooter.

If yes, please specify:

MAKE	MODEL	REGISTRATION	APPROVED USE e.g. Private, Commercial, Essential

Will the vehicle to be imported replace one of the above vehicles?

Yes

No

If yes, which vehicle is being replaced?

NOTE: Unless otherwise approved by the Board, the vehicle being replaced must be removed from the island within the timeframe specified by the Board.

Please provide a detailed justification of why you require a vehicle and the specific vehicle applied for:

[illegible]

.....

NOTE: Please attach an additional sheet if space is inadequate.

Please state whether you considered alternatives to the vehicle selected, including an alternative form of transport:

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NOTE: Please attach an additional sheet if space is inadequate.

TRANSFEROR'S DECLARATION

I being the transferor, hereby declare that the information provided above is true and accurate and make application to transfer a vehicle in accordance with the above.

Signature: Date:

TRANSFeree'S DECLARATION

I being the transferee, hereby declare that the information provided above is true and accurate and make application to transfer a vehicle in accordance with the above.

Signature: Date:

Extract: Lord Howe Island Regulation 2014 and Vehicle Importation Transfer and Use policy context

Mobility scooters are not classed as vehicles as defined by Transport for NSW and therefore are not governed by the hire vehicle quota within the policy.

3.11 Motorised wheelchairs and mobility scooters

A motorised wheelchair under this policy is defined by Transport for NSW.

Motorised wheelchairs are mobility aids with two or more wheels and have a top speed of 10km/h on level ground. Mobility scooters or 'gophers' are classified as motorised wheelchairs.

A motorised wheelchair does not include a wheeled recreational device such as a motor scooter, pram, stroller, trolley or any other motor-assisted machine.

Motorised wheelchairs are only permitted for private use without approval. They are not allowed to be used for Hire purposes unless approval has been granted by the LHI Board.

Motorised wheelchairs and mobility scooters

Mobility scooters, or 'gophers', are classified as motorised wheelchairs. Mobility scooters are mobility aids with two or more wheels and have a top speed of 10km/h on level ground. They're specially built to transport a single person who can't walk or has trouble walking. A mobility scooter doesn't include a wheeled recreational device such as a motor scooter, pram, stroller, trolley or any other motor-assisted machine.

When using your mobility scooter, you're considered a pedestrian. You must follow the same road rules that apply to pedestrians.

This means that as long as you meet the safety rules below, you can use your mobility scooter on a shared path, footpath and nature strip.

A bicycle path is an area that looks like a footpath, but is designated for bicycle use. A bicycle lane is an area that's part of a road, but is designated for bikes.

We recommend mobility scooter users don't travel on either a bicycle path or a bicycle lane. However, you can cross a bicycle path/lane, use a bicycle path if there are no signs that prohibit it and use a bicycle lane for up to 50 metres.

You don't need to register or get third-party insurance for a mobility scooter in NSW. People with mobility scooters don't need a licence to use one in NSW.

Board Meeting: May 2024	Agenda Number: 10.02	Record Number: ED24/3310
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LORD HOWE ISLAND BOARD
BUSINESS PAPER
OPEN SESSION

Item

Draft Lord Howe Island Community Strategic Plan (CSP) to be placed on Public Exhibition.

Recommendations

1. **Note** the next steps in CSP development, including targeted engagement with proposed delivery partners prior to public exhibition.
2. **Approve** that the Draft Lord Howe Island Community Strategic Plan 2024-2034 (Attachment A) be placed on public exhibition for 6 weeks.

Current position

A Draft Lord Howe Island Community Strategic Plan (CSP) has been developed based on substantial community engagement that has been undertaken over the last 20 years; between 2003 and 2023, 73 engagements have been documented, with themes maintaining consistency throughout engagements and over time.

This engagement was used to inform foundational themes presented at the workshops in February 2024. Workshops collected an additional 192 ideas which were collated and validated through the recent CSP Survey which closed on 21st April 2024. Results from the survey are in Attachment B.

Themes identified fall under 9 headings in the draft CSP (Attachment A)

1. Health and Wellbeing
2. Environment
3. Education
4. Culture and Heritage
5. Economy and Employment
6. Housing and Development
7. Infrastructure & Transport
8. Governance/Decision Making
9. Community Building

Port Macquarie-Hastings Council (PMHC) has played a vital role in supporting and guiding us throughout the CSP development journey and ensuring a robust engagement process.

There has been a slight delay with the graphic designer, who has advised the public-facing document should be ready by May 24th (pending approval). Attachment A is the draft plan, which includes both the written content and a sample of the graphic design intended for the public document. The content of the plan will directly align with that of the document.

Participation in the 2024 CSP data collection to-date is shown below:

CSP Participation	Total Participation	Unique Adult	Unique Child*	Unique Total
Total Population at Feb 2024		409	62	471
Workshops	120	120	23	143
Survey	124	40	1	41
Additional Groups	44	19	0	19
Unique Participation		179	24	203
Total Unique Participation %		44%	39%	43%

NB*

- Unique users are individuals counted only once, regardless of how many times they engage. For example, if someone attends both the workshop, voting day, and does a survey they are only counted once for understanding the participation rate.
- 25 additional participants are including in the full survey results (total surveys collected 149), these 25 are from Islanders living off island in Feb 2024.
- There are 25 children under 5 years old, they are not included in these calculations due to their inability to participate.

All collected information has been refined and validated through the CSP Survey to create the Draft Lord Howe Island Community Strategic Plan 2024-2034.

Next Steps:

1. **Partner/ Stakeholder Engagement (May-July 24):** The LHIB will engage with all partners/ stakeholders identified as having proposed deliverables associated with the CSP and ensure clarity around deliverables before defining responsibilities in the final CSP (due to be delivered to the August 24 board meeting).
2. **Draft Community Strategic Plan (June-July 24):** The Draft CSP will be on community exhibition for 6 weeks to collect final community feedback and ensure we have captured the community sentiment correctly.
3. **Final Lord Howe Island Community Strategic Plan 2024-2034 and Local Strategic Planning Statement (LSPS) (Aug 24):** The final CSP and LSPS will integrate final community feedback and be presented to the Board at the August Board Meeting for endorsement.
4. **Lord Howe Island Board Corporate Plan (4 years) (Aug 24):** The LHIB Corporate Plan is a document that outlines all obligations of the LHIB, this includes CSP

deliverables, State and federally legislated obligations and Business as Usual (BAU) Service Delivery Commitments. This document is currently being updated and a draft will be finalised for the August meeting for public exhibition.

- 5. Delivery Plan (4-year plan) and Operations Plan (1 year plan) (Nov 24):** These plans show the actions based on the Corporate Plan – they directly link to the CSP and will be available on public exhibition, along with the corresponding Service Delivery Commitments following the November Board Meeting. The Draft CSP will be used to inform operational and budget considerations for FY24/25 are aligned as much as possible with the intent that planning for FY25/26 will be fully integrated.
- 6. Monitoring Plan (Nov 24):** A draft monitoring plan will accompany the delivery plan; this plan outlines the methods and metrics used to track progress, evaluate outcomes, and ensure alignment with the established goals and objectives of the CSP.

Attachments

Attachment	Title
A	Draft Lord Howe Island Community Strategic Plan 2024-2034
B	Results of April 2024 – CSP Survey

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Darcelle Matassoni	Senior Project Officer

Lord Howe Island Community Strategic Plan 2024 — 2034

April 2024

Our community vision:

A vibrant, inclusive, united and confident community which seeks to provide a quality lifestyle and positive interaction between the needs and aspirations of our residents, visitors and environment.

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Foreword from the Board

CONTENT TO BE PROVIDED BY CHAIRMAN OR LOCAL BOARD MEMBERS

DRAFT

Introduction

The *Lord Howe Island Community Strategic Plan 2024 — 2034* (the Plan) is based on community feedback and provides a long-term vision for Lord Howe Island over the next 10 years. The Plan will act as our guiding strategic document for Lord Howe Island Board (LHIB) projects and for advocacy, partnerships and delivering services.

The Plan sets objectives and strategies to achieve the community vision. The objectives and strategies identified fall within 9 priority themes:

1. Health and Wellbeing
2. Environment
3. Education
4. Culture and Heritage
5. Economy and Employment
6. Housing and Development
7. Infrastructure & Transport
8. Decision Making
9. Community Building

This is a plan for the whole Island community. Responsibility for achieving this long-term community vision relies on collaboration amongst the whole Island community. When the plan refers to “we” and “our,” it refers to the local community, LHIB members and officers, local businesses and other government agencies. We will all need to work together to ensure our vision for the future becomes a reality.

Background

Lord Howe Island (the Island) is an Australian territory, located in the Tasman Sea between Australia and New Zealand. The Island is approximately 570km east of Port Macquarie and is part of New South Wales (NSW).

Spanning an area of 14.55km², the Island is home to 445 people (Australian Bureau of Statistics 2021 Census).

As a World Heritage site, the Lord Howe Island Group is an outstanding example of isolated oceanic islands, with numerous endemic species and unique biota. Conservation efforts are ongoing to protect the Island's biodiversity.

In 1953, the New South Wales Government passed the *Lord Howe Island Act 1953*. The Act legislated a statutory authority to manage the Island and represent the interests of the Island community and the NSW Government.

This legislation established the Lord Howe Island Board (LHIB) to manage the Island's affairs and address concerns about secure home ownership, restricting land transfers and ensuring future Islanders could afford homes. The Island's land remains under Crown ownership, with leasehold arrangements for residents and agricultural use.

About the Lord Howe Island Community Strategic Plan

A Community Strategic Plan (CSP) provides a long-term vision for a community. It outlines priorities, aspirations, and strategies for social, environmental, economic, and civic leadership.

At its core, a CSP responds to questions about a community's present and future. It describes where we aim to be in a decade, how we plan to reach our goals, and what Lord Howe Island looks like when we've reached those goals.

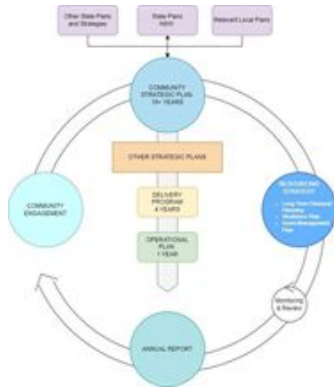


Figure 1: NSW Government's Integrated Planning and Reporting framework (Office of Local Government, NSW Government)

LHIB has developed the *Lord Howe Island Community Strategic Plan 2024 — 2034* (the Plan) based on the outcomes of engagement with Lord Howe Island community members (Appendix 1-4).

The Plan gathers feedback about what the community values and what they see as opportunities and challenges. It also looks forward 10 years to provide a strategic approach to community development.

Partners

LHIB does not have the capacity or responsibility to deliver all of the community aspirations outlined in the Plan. Achieving these community aspirations will rely on collaborative efforts with many partners and service providers.

LHIB will continue to advocate to, and work with, these partners on behalf of the community.

- LHI Community
- South East Sydney Area Health Service (SESAHS)
- Department of Health and Aged Care
- NSW Health
- LHI Businesses
- NSW Police
- Marine Parks
- Lord Howe Island Tourism Association (LHITA)
- LHI Tourism Operators
- Department of Education NSW
- Lord Howe Island Central School (LHICS)
- Department of Regional NSW
- Lord Howe Island Historical Society and Museum
- Heritage NSW
- Department of Climate Change, Energy the Environment and Water (DCCEEWS)
- Department of Planning Housing and Infrastructure (DPHI)
- Transport for NSW (TfNSW)
- Air Service Providers
- Freight providers
- Community Groups
- Office of Emergency Management
- State Emergency Service (SES)
- Rural Fire Services (RFS)
- Marine Rescue
- Department of Communities and Justice
- LHI Churches
- LHI Pet Owners
- Destination NSW (DNSW)
- Destination North Coast (DNC)

Community profile

Population

445 people on Census night

48.7% male

51.3% female

Living

Average household is 2.2 people

65.3% of households are family households

31.1% are single person households

41.6% own their home outright

15.5% own their home with a mortgage

37.3% rent their home

3.8% other/not stated

Housing

80.5% of households were occupied on Census night

78.3% of dwellings are a separate house

17.4% of dwellings are semi-detached (row, terrace, townhouse etc)

Age

Median age is 46

18.8% are aged 0 – 24 years old

20.3% are aged 25 – 39 years old

27.8% are aged 40 – 59 years old

25.9% are aged 60 – 79 years old

7.5% are aged 80+ years old

First Peoples

1.1% Aboriginal and/or Torres Strait Islander

91% Not Aboriginal and/or Torres Strait Islander

8.1% Not stated

Employment

64.6% are in the labour force

44% work part time

40% work full-time

14.3% away from work

2.4% unemployed

Education

27.4% completed diploma, advanced diploma, bachelor degree level or above

26.9% completed years 10, 11 or 12

25% completed Certificate III or IV

14% not stated

Our priority themes

To achieve the community vision, we have developed strategies and objectives that fall into the following themes. *The following list is ordered by importance based on the Community Strategic Plan Survey (2024) results.*

- Health and Wellbeing
- Environment
- Education
- Culture and Heritage
- Economy and Employment
- Housing and Development
- Infrastructure & Transport
- Decision Making
- Community Building

DRAFT

Priority Themes

Priority theme 1: Health and wellbeing

Vision for health and wellbeing

We have a range of healthcare services designed to meet the needs of our community. Every member of our community has fair access to these services and is supported to live healthy lives.

Objective	Strategies	Delivered by:
1.1 We have fair and equal access to essential healthcare services.	1.1.1 Understand the needs of community members.	SESAHS
	1.1.2 Improve mental health services	NSW Health SESAHS
	1.1.3 Ensure on-Island emergency care is high-quality, thorough and responsive.	NSW Health SESAHS
	1.1.4 Ensure consistent on-Island medical care availability and affordability.	NSW Health SESAHS
	1.1.5 Support different service providers working together, so services work better for everyone.	NSW Health SESAHS
	1.1.6 Advocate for access to government health programs (e.g. dentist)	NSW Health SESAHS LHIB
1.2 We support older community members on the Island.	1.2.1 Provide resources and support for seniors to age at home.	NSW Health SESAHS LHIB Department of Health and Aged Care
	1.2.2 Support and maintain accessibility to in-home care.	NSW Health SESAHS LHIB
1.3 We are aware of the range of healthcare available.	1.3.1 Promote information about on-Island healthcare.	SESAHS
	1.3.2 Undertake a needs analysis to determine current and future health needs of our community	SESAHS LHIB
1.4 We live healthy and well.	1.4.1 Ensure long-term access to nutritious food.	LHI Businesses LHIB
	1.4.2 Promote healthy relationships.	Department of Communities and Justice NSW Police SESAHS

Priority theme 2: Natural environment

Vision for natural environment

Our natural environment is embraced and safeguarded by all. We carry the responsibility to preserve and enhance the habitat for all future people, plants and animals who call Lord Howe Island home.

We explore thoughtful management of resources and waste to promote a sustainably built environment that exists next to natural spaces.

Objective	Strategies	Delivered by:
2.1 Our natural environment is secured and protected.	2.1.1 Maintain the Permanent Park Preserve using best practice approaches.	LHIB DCCEEW LHI Community
	2.1.2 Maintain the Marine Park using best practice approaches.	Marine Parks LHIB LHI Community
	2.1.3 Maintain our World Heritage status.	DCCEEW LHIB LHI Community
	2.1.4 Protect, preserve and regenerate environmentally sensitive areas and high conservation areas.	LHIB DCCEEW LHI Community
	2.1.5 Communicate with visitors about how to best interact with the unique natural environment of the Island.	LHITA LHI Tourism Operators LHIB LHI Community
	2.1.6 Develop a climate change strategy to plan for a resilient future.	DCCEEW LHIB Marine Parks
	2.1.7 Maintain sustainable biosecurity measures to prevent introduction and spread of invasive species.	LHIB DPI DAFF LHI Community Visitors
2.2 We take pride in respecting and enhancing our natural environment.	2.2.1 Acknowledge the historical efforts of the community in environmental stewardship and support ongoing collaboration.	LHIB LHI Community DCCEEW
	2.2.2 Educate residents, visitors and seasonal staff about the natural environment and our joint responsibility to protect it.	LHIB LHI Businesses LHITA LHI Tourism Operators LHI Community
	2.2.3 Collaborate with researchers to understand the environment and encourage them to incorporate citizen science in relevant studies.	LHIB

Priority theme 3: Education**Vision for education**

We provide access to quality education on the Island. Our community values being lifelong learners. We support and empower local young people and recognise their important contribution to the Island.

Objective	Strategies	Delivered by:
3.1 We have a range of education facilities for people of all ages.	3.1.1 Advocate for funding and scholarship assistance for secondary and tertiary education and living away from home assistance.	Department of Education NSW Lord Howe Island Central School
	3.1.2 Enhance distance education options to ensure families have diverse and equitable choices.	Department of Education NSW
	3.1.3 Strengthen community-school ties for lifelong learning and skill sharing.	Lord Howe Island Central School LHI Community
	3.1.4 Identify skills gaps and future-proof the workforce through education and training initiatives.	LHIB Department of Regional NSW Department of Education NSW

Priority theme 4: Culture and heritage**Vision for our culture and heritage**

Our culture and heritage are appreciated as key pillars of life on Lord Howe Island. We celebrate our rich history and cultural heritage.

Objective	Strategies	Delivered by:
4.1 The unique Island culture is supported and encouraged.	4.1.1 Promote access to stories, histories and cultural traditions for community members and visitors.	LHI Historical Society and Museum LHI Community LHITA LHI Tourism Operators
	4.1.2 Promote educational programs and events that raise awareness of local history, culture and heritage.	LHI Historical Society and Museum LHI Community LHIB
	Promote pride in heritage and culture through events (e.g. Discovery Day)	LHI Historical Society and Museum LHI Community LHIB
4.2 Island culture and heritage has longevity.	4.2.1 Preserve and celebrate landmarks, artifacts and cultural traditions.	LHI Historical Society and Museum LHI Community LHIB Heritage NSW DCCEEW
	4.2.2 Provide opportunities to celebrate ancestry and support cultural spaces.	LHI Historical Society and Museum LHI Community LHIB

Priority theme 5: Economy and employment

Vision for our economy and employment

Community members thrive within a diverse and resilient local economy.

We empower community members to contribute meaningfully to the prosperity of the Island.

Objective	Strategies	Delivered by:
5.1 We have diverse local employment available for people living on the Island.	5.1.1 Support local businesses to sustainably provide a range of goods and services.	LHIB LHI Community
	5.1.2 Support diverse work arrangements and opportunities for community members.	LHIB LHI Businesses
	5.1.3 Support and mentor young people.	LHI Community Department of Education NSW
5.2 We support local businesses.	5.2.1 Provide support to help local businesses thrive.	LHIB LHI Community
	5.2.2 Promote benefit of shopping locally.	LHITA LHI Tourism Operators LHI Community
5.3 Our tourism industry is sustainable.	5.3.1 Maintain bed license cap at 400 beds.	LHIB
	5.3.2 Develop a model for sustainable tourism operations.	LHITA
	5.3.3 Develop sustainable tourism initiatives that highlight the cultural and heritage assets.	LHITA LHI Historical Society and Museum
	5.3.4 Provide quality opportunities for visitors to appreciate Island values while minimising negative impacts.	LHIB LHITA LHI Tourism Operators
5.4 The town centre is a vibrant and successful centre of the Island.	5.4.1 Support community events and activities located in the town centre.	LHIB LHI Community

Priority theme 6: Housing and Development

Vision for planning, housing, and development

Our built environment is designed and planned with intention. Housing is more accessible and diverse.

Sustainable practices guide our development. Our community celebrates the character and heritage of the Island.

Objective	Strategies	Delivered by:
6.1 Housing on the island is accessible and diverse.	6.1.1 Plans and policies promote diverse and flexible housing options.	LHIB DPHI
	6.1.2 Ensure businesses have a sustainable level of staff accommodation.	LHI Businesses LHIB
6.2 Our land is used in the most appropriate way.	6.2.1 Development assessment considers social, environmental and legislative requirements to understand overall impact.	LHIB DPHI
	6.2.2 Assess the Island's capacity for sustainable development and population growth.	LHIB DPHI
6.3 Community members understand planning processes.	6.3.1 Develop community awareness and provide information and training to describe the built environment and planning processes on the Island.	LHIB
	6.3.2 Engage with community members about significant projects.	LHIB
	6.3.3 Ensure development processes are timely and efficient.	LHIB

Priority theme 7: Infrastructure and transport

Vision for our infrastructure and transport

We have a safe road network that provides easy connection and mobility for our community.

Our air service providers offer reliable, sustainable, and affordable access to the mainland. A sustainable number of visitors can access the Island, and goods are transported to the Island reliably and sustainably.

Our infrastructure is well-maintained with community facilities that are accessible and inclusive.

Our critical infrastructure is maintained and enhanced in line with population numbers and visitors.

Objective	Strategies	Delivered by:
7.1 Access to the mainland is sustainable, reliable, and affordable.	7.1.1 Advocate for reliable air transport.	LHIB TfNSW
	7.1.2 Monitor ongoing performance of air transport options.	Air Service Providers TfNSW LHIB
	7.1.3 Ensure transport to the mainland is accessible and affordable for locals.	Air Service Providers TfNSW LHIB
7.2 Our transport network meets the needs of the community and visitors.	7.2.1 Provide a safe and well-maintained road network.	TfNSW LHIB
	7.2.2 Plan for a sustainable range of on-Island transport options.	TfNSW LHIB LHI Business Owners LHI Community
	7.2.3 Create a vehicle strategy to understand needs and provide sustainable and appropriate Island transport solutions	LHIB
7.3 Our infrastructure and transport is climate conscious.	7.3.1 Investigate the best approach to shift the Island's energy supply from fossil fuels to renewable sources.	DCCEEW LHIB
	7.3.2 Explore options to enable private solar installation.	LHIB
7.4 Our infrastructure assets are well-maintained.	7.4.1 Maintain critical infrastructure (including waste, water, electricity, airport, jetty) to support community need and economic activity.	LHIB
7.5 We maintain infrastructure in line with population numbers and visitors.	7.5.1 Provide accessible and well-maintained community facilities that can be adapted for a variety of uses.	LHIB
	7.5.2 Maintain amenities and public facilities (including lawns, BBQ areas, gardens).	LHIB
	7.5.3 Support development and maintenance of technological infrastructure, as desired.	LHIB Department Regional NSW

7.6 We can access goods from the mainland.	7.6.1 Ensure freight service is regular, reliable and affordable.	LHIB TfNSW Freight Providers
	7.6.2 Monitor ongoing performance of the freight service.	LHIB TfNSW Freight Providers

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Priority theme 8: Decision Making**Vision for decision making**

Everyone is included in our community. Decisions are made openly and fairly. We value everyone's input, share information and work together.

Objective	Strategies	Delivered by:
8.1 Our decision making processes focus on the community.	8.1.1 Provide equitable access to all LHIB services.	LHIB
	8.1.2 Ensure appropriate social impact evaluations and community engagement informs all decision-making processes	LHIB
8.2 We have an informed and engaged approach to decision making.	8.2.1 Engage community members in projects, decisions and approvals made by LHIB.	LHIB
	8.2.2 Promote transparency in Board processes and decisions.	LHIB
8.3 We are knowledgeable about what is happening on the Island.	8.3.1 Provide a central method of communication for community members to access information from LHIB.	LHIB
	8.3.2 Facilitate understanding about community, cultural and historic context for new staff.	LHIB

Priority theme 9: Community building

Vision for our community and social interactions

Our community is built on diversity and acceptance, where every community member and visitor are valued. Local connections and community groups empower us to live in a place that is safe, inclusive and welcoming.

Objective	Strategies	Delivered by:
9.1 We participate in our community.	9.1.1 Support community groups, organisations and service clubs with different focuses and interests.	LHI Community LHIB
	9.1.2 Optimise the use of all shared spaces for enhanced community benefit.	LHIB LHI Community Community Groups
9.2 We feel safe on the Island.	9.2.1 Strengthen disaster management preparedness and understanding of emergency response plans.	Office of Emergency Management NSW Police SESAHS LHIB
	9.2.2 Promote reduction of harmful behaviours.	SES RFS Marine Rescue Marine Parks
	9.2.3 Visitors understand and respect Island community life.	NSW Police SEAH Department Communities and Justice NSW Health
	9.2.4 Ensure strong social support networks exist within the community.	LHITA LHI Tourism Providers LHI Community LHI Churches Community Groups
9.3 Our community is harmonious, cohesive and inclusive.	9.3.1 Support volunteers to drive positive change in the community.	Office of Emergency Management Department Communities and Justice LHIB LHI Community
	9.3.2 Strengthen inclusion and foster community participation of people of all ages, abilities and identities.	LHI Community LHIB
	9.3.3 Support responsible pet ownership and animal welfare needs balancing community and environmental needs	LHIB LHI Pet Owners LHI Community
9.4 We have a wide range of entertainment available.	9.4.1 Support access to a range of sporting opportunities.	LHIB Community Groups Community Groups
	9.4.2 Develop and support entertainment options.	LHIB LHI Community
	9.4.3 Support inclusive community events and gatherings.	LHIB DNSW DNC LHITA LHI Community

Statements

Measuring success

The Plan provides a long-term vision of Lord Howe Island in 10 years. To achieve this vision it is crucial to track the implementation of objectives and strategies outlined in the Plan.

LHIB will develop supporting plans based on the vision, objectives and strategies in this plan to act as functional guides. The supporting plans will include desired outcomes, which will help to measure our success in moving toward the realisation of the community vision.

LHIB has taken the lead in developing the Plan and will implement it through Delivery and Operational Plans, but other stakeholders also play a significant role in realising the community vision. LHIB will work with these stakeholders, who include community members, community groups and organisations, businesses, schools and education facilities, New South Wales Government and Australian Government.

A key component in measuring success is ensuring that community members are engaged in projects and processes delivered by LHIB.

LHIB will review the Plan following 2034.

Legislative requirements

The Plan considers and works in support of relevant New South Wales plans and policies, and relevant global interests. Being an island, Lord Howe Island is not located within a defined NSW region. The table below describes matters of interest reflected in the Plan and the corresponding State and global plan or policy the Plan complements.

	State	Global
Matters of interest	Healthcare (including aged, child and disability care and support), transport, education, employment, police, infrastructure development, environment? Crown land?	Natural environment, social and human rights, geopolitical, global development and economy.
Plans and policies	State planning policies, including Biodiversity and Conservation Policy, Coastal Policy, Housing Policy, Environmental Planning Policy State transport policies, including Future Transport 2056, Active Transport Strategy, Maritime Safety Plan 2026. State Infrastructure Strategy NSW Future Health Plan NSW SES Strategic Plan	UNESCO World Heritage criteria United Nations Sustainable Development Goals

Appendix

Appendix 1: Developing the Plan

The framework for the workshop discussions was established by gathering and analysing feedback captured during engagement activities between 2010 and 2022. These engagement activities focused on a range of interests LHIB manages on behalf of the Island.

The feedback captured during these engagement activities was used to define what the community and visitors love about the Island, and the opportunities and challenges the community see for the Island over the next 10 years.

While these engagement activities focused on different matters, there was strong consistency in the themes of feedback provided by community members and stakeholders. These themes have guided the development of the Plan. In early 2024, LHIB conducted comprehensive community engagement to contribute to the draft Plan. This was to ensure that ideas from previous community feedback were accurately captured and communicated and allowed the opportunity for understanding on what the community wanted.

The Plan was developed by collating community feedback received over the past 10 years, and finalised following community engagement activities in February 2024.

In February 2024 we conducted community workshops on various themes that were open to all residents on the Island. During these workshops, previous engagement outputs were utilized to identify themes and issues as discussion starters. Depending on attendance, discussions were held in small groups or as one large group. Participants were encouraged to share their thoughts on existing gaps, successful initiatives, and suggestions for the next decade.

Additionally, an online workshop was hosted to accommodate interested people not present on the Island. Submissions via verbal communication, email, social media comments, and staff workshops were accepted. Engagement also occurred with the primary school children and the senior citizens, providing paper surveys for those unable to access online platforms.

Feedback, ideas, and future plans were collated into one document. Large sheets containing these collated inputs were displayed at the community hall during the election of board members. Each participant was allotted 10 "votes" to assign to listed items based on their importance or priority.

Subsequently, the items were categorized into themes and used to formulate a community survey known as the Community Strategic Plan Survey 2024. This survey served as a means to validate if we understood the community's feedback.

The themes, objectives, and strategies in the Plan were then revised to reflect the combined results from past engagements and the early 2024 community input process.

Appendix 2: Other community engagement used in creating the plan

LHIB has delivered a range of community engagement projects and activities over the last 10 years, including:

- the Small Islands Forum in 2012
- a visitors survey in 2017
- a community survey in 2019
- arrival and departure surveys for Island Conservation Volunteer visitors in 2018 and 2019
- a children's survey in 2019
- community workshops on key themes in 2019
- a wastewater workshop in 2020
- Lord Howe Island community skills and knowledge survey in 2022
- a telecommunication survey in 2022.

Appendix 3: Delivering the Plan

The Plan explores and describes our community’s vision for the future of Lord Howe Island. As a vision, it describes an ideal outcome and provides objectives to achieve that outcome.

The Plan does not articulate a set route to achieve the vision. Instead, short-term plans and programs will explore each aspiration and set specific actions to reach each objective. This will provide some flexibility, over time, on how to achieve the vision.

Community and stakeholder engagement (gathering values)	2010 – 2022
Draft Plan	January 2024
Community and stakeholder engagement (have we got it right)	February – March 2024
Finalise and publish Plan	DATE
Deliver Plan	2024 – 2034

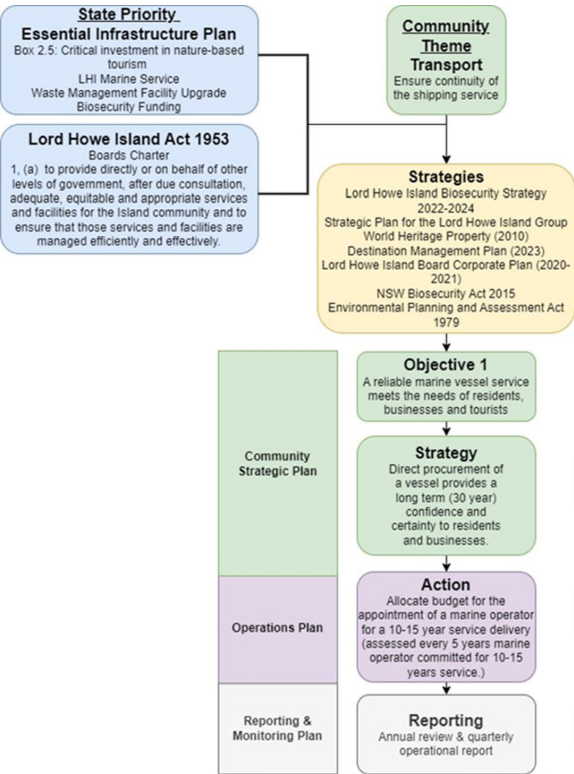
The Plan puts together a detailed framework that combines legislative responsibilities, what the community wants, and larger government goals and LHIB responsibilities into a clear strategy. This strategy helps guide how things will be done and the plans for making it happen.

The introduction of a CSP will result in a shift in LHIB operations. A community need driven service delivery model will underpin the overarching vision of Lord Howe Island's future while maintaining a strong focus on legislative requirements, a bridge between statutory mandates and community aspirations.

This strategic shift ensures that Board decisions and resource allocations are aligned with strategic priorities based on community needs and state priorities, fostering a more responsive and accountable local governance.



Figure 1: An example of how the Community Strategic Plan action could be implemented.



CONCLUSION AND THANKS



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LORD HOWE ISLAND Community Strategic Plan

2024-2034



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Foreward from the Board

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Lord Howe Island Draft Community Strategic Plan 2024-34

Introduction

The *Lord Howe Island Community Strategic Plan 2024-2034* (the Plan) is based on community feedback and provides a long-term vision for Lord Howe Island over the next 10 years. The Plan will act as our guiding strategic document for Lord Howe Island Board (LHIB) projects and for advocacy, partnerships and delivering services.

This is a plan for the whole Island community. Responsibility for achieving this long-term community vision relies on collaboration amongst the whole Island community. When the plan refers to "we" and "our," it refers to the local community, LHIB members and officers, local businesses and other government agencies. We will all need to work together to ensure our vision for the future becomes a reality.

The Plan sets objectives and strategies to achieve the community vision. The objectives and strategies identified fall within

9 priority themes:

- Health and Wellbeing
- Environment
- Education
- Culture and Heritage
- Economy and Employment
- Housing and Development
- Infrastructure & Transport
- Decision Making
- Community Building

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Lord Howe Island Draft Community Strategic Plan 2024-34



Background

Lord Howe Island (the Island) is an Australian territory, located in the Tasman Sea between Australia and New Zealand. The Island is approximately 570km east of Port Macquarie and is part of New South Wales (NSW).

Spanning an area of 14 55km², the Island is home to 445 people (Australian Bureau of Statistics 2021 Census).

As a World Heritage site, the Lord Howe Island Group is an outstanding example of isolated oceanic islands, with numerous endemic species and unique biota. Conservation efforts are ongoing to protect the Island's biodiversity.

In 1953, the New South Wales Government passed the Lord Howe Island Act 1953. The Act legislated a statutory authority to manage the Island and represent the interests of the Island community and the NSW Government.

This legislation established the Lord Howe Island Board (LHIB) to manage the Island's affairs and address concerns about secure home ownership, restricting land transfers and ensuring future Islanders could afford homes. The Island's land remains under Crown ownership, with leasehold arrangements for residents and agricultural use.

About the Lord Howe Island Community Strategic Plan

A Community Strategic Plan (CSP) provides a long-term vision for a community. It outlines priorities, aspirations, and strategies for social, environmental, economic, and civic leadership.

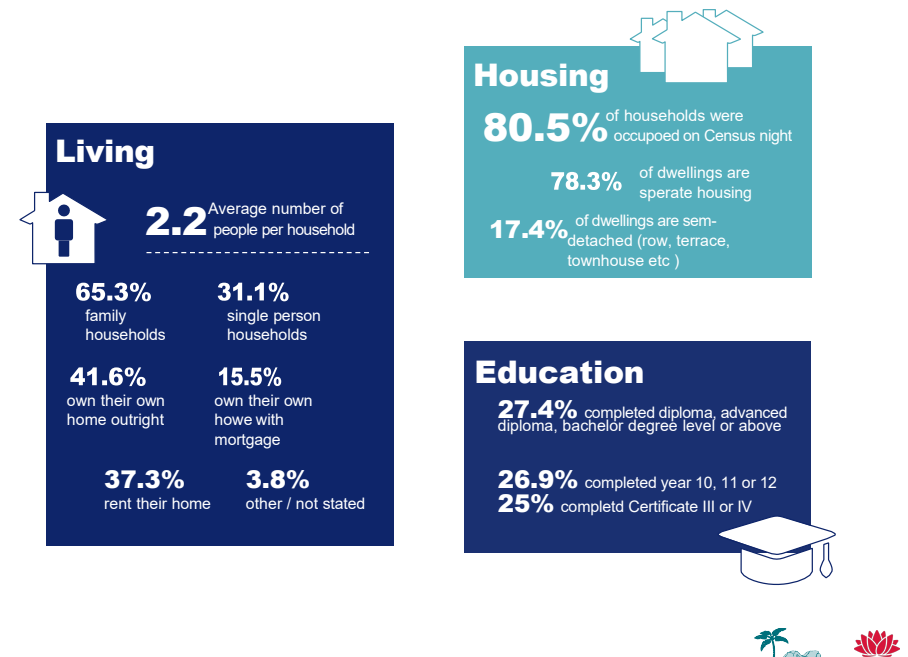
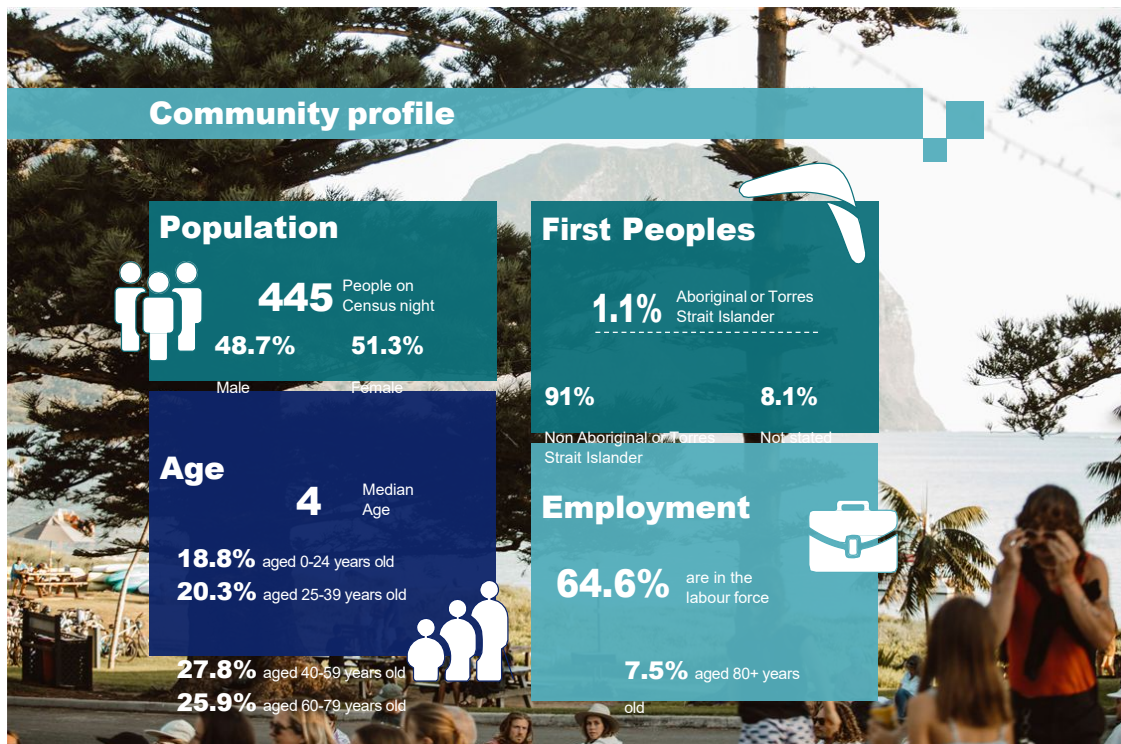
At its core, a CSP responds to questions about a community's present and future. It describes where we aim to be in a decade, how we plan to reach our goals, and what Lord Howe Island looks like when we've reached those goals.

LHIB has developed the Lord Howe Island Community Strategic Plan 2024 — 2034 (the Plan) based on the outcomes of engagement with Lord Howe Island community members (Appendix 1-4).

The Plan gathers feedback about what the community values and what they see as opportunities and challenges. It also looks forward 10 years to provide a strategic approach to community development.



Figure 1: NSW Government's Integrated Planning and Reporting Framework (Office of Local Government, NSW Government)



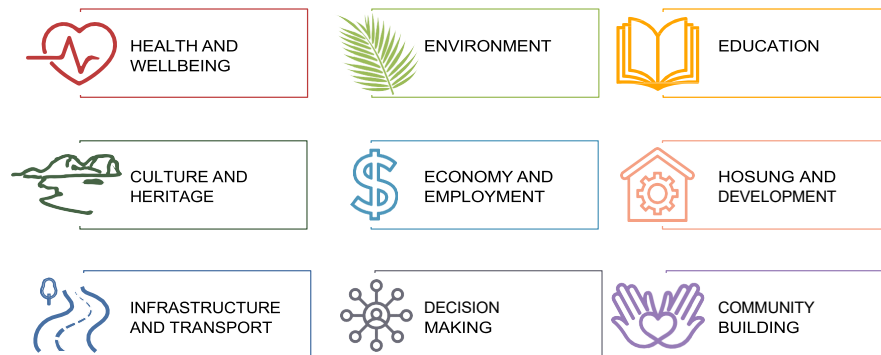
9 Lord Howe Island Draft
Community Strategic Plan 2024-34

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Our priority themes

To achieve the community vision, we have developed strategies and objectives that fall into the following themes
The following list is ordered by importance based on the Community Strategic Plan Survey (2024) results.



PRIORITY THEME 1**Health and wellbeing**

Objective	Strategies	Delivered by:
1 1 We have fair and equal access to essential healthcare services	1 1 1 Understand the needs of community members	
	1 1 2 Improve mental health services	
	1 1 3 Ensure on-Island emergency care is high-quality, thorough and responsive	
	1 1 4 Ensure consistent on-Island medical care availability and affordability.	
	1.1.5 Support different service providers working together, so services work better for everyone	
	1 1 6 Advocate for access to government health programs (e.g. dentist)	

VISION

We have a range of healthcare services designed to meet the needs of our community
Every member of our community has fair access to these services and is supported to live healthy lives

Objective	Strategies	Delivered by:
1 2 We support older community members on the Island	1 2 1 Provide resources and support for seniors to age at home	
	1 2 2 Support and maintain accessibility to in-home care	
1 3 We are aware of the range of healthcare available	1 3 1 Promote information about on-Island healthcare	
	1 3 2 Undertake a needs analysis to determine current and future health needs of our community	
1 4 We live healthy and well	1 4 1 Ensure long-term access to nutritious food	
	1 4 2 Promote healthy relationships	

PRIORITY THEME 2**Environment**

Objective	Strategies	Delivered by:
2 1 Our natural environment is secured and protected	2 1 1 Maintain the Permanent Park Preserve using best practice approaches	
	2 1 2 Maintain the Marine Park using best practice approaches	
	2 1 3 Maintain our World Heritage status	
	2 1 4 Protect, preserve and regenerate environmentally sensitive areas and high conservation areas	
	2 1 5 Communicate with visitors about how to best interact with the unique natural environment of the Island	

VISION

Our natural environment is embraced and safeguarded by all. We carry the responsibility to preserve and enhance the habitat for all future people, plants and animals who call Lord Howe Island home.

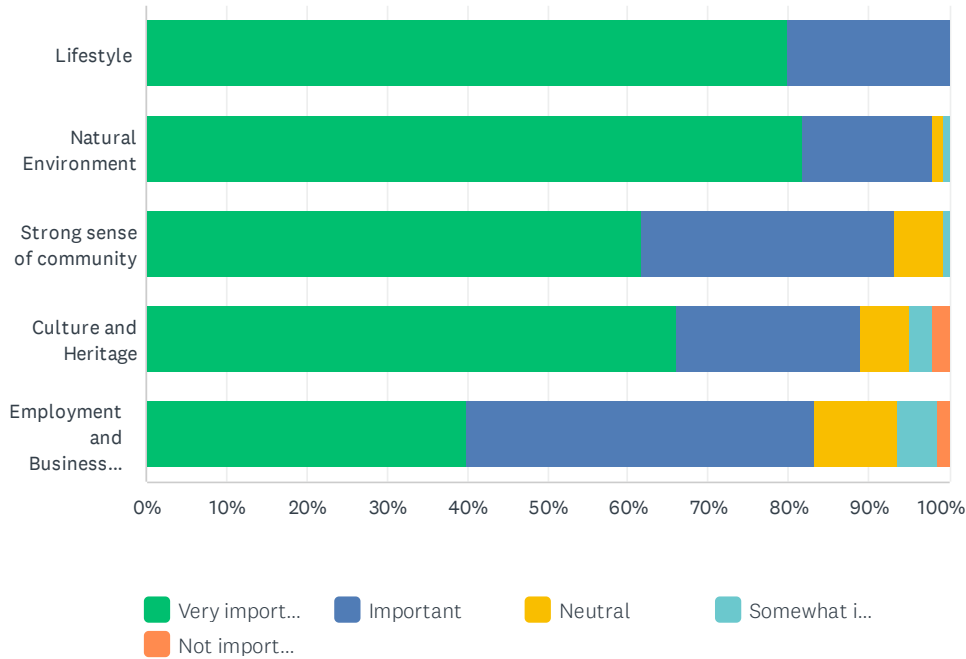
We explore thoughtful management of resources and waste to promote a sustainably built environment that exists next to natural spaces.

Objective	Strategies	Delivered by:
	2 1 6 Develop a climate change strategy to plan for a resilient future	
	2 1 7 Maintain sustainable biosecurity measures to prevent introduction and spread of invasive species	
2 2 We take pride in respecting and enhancing our natural environment	2.2.1 Acknowledge the historical efforts of the community in environmental stewardship and support ongoing collaboration	
	2 2 2 Educate residents, visitors and seasonal staff about the natural environment and our joint responsibility to protect it	
	2 2 3 Collaborate with researchers to understand the environment and encourage them to incorporate citizen science in relevant studies	

LHIB Community Strategic Planning Survey 2024

Q1 What do you value about living on Lord Howe Island?

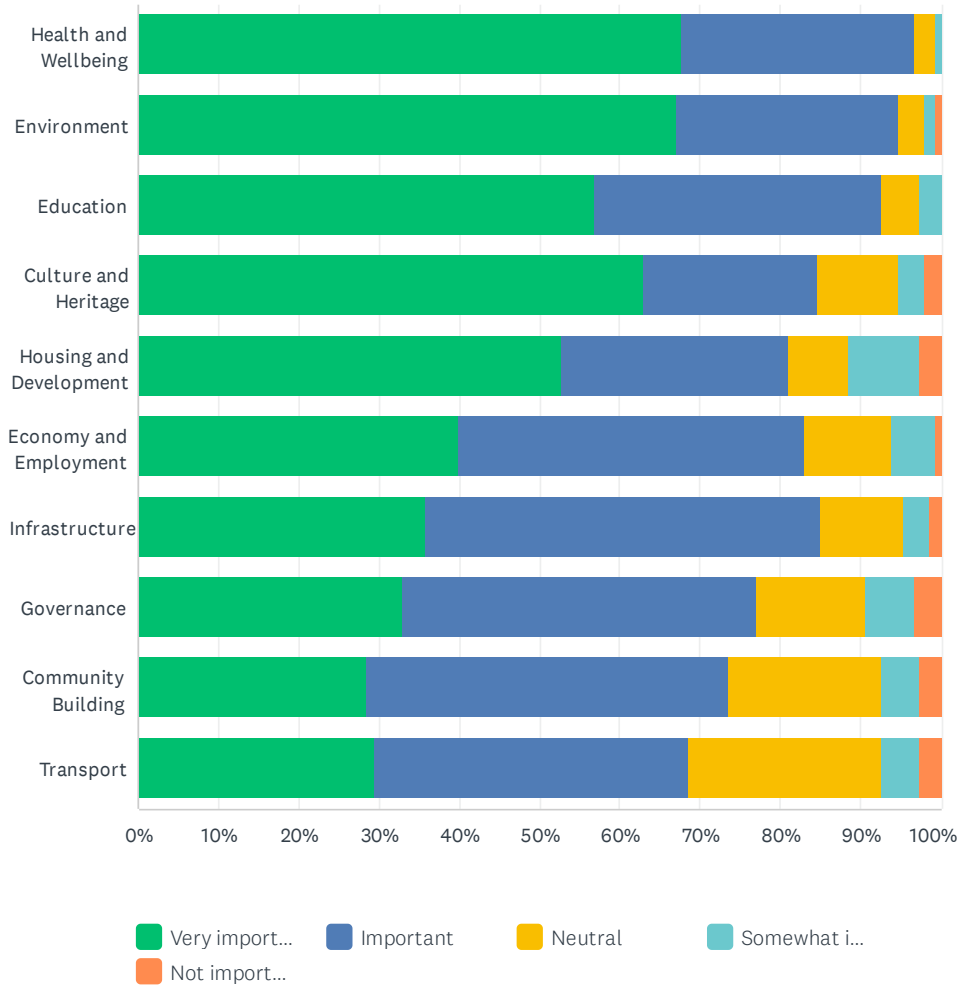
Answered: 149 Skipped: 0



	VERY IMPORTANT	IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	NOT IMPORTANT	TOTAL	WEIGHTED AVERAGE
Lifestyle	79.87% 119	20.13% 30	0.00% 0	0.00% 0	0.00% 0	149	1.20
Natural Environment	81.76% 121	16.22% 24	1.35% 2	0.68% 1	0.00% 0	148	1.21
Strong sense of community	61.74% 92	31.54% 47	6.04% 9	0.67% 1	0.00% 0	149	1.46
Culture and Heritage	65.97% 95	22.92% 33	6.25% 9	2.78% 4	2.08% 3	144	1.52
Employment and Business Opportunities	39.86% 57	43.36% 62	10.49% 15	4.90% 7	1.40% 2	143	1.85

Q2 In order to ensure the CSP reflects the community's priorities please identify the level of importance for the following categories:

Answered: 149 Skipped: 0

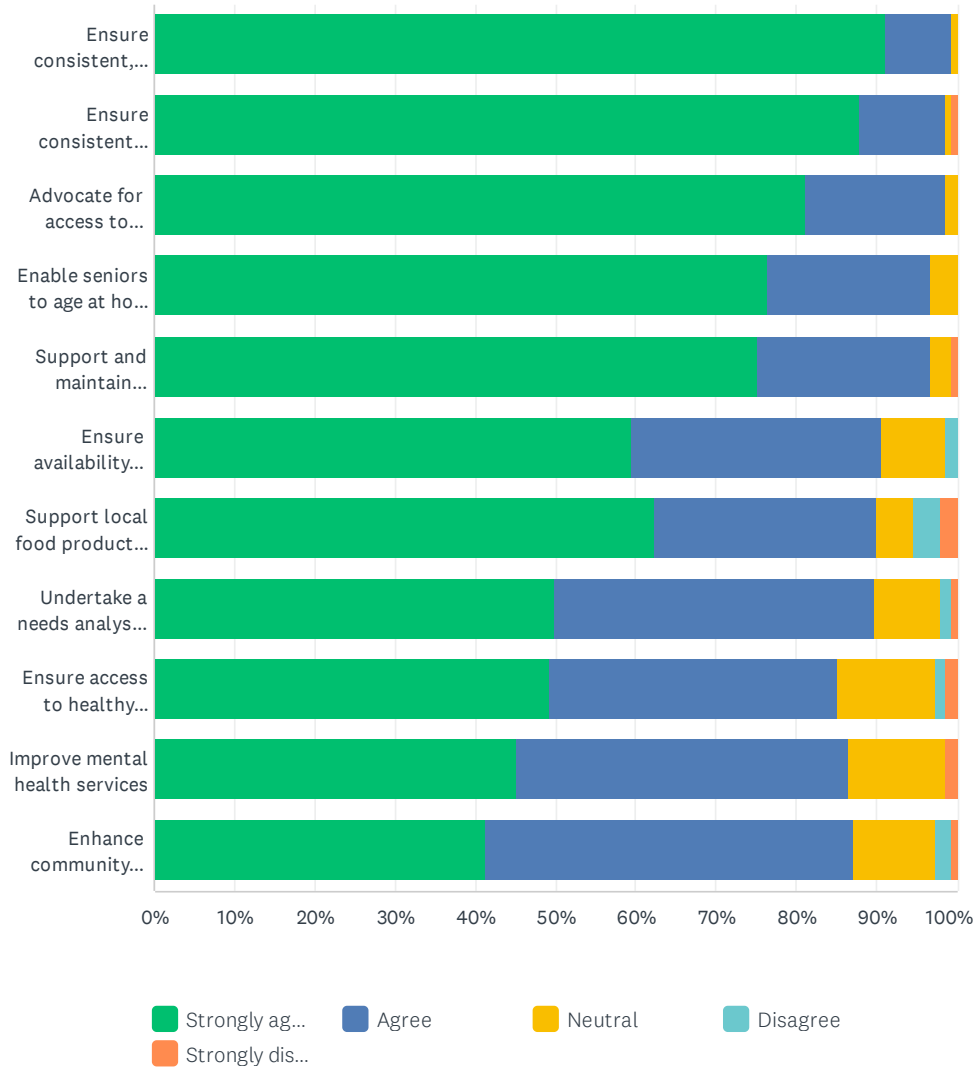


LHIB Community Strategic Planning Survey 2024

	VERY IMPORTANT	IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	NOT IMPORTANT	TOTAL	WEIGHTED AVERAGE
Health and Wellbeing	67.79% 101	28.86% 43	2.68% 4	0.67% 1	0.00% 0	149	1.36
Environment	67.11% 100	27.52% 41	3.36% 5	1.34% 2	0.67% 1	149	1.41
Education	56.76% 84	35.81% 53	4.73% 7	2.70% 4	0.00% 0	148	1.53
Culture and Heritage	63.09% 94	21.48% 32	10.07% 15	3.36% 5	2.01% 3	149	1.60
Housing and Development	52.70% 78	28.38% 42	7.43% 11	8.78% 13	2.70% 4	148	1.80
Economy and Employment	39.86% 59	43.24% 64	10.81% 16	5.41% 8	0.68% 1	148	1.84
Infrastructure	35.81% 53	49.32% 73	10.14% 15	3.38% 5	1.35% 2	148	1.85
Governance	32.89% 49	44.30% 66	13.42% 20	6.04% 9	3.36% 5	149	2.03
Community Building	28.38% 42	45.27% 67	18.92% 28	4.73% 7	2.70% 4	148	2.08
Transport	29.53% 44	38.93% 58	24.16% 36	4.70% 7	2.68% 4	149	2.12

Q3 Health and Wellbeing - Indicate your level of agreement with the following priorities:

Answered: 149 Skipped: 0

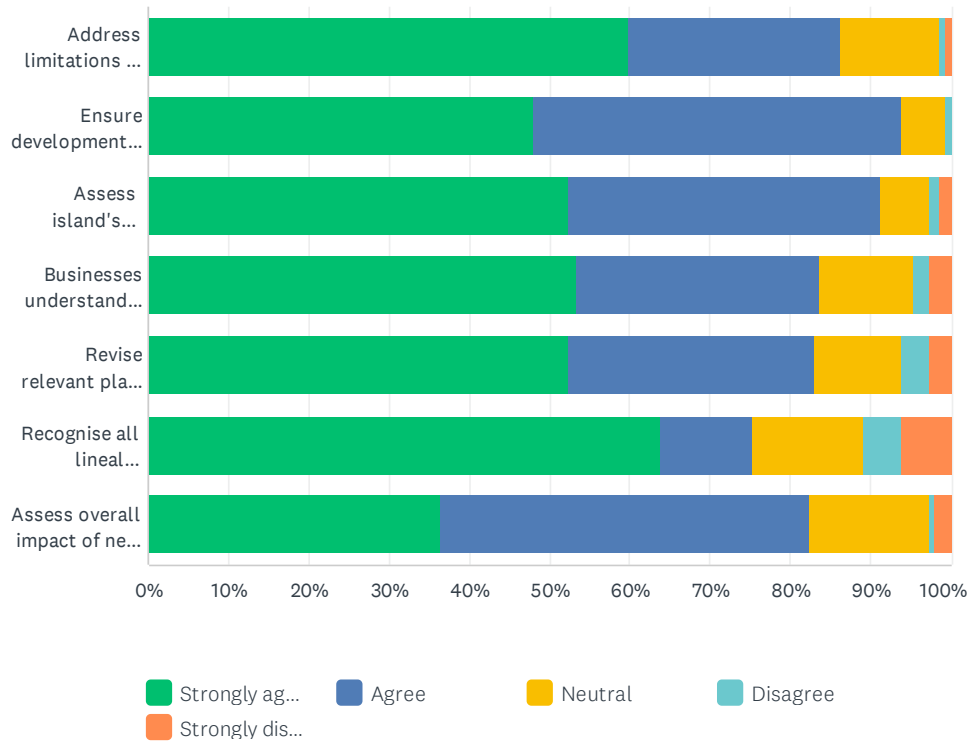


LHIB Community Strategic Planning Survey 2024

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Ensure consistent, immediate, ongoing access to air ambulance services for emergency patient evacuations	91.28% 136	8.05% 12	0.67% 1	0.00% 0	0.00% 0	149	1.09
Ensure consistent on-Island medical care availability and affordability	87.92% 131	10.74% 16	0.67% 1	0.00% 0	0.67% 1	149	1.15
Advocate for access to government health programs, dental specialists, and allied health services	81.21% 121	17.45% 26	1.34% 2	0.00% 0	0.00% 0	149	1.20
Enable seniors to age at home on the Island	76.51% 114	20.13% 30	3.36% 5	0.00% 0	0.00% 0	149	1.27
Support and maintain accessibility to in-home care	75.17% 112	21.48% 32	2.68% 4	0.00% 0	0.67% 1	149	1.30
Ensure availability of high-quality emergency services and promote collaboration among emergency service agencies to enhance community safety	59.46% 88	31.08% 46	8.11% 12	1.35% 2	0.00% 0	148	1.51
Support local food production to enhance food security and sustainability	62.42% 93	27.52% 41	4.70% 7	3.36% 5	2.01% 3	149	1.55
Undertake a needs analysis to determine current and future health needs of our community	50.00% 74	39.86% 59	8.11% 12	1.35% 2	0.68% 1	148	1.63
Ensure access to healthy meals, particularly for seniors, by facilitating access to pre-made health options	49.32% 73	35.81% 53	12.16% 18	1.35% 2	1.35% 2	148	1.70
Improve mental health services	45.27% 67	41.22% 61	12.16% 18	0.00% 0	1.35% 2	148	1.71
Enhance community safety and wellbeing by reducing harmful behaviours and promoting healthy relationships	41.22% 61	45.95% 68	10.14% 15	2.03% 3	0.68% 1	148	1.75

Q4 Housing and Development - Indicate your level of agreement with the following priorities:

Answered: 149 Skipped: 0



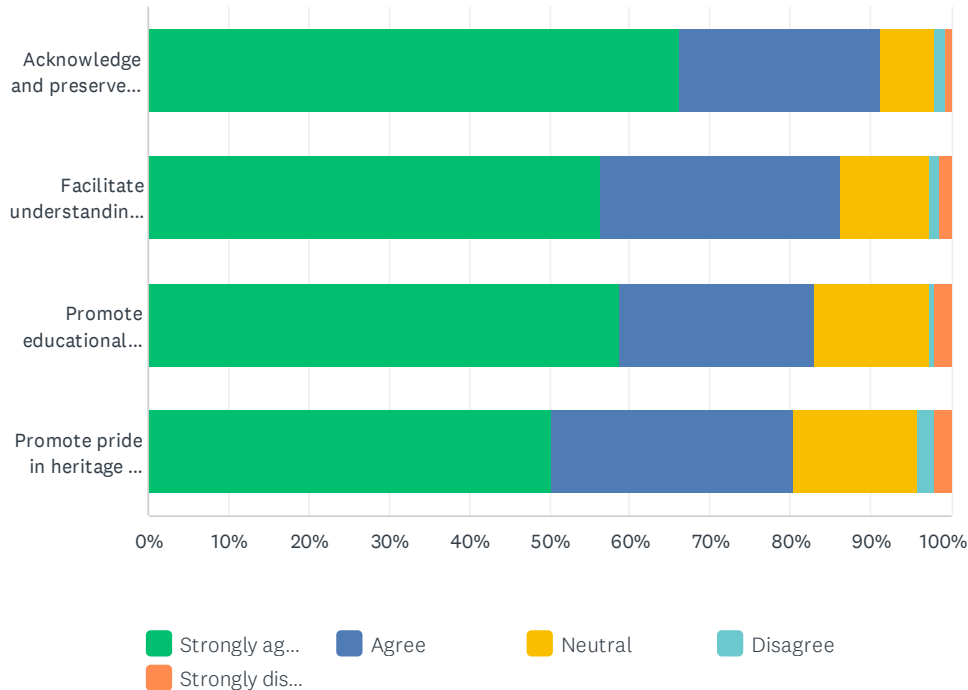
LHIB Community Strategic Planning Survey 2024

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Address limitations to enable private solar installation	59.86% 88	26.53% 39	12.24% 18	0.68% 1	0.68% 1	147	1.56
Ensure development processes are timely and efficient, supporting the community with information and training to enable this	47.97% 71	45.95% 68	5.41% 8	0.68% 1	0.00% 0	148	1.59
Assess island's capacity for sustainable development and population growth	52.38% 77	38.78% 57	6.12% 9	1.36% 2	1.36% 2	147	1.61
Businesses understand their own resourcing requirements and ensure they have adequate staff accommodation on their own lease as part of a sustainable business model	53.42% 78	30.14% 44	11.64% 17	2.05% 3	2.74% 4	146	1.71
Revise relevant plans for diversity and flexibility of housing options	52.38% 77	30.61% 45	10.88% 16	3.40% 5	2.72% 4	147	1.73
Recognise all lineal descendants of original settlers as islanders under the act	63.76% 95	11.41% 17	14.09% 21	4.70% 7	6.04% 9	149	1.78
Assess overall impact of new developments considering social, environmental and legislative requirements	36.49% 54	45.95% 68	14.86% 22	0.68% 1	2.03% 3	148	1.86

LHIB Community Strategic Planning Survey 2024

Q5 Culture and Heritage - Indicate your level of agreement with the following priorities:

Answered: 148 Skipped: 1

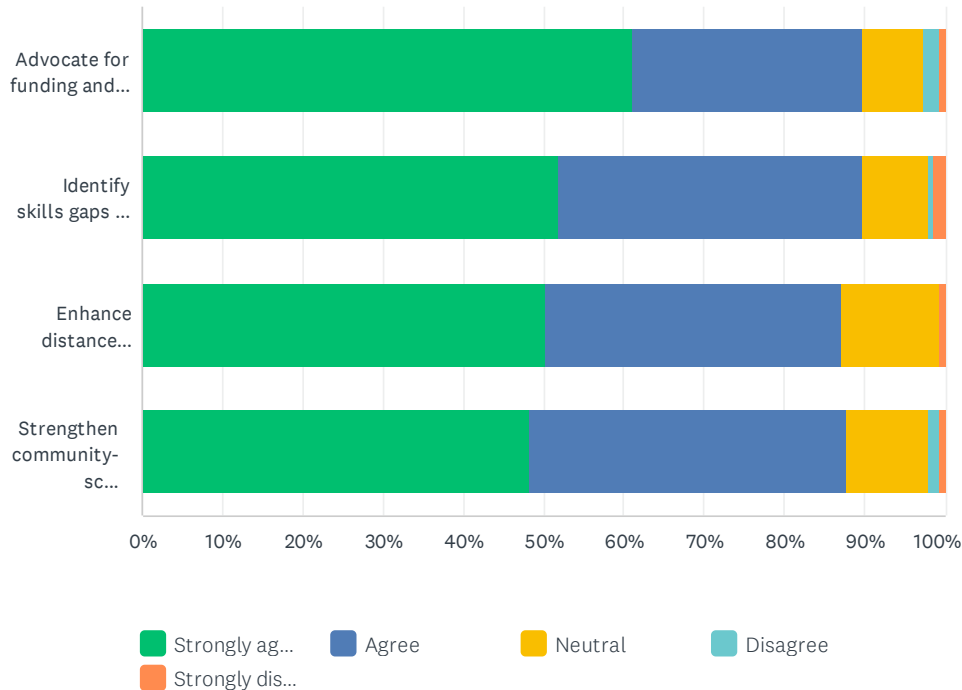


	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Acknowledge and preserve the Island's cultural identity by preserving historical landmarks, artefacts, and traditions for future generations	66.22% 98	25.00% 37	6.76% 10	1.35% 2	0.68% 1	148	1.45
Facilitate understanding of community, cultural and historic context for new LHIB staff	56.46% 83	29.93% 44	10.88% 16	1.36% 2	1.36% 2	147	1.61
Promote educational programs and events that raise awareness of local history, culture and heritage	58.78% 87	24.32% 36	14.19% 21	0.68% 1	2.03% 3	148	1.63
Promote pride in heritage and culture through events	50.34% 74	29.93% 44	15.65% 23	2.04% 3	2.04% 3	147	1.76

LHIB Community Strategic Planning Survey 2024

Q6 Education - Indicate your level of agreement with the following priorities:

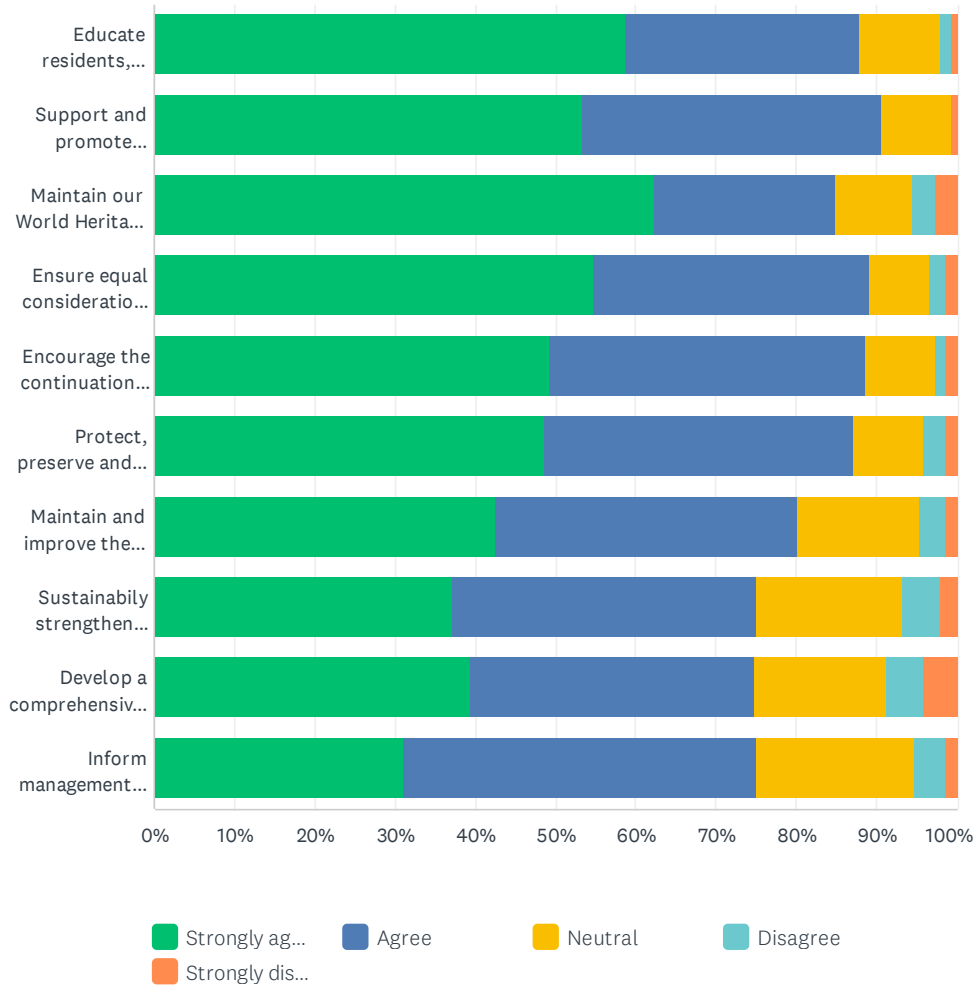
Answered: 148 Skipped: 1



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Advocate for funding and scholarship assistance for secondary and tertiary education and living away from home assistance	61.22% 90	28.57% 42	7.48% 11	2.04% 3	0.68% 1	147	1.52
Identify skills gaps and future-proof the workforce through education and training initiatives	52.03% 77	37.84% 56	8.11% 12	0.68% 1	1.35% 2	148	1.61
Enhance distance education options to ensure families have diverse and equitable choices	50.34% 74	36.73% 54	12.24% 18	0.00% 0	0.68% 1	147	1.64
Strengthen community-school ties for lifelong learning and skill sharing	48.30% 71	39.46% 58	10.20% 15	1.36% 2	0.68% 1	147	1.67

Q7 Environment - Indicate your level of agreement with the following priorities:

Answered: 148 Skipped: 1



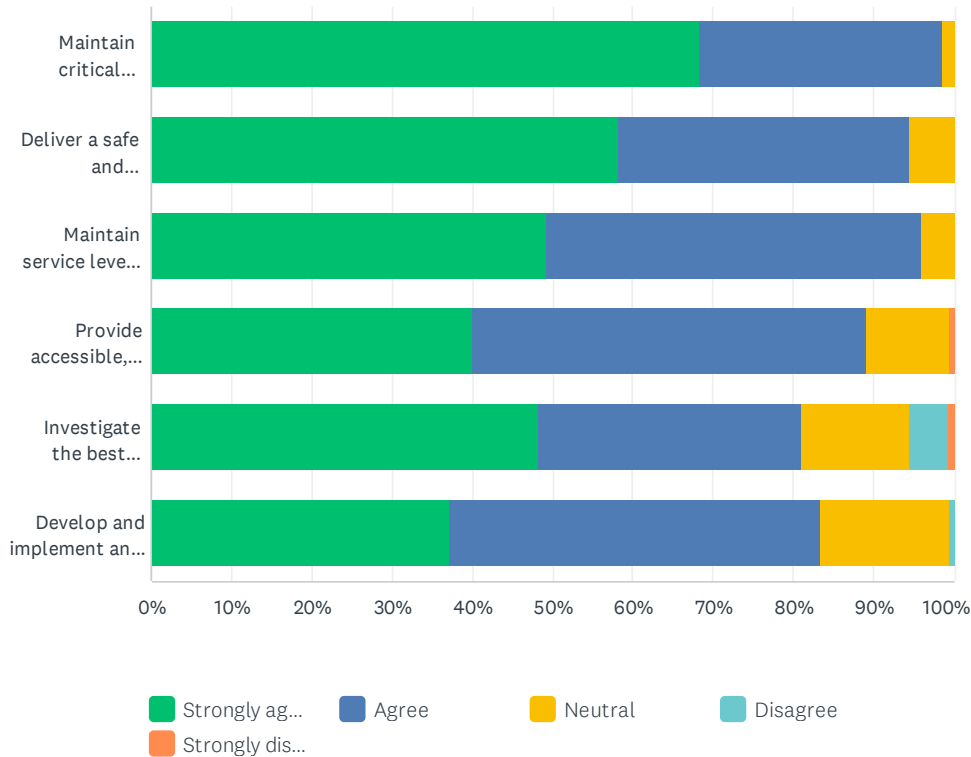
LHIB Community Strategic Planning Survey 2024

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Educate residents, visitors and seasonal staff about the natural environment and our joint responsibility to protect it	58.78% 87	29.05% 43	10.14% 15	1.35% 2	0.68% 1	148	1.56
Support and promote sustainable tourism practices	53.38% 79	37.16% 55	8.78% 13	0.00% 0	0.68% 1	148	1.57
Maintain our World Heritage listing	62.33% 91	22.60% 33	9.59% 14	2.74% 4	2.74% 4	146	1.61
Ensure equal consideration of community and environmental needs in decision making	54.73% 81	34.46% 51	7.43% 11	2.03% 3	1.35% 2	148	1.61
Encourage the continuation of a culture of stewardship over our natural environment	49.32% 73	39.19% 58	8.78% 13	1.35% 2	1.35% 2	148	1.66
Protect, preserve and regenerate environmentally sensitive areas and those of high conservation value	48.65% 72	38.51% 57	8.78% 13	2.70% 4	1.35% 2	148	1.70
Maintain and improve the Permanent Park Preserve and Marine Park using best practice approaches	42.47% 62	37.67% 55	15.07% 22	3.42% 5	1.37% 2	146	1.84
Sustainably strengthen biosecurity measures to prevent the introduction and spread of invasive species	37.16% 55	37.84% 56	18.24% 27	4.73% 7	2.03% 3	148	1.97
Develop a comprehensive climate change strategy for a resilient future	39.46% 58	35.37% 52	16.33% 24	4.76% 7	4.08% 6	147	1.99
Inform management decisions with relevant scientific research, fostering relevant research and encouraging contributions to scientific data through citizen science	31.08% 46	43.92% 65	19.59% 29	4.05% 6	1.35% 2	148	2.01

LHIB Community Strategic Planning Survey 2024

Q8 Infrastructure - Indicate your level of agreement with the following priorities:

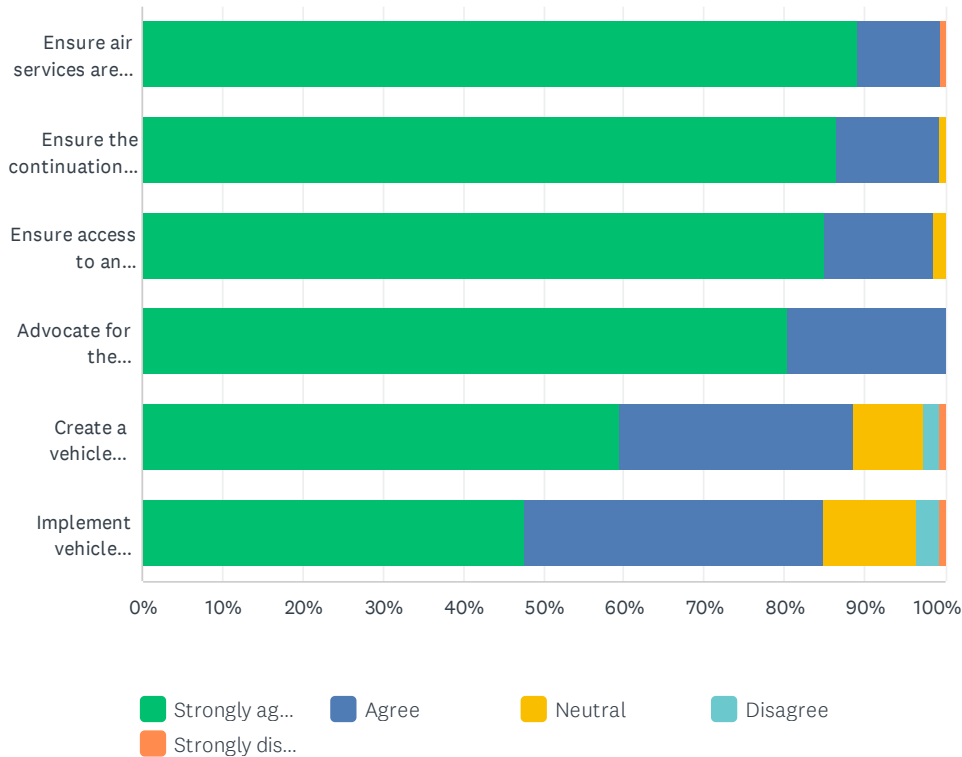
Answered: 148 Skipped: 1



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Maintain critical infrastructure: waste, water, electricity, airport, jetty to support community needs and economic activities	68.24% 101	30.41% 45	1.35% 2	0.00% 0	0.00% 0	148	1.33
Deliver a safe and well-maintained road network	58.22% 85	36.30% 53	5.48% 8	0.00% 0	0.00% 0	146	1.47
Maintain service level for amenities, public facilities, park, lawns and gardens	49.32% 72	46.58% 68	4.11% 6	0.00% 0	0.00% 0	146	1.55
Provide accessible, adaptable and well-maintained community facilities	40.14% 59	48.98% 72	10.20% 15	0.00% 0	0.68% 1	147	1.72
Investigate the best approach to shift the Island's energy supply from fossil fuels to renewable sources	48.30% 71	32.65% 48	13.61% 20	4.76% 7	0.68% 1	147	1.77
Develop and implement an asset management plan	37.24% 54	46.21% 67	15.86% 23	0.69% 1	0.00% 0	145	1.80

Q9 Transport - Indicate your level of agreement with the following priorities:

Answered: 148 Skipped: 1

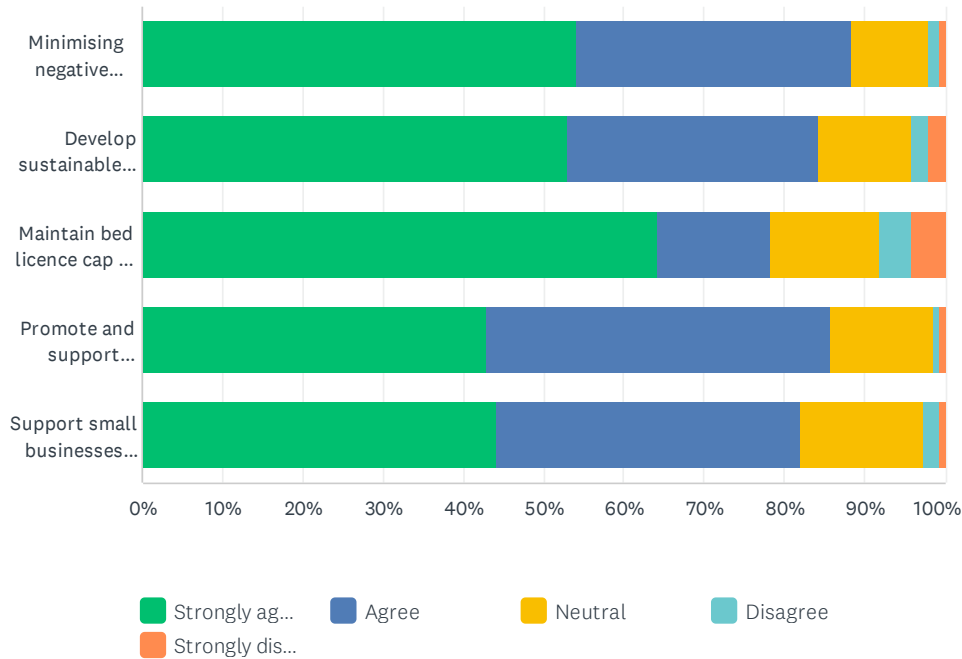


	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Ensure air services are accessible and affordable for locals	89.12% 131	10.20% 15	0.00% 0	0.00% 0	0.68% 1	147	1.13
Ensure the continuation of an affordable regular and reliable shipping service, ensuring on-going performance monitoring and reporting	86.49% 128	12.84% 19	0.68% 1	0.00% 0	0.00% 0	148	1.14
Ensure access to an affordable, reliable freight service	85.03% 125	13.61% 20	1.36% 2	0.00% 0	0.00% 0	147	1.16
Advocate for the continuation of an airline service, ensuring on-going performance monitoring and reporting	80.41% 119	19.59% 29	0.00% 0	0.00% 0	0.00% 0	148	1.20
Create a vehicle strategy to understand needs and provide sustainable and appropriate island transport solutions	59.46% 88	29.05% 43	8.78% 13	2.03% 3	0.68% 1	148	1.55
Implement vehicle strategy and monitor appropriate transport solutions	47.59% 69	37.24% 54	11.72% 17	2.76% 4	0.69% 1	145	1.72

LHIB Community Strategic Planning Survey 2024

Q10 Economy and Employment - Indicate your level of agreement with the following priorities:

Answered: 148 Skipped: 1

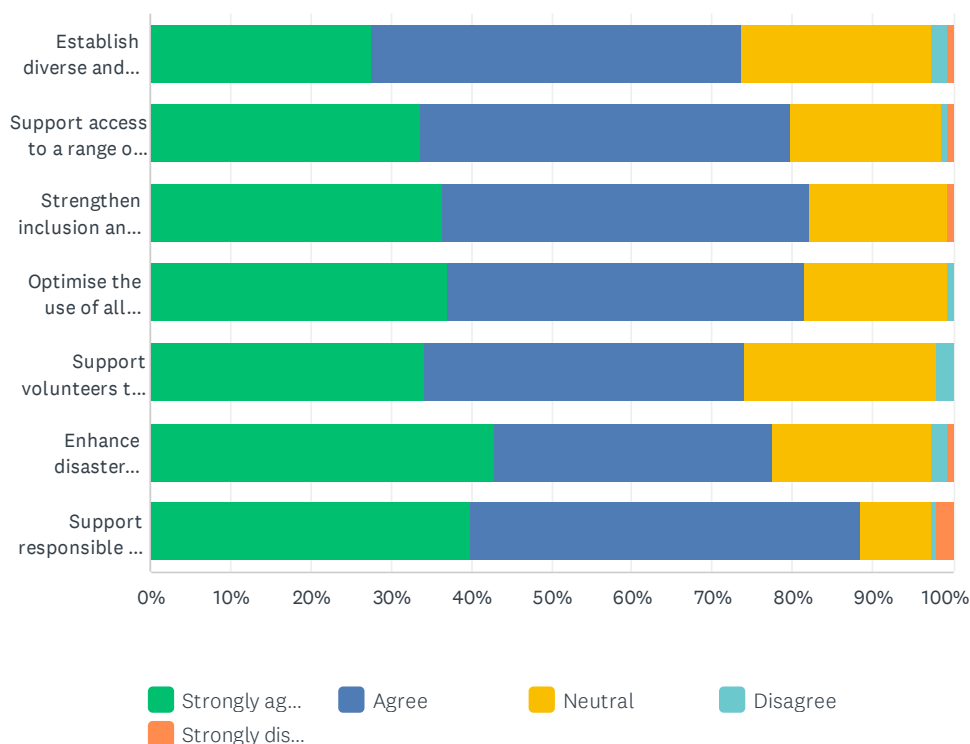


	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Minimising negative impacts of tourism, whilst providing quality opportunities for visitors to appreciate Island values	54.11% 79	34.25% 50	9.59% 14	1.37% 2	0.68% 1	146	1.60
Develop sustainable tourism initiatives that highlight the cultural and heritage assets and traditions of the Island	53.06% 78	31.29% 46	11.56% 17	2.04% 3	2.04% 3	147	1.69
Maintain bed licence cap at 400 beds	64.19% 95	14.19% 21	13.51% 20	4.05% 6	4.05% 6	148	1.70
Promote and support technology and infrastructure that is aligned with community needs	42.86% 63	42.86% 63	12.93% 19	0.68% 1	0.68% 1	147	1.73
Support small businesses while maintaining low environmental impact, fostering diversity, and mitigating oversaturation and industry-specific impacts	44.14% 64	37.93% 55	15.17% 22	2.07% 3	0.69% 1	145	1.77

LHIB Community Strategic Planning Survey 2024

Q11 Community Building - Indicate your level of agreement with the following priorities:

Answered: 148 Skipped: 1



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Establish diverse and accessible events for the community	27.70% 41	45.95% 68	23.65% 35	2.03% 3	0.68% 1	148	2.02
Support access to a range of sporting opportunities	33.78% 50	45.95% 68	18.92% 28	0.68% 1	0.68% 1	148	1.89
Strengthen inclusion and wellbeing and foster community participation of people of all ages, abilities and identities	36.30% 53	45.89% 67	17.12% 25	0.00% 0	0.68% 1	146	1.83
Optimise the use of all shared spaces for enhanced community benefit	36.99% 54	44.52% 65	17.81% 26	0.68% 1	0.00% 0	146	1.82
Support volunteers to drive positive change within our community	34.25% 50	39.73% 58	23.97% 35	2.05% 3	0.00% 0	146	1.94
Enhance disaster management preparedness and capability	42.86% 63	34.69% 51	19.73% 29	2.04% 3	0.68% 1	147	1.83
Support responsible pet ownership and animal welfare needs balancing community and environmental needs	39.86% 59	48.65% 72	8.78% 13	0.68% 1	2.03% 3	148	1.76

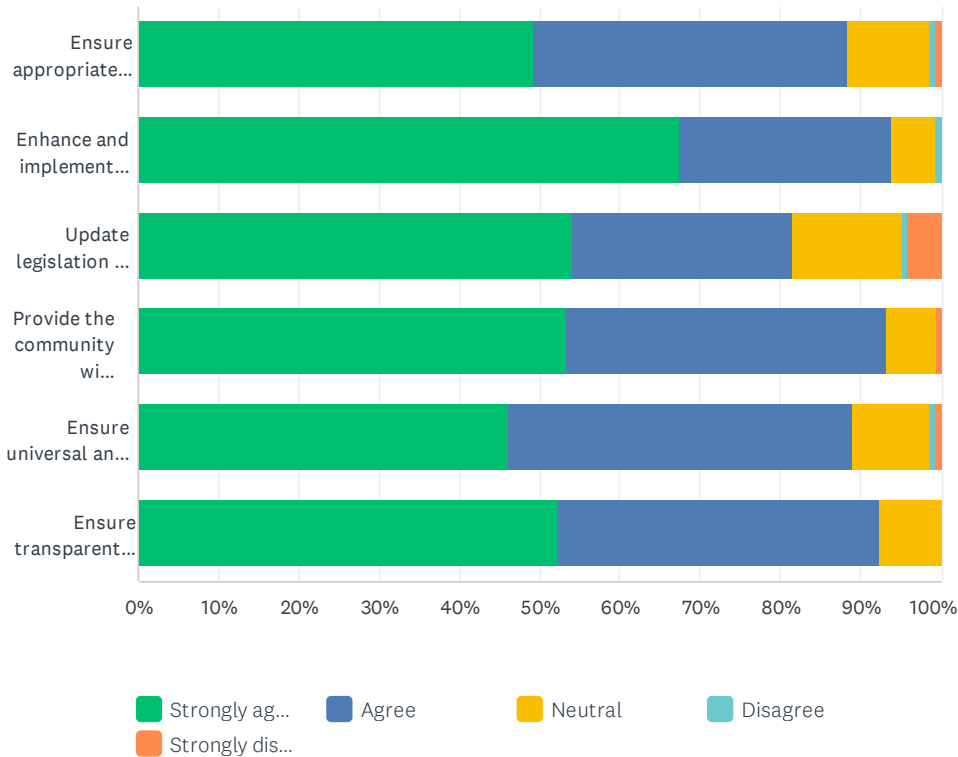
Q12 What would make you more interested in participating in community events?

Answered: 53 Skipped: 96

LHIB Community Strategic Planning Survey 2024

Q13 Governance - Indicate your level of agreement with the following priorities:

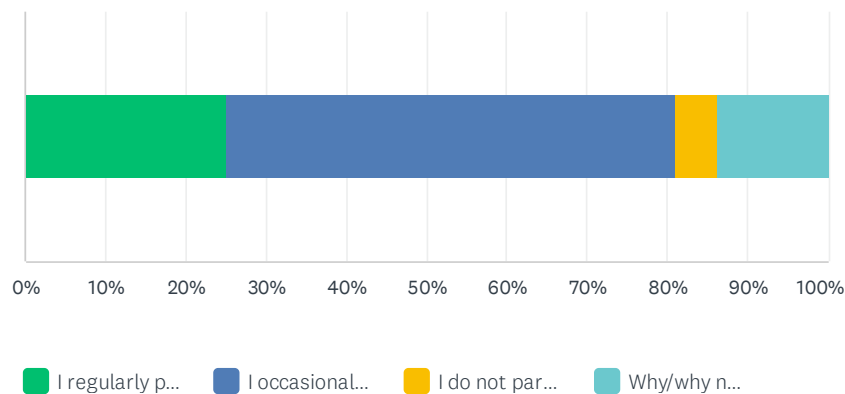
Answered: 147 Skipped: 2



	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	TOTAL	WEIGHTED AVERAGE
Ensure appropriate social impact evaluations and community consultation informs all decision-making processes	49.32% 72	39.04% 57	10.27% 15	0.68% 1	0.68% 1	146	1.64
Enhance and implement transparent board governance practices	67.59% 98	26.21% 38	5.52% 8	0.69% 1	0.00% 0	145	1.39
Update legislation to incorporate fair and equitable inheritance considerations on transfer of lease under the Act	54.11% 79	27.40% 40	13.70% 20	0.68% 1	4.11% 6	146	1.73
Provide the community with information on how to contribute to Board decisions	53.42% 78	39.73% 58	6.16% 9	0.00% 0	0.68% 1	146	1.55
Ensure universal and equitable access to all services	46.21% 67	42.76% 62	9.66% 14	0.69% 1	0.69% 1	145	1.67
Ensure transparent community communication and access to information online through the LHIB website	52.41% 76	40.00% 58	7.59% 11	0.00% 0	0.00% 0	145	1.55

Q14 How often do you participate in community activities such as information sessions, and community events?

Answered: 147 Skipped: 2

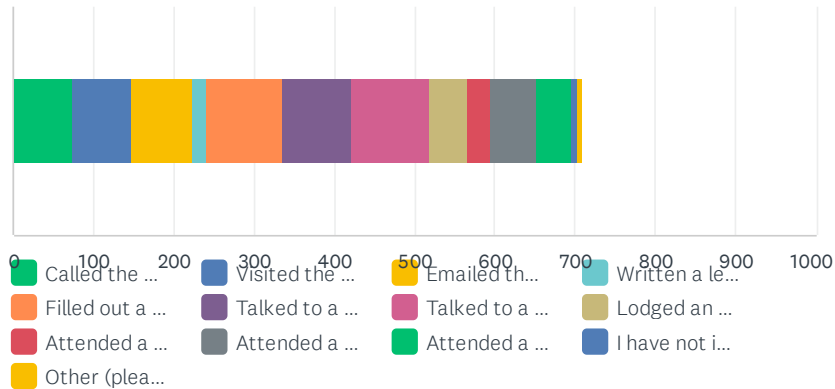


ANSWER CHOICES	RESPONSES	
I regularly participate in community activities	25.17%	37
I occasionally participate in community activities	55.78%	82
I do not participate in community activities	5.44%	8
Why/why not?	13.61%	20
TOTAL		147

LHIB Community Strategic Planning Survey 2024

Q15 How have you interacted with the LHIB or had your say over the last 12 months? (select all that apply)

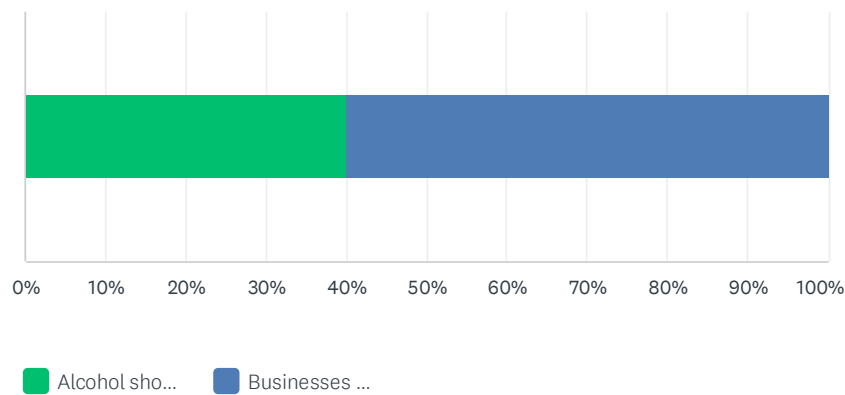
Answered: 145 Skipped: 4



ANSWER CHOICES	RESPONSES	
Called the LHIB	50.34%	73
Visited the LHIB office	51.03%	74
Emailed the LHIB	51.72%	75
Written a letter	13.79%	20
Filled out a survey	64.14%	93
Talked to a LHIB board member	59.31%	86
Talked to a LHIB staff member	67.59%	98
Lodged an application with the LHIB	32.41%	47
Attended a LHIB board meeting	20.00%	29
Attended a community meeting	39.31%	57
Attended a LHIB event (Information sessions, workshops etc.)	29.66%	43
I have not interacted with the LHIB over the last 12 months	5.52%	8
Other (please specify)	4.14%	6
Total Respondents: 145		

Q16 In your opinion, should alcohol on the island be exclusively sold through the LHIB Liquor Store, or should businesses have the option to purchase directly (not through the LHIB Liquor Store)?

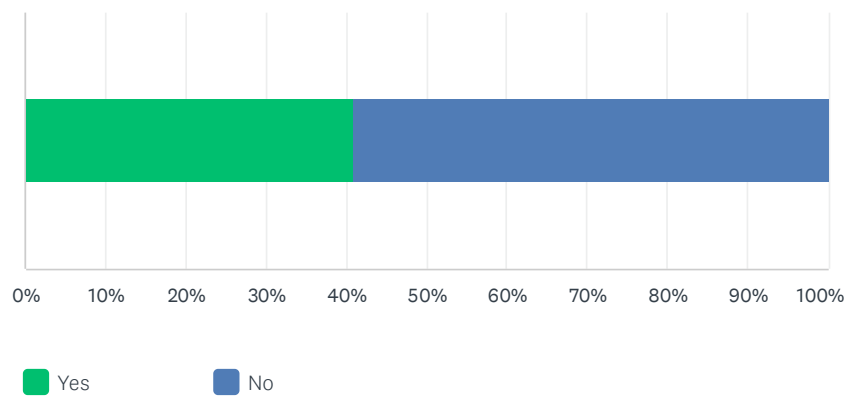
Answered: 130 Skipped: 19



ANSWER CHOICES	RESPONSES	
Alcohol should continue to be sold through the LHIB to island businesses	40.00%	52
Businesses should be able to purchase alcohol directly (not through the LHIB Liquor Store)	60.00%	78
TOTAL		130

Q17 The Board is exploring the option of reducing the Administration Office’s public office opening hours from 5 days per week to 3 days per week to allow alternative allocation of administrative resources. Do you feel this change will impact you?

Answered: 149 Skipped: 0



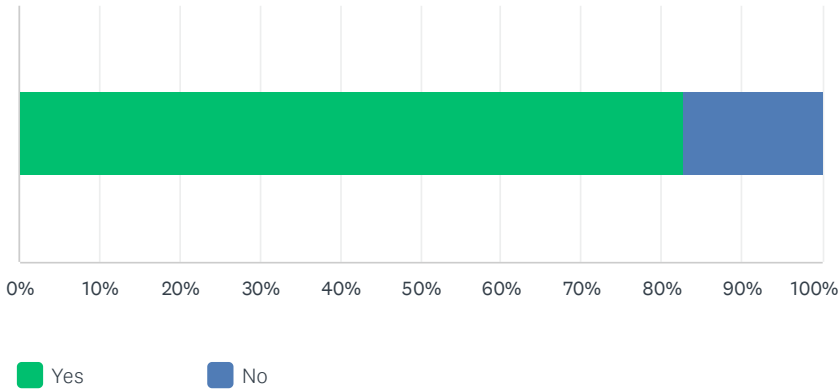
ANSWER CHOICES	RESPONSES	
Yes	40.94%	61
No	59.06%	88
TOTAL		149

Q18 Are there any other comments you would like to make or any other items you think the Community Strategic Plan should include?

Answered: 32 Skipped: 117

Q19 Are you currently residing on Lord Howe Island?

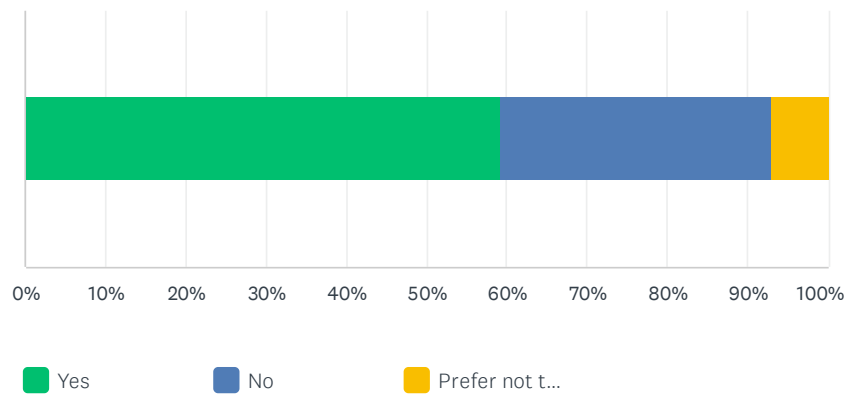
Answered: 146 Skipped: 3



ANSWER CHOICES		RESPONSES	
Yes		82.88%	121
No		17.12%	25
TOTAL			146

Q20 Do you identify as a heritage/lineal islander?

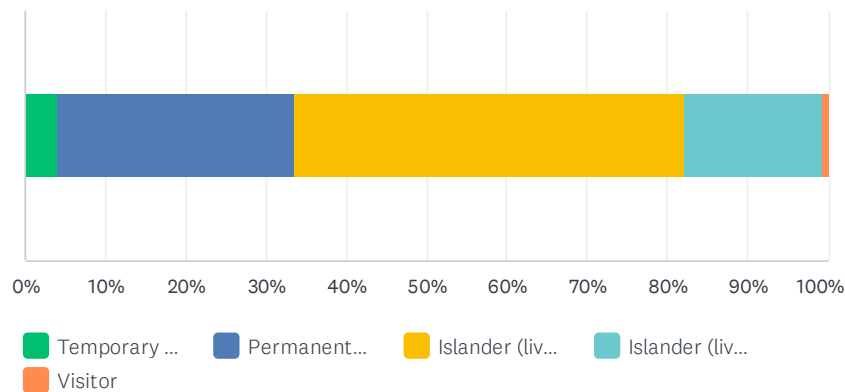
Answered: 145 Skipped: 4



ANSWER CHOICES		RESPONSES	
Yes		59.31%	86
No		33.79%	49
Prefer not to say		6.90%	10
TOTAL			145

Q21 What best describes your Residency Status? (please select one)

Answered: 146 Skipped: 3

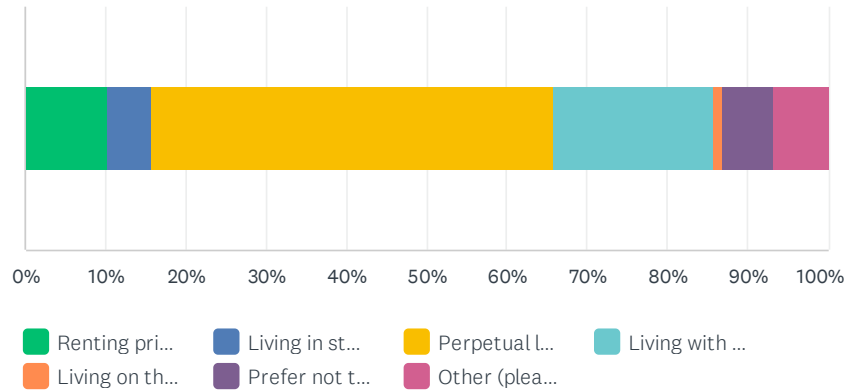


ANSWER CHOICES	RESPONSES	
Temporary resident (seasonal staff etc.)	4.11%	6
Permanent resident	29.45%	43
Islander (living on Island)	48.63%	71
Islander (living on mainland)	17.12%	25
Visitor	0.68%	1
TOTAL		146

LHIB Community Strategic Planning Survey 2024

Q22 What best describes the accommodation you usually reside in on the island?

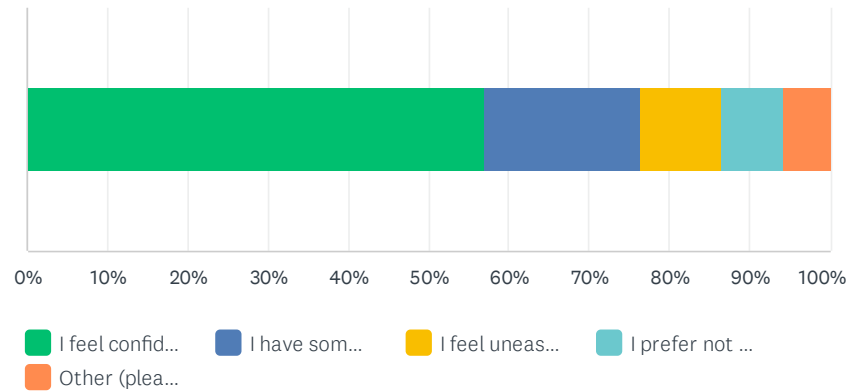
Answered: 146 Skipped: 3



ANSWER CHOICES	RESPONSES	
Renting privately	10.27%	15
Living in staff accommodation	5.48%	8
Perpetual leaseholder	50.00%	73
Living with family/friends	19.86%	29
Living on the mainland (own a home on LHI)	1.37%	2
Prefer not to say	6.16%	9
Other (please specify)	6.85%	10
TOTAL		146

Q23 How do you feel about the security of your accommodation?

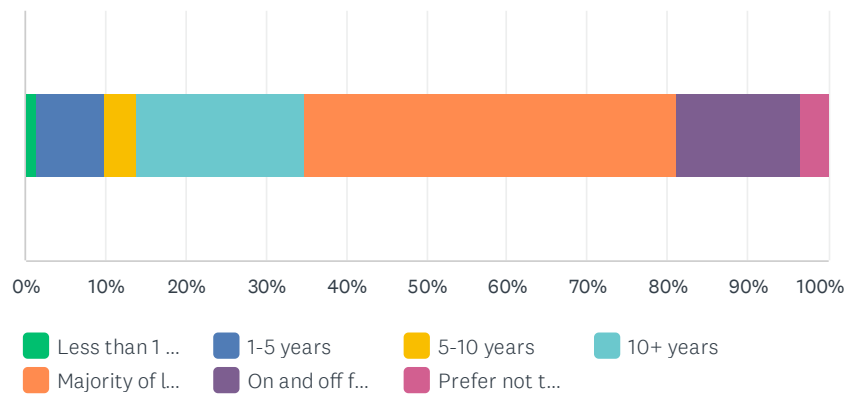
Answered: 140 Skipped: 9



ANSWER CHOICES	RESPONSES	
I feel confident and secure in my current living situation	57.14%	80
I have some concerns but generally feel secure	19.29%	27
I feel uneasy or anxious about the security of my accommodation	10.00%	14
I prefer not to say	7.86%	11
Other (please specify)	5.71%	8
TOTAL		140

Q24 How long have you lived on Lord Howe Island?

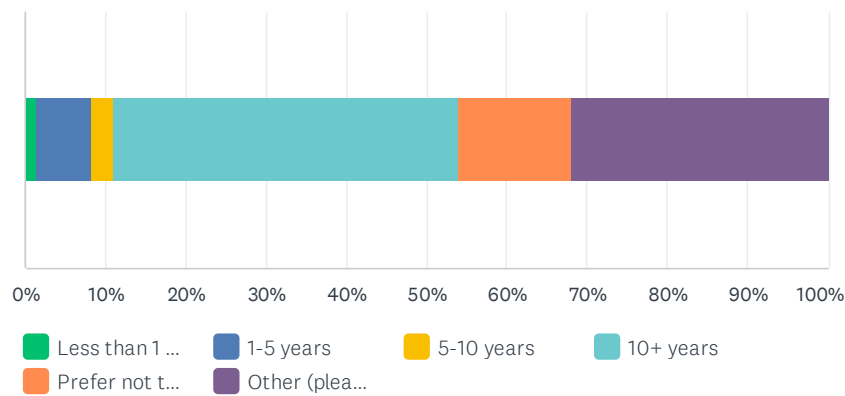
Answered: 144 Skipped: 5



ANSWER CHOICES	RESPONSES	
Less than 1 Year	1.39%	2
1-5 years	8.33%	12
5-10 years	4.17%	6
10+ years	20.83%	30
Majority of life	46.53%	67
On and off for most of life	15.28%	22
Prefer not to say	3.47%	5
TOTAL		144

Q25 If you are currently living on Lord Howe Island, how long do you plan to stay on the Island?

Answered: 135 Skipped: 14

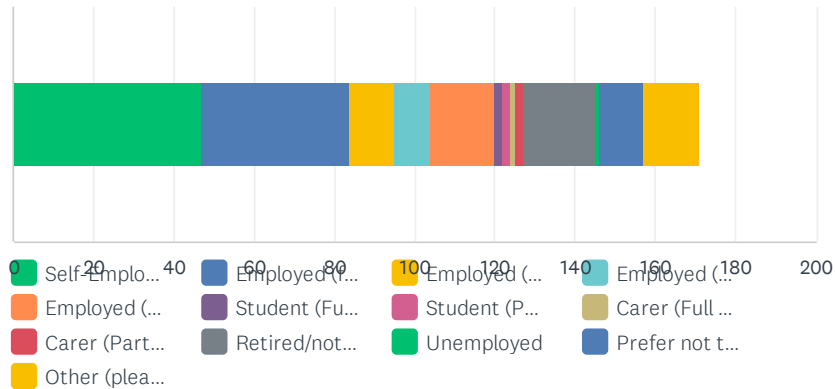


ANSWER CHOICES	RESPONSES	
Less than 1 year	1.48%	2
1-5 years	6.67%	9
5-10 years	2.96%	4
10+ years	42.96%	58
Prefer not to say	14.07%	19
Other (please specify)	31.85%	43
TOTAL		135

LHIB Community Strategic Planning Survey 2024

Q26 How would you describe your current employment status on the island?

Answered: 143 Skipped: 6

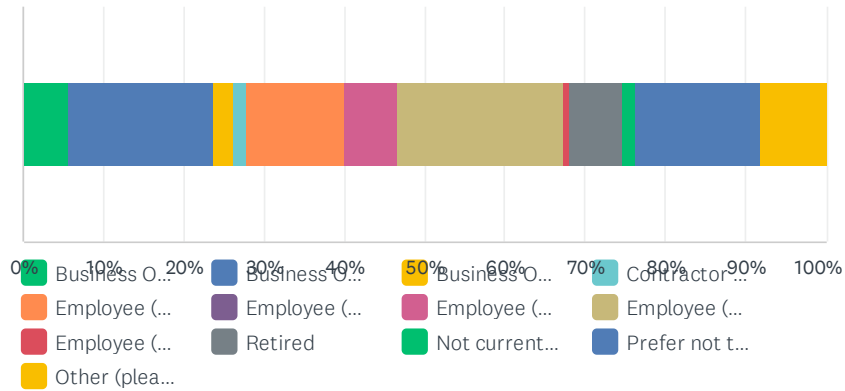


ANSWER CHOICES	RESPONSES	
Self-Employed	32.87%	47
Employed (full time)	25.87%	37
Employed (Full time - multiple jobs)	7.69%	11
Employed (Part Time)	6.29%	9
Employed (Casual)	11.19%	16
Student (Full Time)	1.40%	2
Student (Part Time)	1.40%	2
Carer (Full Time)	0.70%	1
Carer (Part Time)	1.40%	2
Retired/not looking for work	12.59%	18
Unemployed	0.70%	1
Prefer not to say	7.69%	11
Other (please specify)	9.79%	14
Total Respondents: 143		

LHIB Community Strategic Planning Survey 2024

Q27 If employed, please indicate your main occupation on the island? (Select all that apply)

Answered: 122 Skipped: 27

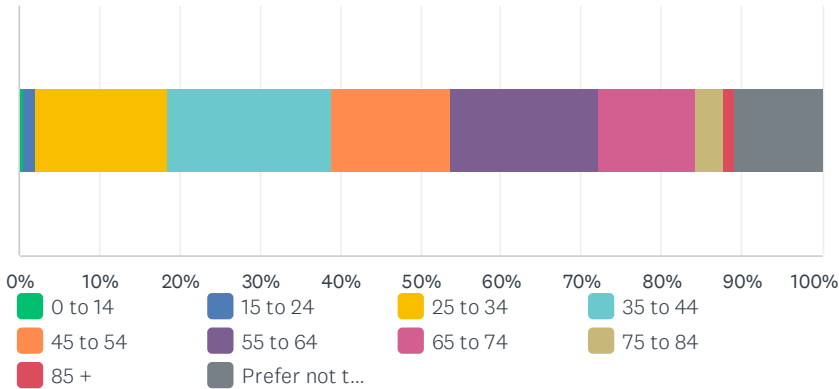


ANSWER CHOICES	RESPONSES	
Business Owner (Trade)	5.74%	7
Business Owner (Tourism)	18.03%	22
Business Owner (Hospitality)	2.46%	3
Contractor or Supplier	1.64%	2
Employee (Tourism)	12.30%	15
Employee (Trade)	0.00%	0
Employee (Hospitality)	6.56%	8
Employee (Government)	20.49%	25
Employee (Working remotely)	0.82%	1
Retired	6.56%	8
Not currently working	1.64%	2
Prefer not to say	15.57%	19
Other (please specify)	8.20%	10
TOTAL		122

LHIB Community Strategic Planning Survey 2024

Q28 Age

Answered: 147 Skipped: 2

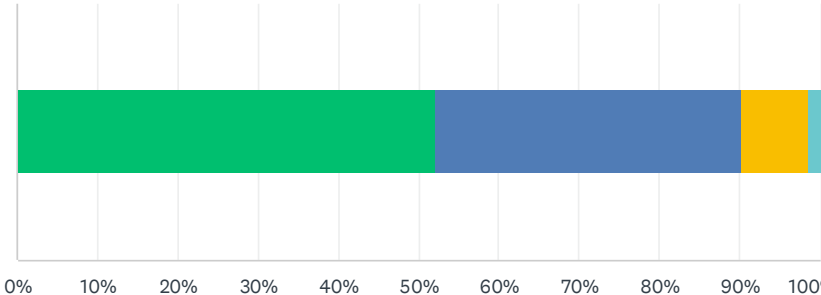


ANSWER CHOICES	RESPONSES	
0 to 14	0.68%	1
15 to 24	1.36%	2
25 to 34	16.33%	24
35 to 44	20.41%	30
45 to 54	14.97%	22
55 to 64	18.37%	27
65 to 74	12.24%	18
75 to 84	3.40%	5
85 +	1.36%	2
Prefer not to say	10.88%	16
TOTAL		147

LHIB Community Strategic Planning Survey 2024

Q29 Gender

Answered: 144 Skipped: 5

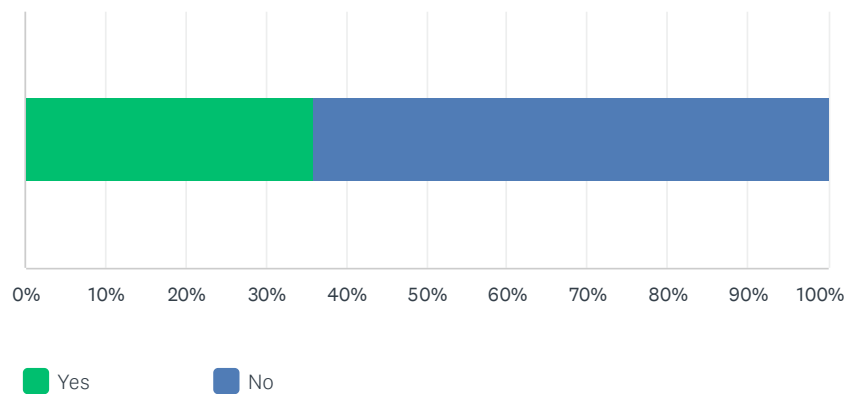


Female Male Prefer not t... Another ter...

ANSWER CHOICES	RESPONSES	
Female	52.08%	75
Male	38.19%	55
Prefer not to say	8.33%	12
Another term (please specify)	1.39%	2
TOTAL		144

Q30 Did you attend a Community Strategic Plan Workshop (12-14 Feb 2024)?

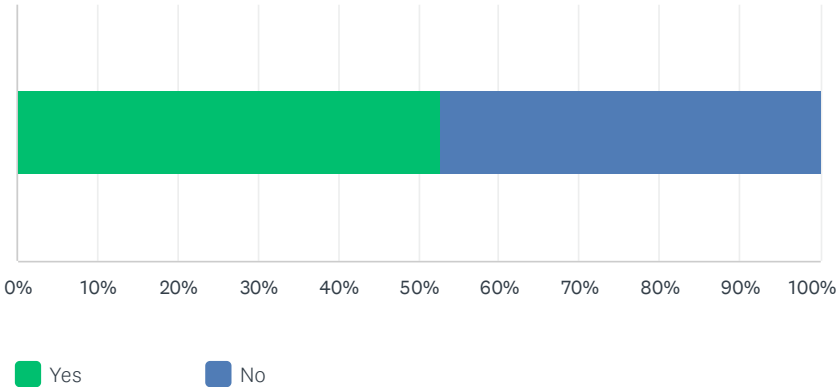
Answered: 142 Skipped: 7



ANSWER CHOICES		RESPONSES	
Yes		35.92%	51
No		64.08%	91
TOTAL			142

Q31 Did you mark your priorities down at the Community Hall on voting day (15 Feb 2024)?

Answered: 142 Skipped: 7



ANSWER CHOICES	RESPONSES	
Yes	52.82%	75
No	47.18%	67
TOTAL		142

Board Meeting: May 2024	Agenda Number: 10.03	Record Number: ED24/3311
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Communications Strategy

Recommendations

1. **Note** - Draft Communications Strategy (including attachment A) for comment.

Current Position

The LHIB Draft Communications Strategy (the Strategy) is an integral supporting component to the LHIB Draft Stakeholder Engagement Strategy. The Strategy outlines the communication approach with external and internal (staff) stakeholders of LHIB and identifies communications objectives, principles, key messages, and risks.

The *Lord Howe Island Board Efficiency and Effectiveness Review, May 2022* notes poor internal communication as a contributor to low staff morale and engagement. Noted also is the breakdown in trust between the Community and LHIB and that greater effort and emphasis be placed on strengthening communication and transparency.

Objectives:

The key objectives of the LHIB's communication approach are to **inform, influence, and inspire** stakeholders via timely, purposeful, and credible messaging via the right channels.

External stakeholders

Inform external stakeholders of services and support provided by LHIB.

Influence external stakeholders to build trust and confidence in the ability of LHIB to deliver effective services.

Inspire external stakeholders about how the LHIB can contribute to the wellbeing and sustainability of the Lord Howe Island community and its environment pursuant to the charter in the Lord Howe Island Act.

Internal (staff) stakeholders

Inform LHIB staff to raise awareness and share knowledge about key events, activities and projects being undertaken.

Influence LHIB staff so they are knowledgeable and can act as champions and respond to enquiries from external stakeholders.

Inspire LHIB staff to feel empowered and engaged in their work to provide services and support to external stakeholders.

Next steps

Next steps include:

- Finalising the Strategy based on any comments and feedback.
- Undertaking planning and execution of communications for LHIB projects and business as usual (BAU) activities in accordance with the Strategy.
- Commencing ongoing monitoring and measurement activities to assess for continuous improvement opportunities.

Budget

Key resources assigned to finalisation and implementation of the Communications strategy are the People and Change Lead and Communications Officer, funded through projects.

Attachments

Attachment	Title
A	LHIB Draft Communications Strategy

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Samantha Chambers-Skeggs	People and Change Lead



Communications Strategy

May 2024

Document version: 001

Title:	Lord Howe Island Board (LHIB) Communications Strategy
Scope:	
Author:	Sam Chambers-Skeggs
Approved by:	CEO
Reviewed:	



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1. Context

This strategy:

- Outlines the communication approach with external and internal (staff) stakeholders of the Lord Howe Island Board (LHIB);
- Identifies communication objectives, principles, key messages, and risks;
- Outlines monitoring and evaluation methods to ensure continuous improvement;
- Will be used to guide planning of communications for LHIB projects and business as usual (BAU) activities; and
- Applies for a 3 year period.

2. Objectives of communication

The key objectives of the LHIB's communication approach are to **inform, influence, and inspire** stakeholders via timely, purposeful, and credible messaging via the right channels.

2.1 External stakeholders

Inform external stakeholders of services and support provided by LHIB.

Influence external stakeholders to build trust and confidence in the ability of LHIB to deliver effective services.

Inspire external stakeholders about how the LHIB can contribute to the wellbeing and sustainability of the Lord Howe Island community and its environment pursuant to the charter in the Lord Howe Island Act.

2.2 Internal (staff) stakeholders

Inform LHIB staff to raise awareness and share knowledge about key events, activities and projects being undertaken.

Influence LHIB staff so they are knowledgeable and can act as champions and respond to enquiries from external stakeholders.

Inspire LHIB staff to feel empowered and engaged in their work to provide services and support to external stakeholders.

3. Principles

The draft *Lord Howe Island Board Stakeholder Engagement Strategy, July 2023, Section 1.2 Principles*, outlines overarching engagement principles that apply to all engagement activities including communication. Additional principles specific to the development and delivery of communication are as follows. The LHIB will:

- Prepare messaging that is plain language, simple and credible, and matches needs of the stakeholder group.

- Match the appropriate communications channel to the message and stakeholder group with existing channels to be used in the first instance.
- Align timing of communication to key tasks and milestones (projects) and activities and events (BAU).
- Plan for leader led messaging where circumstances necessitate.
- Plan internal (staff) communication concurrent with external to ensure consistency of messaging and timing.
- Ensure communication products are accessible.
- Prepare communication products aligned with LHIB style and brand guidelines and broader NSW Government editorial guidelines in effect at time of preparation.

4. Our stakeholders

Our stakeholders are *organisations, groups, or individuals who have an interest in influencing or benefitting from, or are affected by*, the Lord Howe Island Board's activities.

It should be noted that individuals may belong to more than one stakeholder group.

Refer to the draft *Lord Howe Island Board Stakeholder Engagement Strategy, July 2023, Section 2 Our Stakeholders*, for further detail on stakeholder groups.

Stakeholder	Objective	Strategy
Minister	Empower Inform Influence	Direct communication at highest level. Provide sound advice and recommendations to support decision-making as prescribed in the <i>Lord Howe Island Act 1953</i> .
Board Members	Empower Inform Influence	Decision-making body. Keep well informed, alerted to risk, and provide performance reporting.
Government	Inform Collaborate Influence	Advocate to, and influence when required. Offer positive experiences, follow up, deliver, and report on contracts. Maintain positive profile, open communication channels. Provide accurate and timely information to colleagues to leverage support.
Residents	Inform Influence Inspire	Maintain constructive open communication channels. Educate, provide information, increase awareness, and build knowledge. Provide timely customer service.
Business Operators	Inform Influence Inspire	Maintain constructive open communication channels. Educate, provide awareness, and increase knowledge. Provide timely customer service.
Media and social media	Inform	Send positive stories and respond to enquiries. Activate crisis media response if required.
Community Groups	Inform Influence Inspire	Maintain constructive open communication channels.

Science and knowledge	Inform Influence	Communicate directly to seek advice. Involve in project development and implementation. Use as champions.
Visitors	Inform Inspire	Build and maintain positive profile. Provide information to educate and build awareness and support. Inspire to promote LHI to other potential visitors.
Staff, contractors, volunteers	Inform Influence Inspire	Maintain constructive open communication channels. Educate, provide awareness, and increase knowledge. Use as champions. Creatively use communication to promote and encourage engagement and development.
Suppliers	Inform	Maintain constructive open communication channels.
Skilled Workers	Inform Inspire	Maintain constructive open communication channels. Promote employment opportunities and benefits.

5. Key Messages

Overarching

- LHIB's mission is to provide leadership, services and support which contribute to the wellbeing and sustainability of the Lord Howe Island community and its environment pursuant to its charter in the Lord Howe Island Act.
- The Lord Howe Island Group's (LHIG) unique qualities received worldwide recognition when it was included in the World Heritage list in December 1982. The Island's Permanent Park Preserve supports rich biodiversity of endemic and significant species and communities.
- LHIB plays an important role in effectively managing the natural and cultural heritage of the LHIG World Heritage property.
- Our role has increased over time, and we have a plan to make things better. Our Community Strategic Plan will underpin our internal strategic, delivery, and operational plans as well as our resourcing strategy to ensure our services and support are provided as required.
- We are on a continuous improvement journey and implementing a plan for improvement of service delivery including critical infrastructure (Marine Freight and Waste Management Facility), Biosecurity, and recommendations from the Efficiency & Effectiveness review. This may take up to 5 years. These initiatives require additional resourcing to assist planning and implementation.
- Our staff are valued and are proud to work for us.

Land, Environment & Biosecurity

- Preservation and enhancement of the Lord Howe Island's World Heritage values and natural environment is important now and for the future.
- Protection of our Permanent Park Preserve is critical to ensure safe access and enjoyment.
- LHIB:
 - is a global leader in environmental conservation and is responsible for the successful execution of internationally renowned eradication programs and ecological restoration.
 - has made significant progress enhancing biosecurity processes on Lord Howe Island and will continue to enhance biosecurity processes and infrastructure. LHIB is working with Qantas, Eastern Air Services and Birdon to ensure a collaborative approach to biosecurity at points of departure.

- implements plans and legislation to ensure a sustainable built environment that exists within pristine natural spaces.

Public facilities

- LHIB:
 - has a planned upgrade program, and ensures infrastructure assets, open spaces and public facilities are well-maintained and safe for use by the community, visitors, and staff.
 - maintains functional and safe roads, waste management, electricity supply, aerodrome and jetty access and public drinking water in line with community and visitor needs.
- Long term, secure and sustainable air and marine freight services are essential for the Lord Howe Island economy and community.

Tourism and Business

- Tourism is the most important industry on Lord Howe Island.
- Environmental stewardship, cultural appreciation, and profound visitor experiences are an outcome of responsible and sustainable tourism.
- Availability of diverse local employment provides opportunity for people living on the Island.
- A fair and competitive landscape allows for the development of sustainable local businesses.

Community support and development

- The Lord Howe Island community is built on diversity and acceptance, where every community member and visitor is valued.
- Local connections and community groups are vital in ensuring a place that is safe, inclusive, and welcoming.
- Equitable access to essential services and amenities is critical to the Lord Howe Island community.
- Access to stories, histories and cultural traditions allows the provision of valuable insights to community members and visitors.
- Partnerships with community groups, eg, seniors, local school, to support events and gatherings are important to the Lord Howe Island community.

Procedures, practices, and policies

- LHIB:
 - ensures compliance with legislation, NSW government and LHIB policy.
 - recognises sustainable practices guide our development and that our neighbourhoods celebrate the character and heritage of the Island.
 - ensures development of the built environment maintains and improves the unique natural environment and considers social impact.

6. Risks and Issues

Risk factor	Likelihood	Response/mitigation strategies
Stakeholder communication needs are not met due to lack of resourcing	Likely	Review potential to leverage DCCEEW/NPWS resources to assist People and Change Lead/Communications Officer in execution of the communications strategy
Stakeholders are erroneously informed due to provision of incorrect or untimely communication	Possible	Preparation and implementation of communication plans across LHIB projects and BAU activities that will provide necessary governance, and detail cadence and messaging requirements attributed to stakeholder need
Stakeholders do not receive communications as channel(s) not matched appropriately	Possible	Preparation and implementation of communication plans across LHIB projects and BAU activities that will provide necessary governance, and detail appropriate channels attributed to stakeholder need
Media interest or stakeholder displeasure leads to a reputational issue	Possible	Engage with, and seek input from, DCCEEW/NPWS Corporate Communications Public Affairs team

7. Communications tactics and channels

Refer Table 1. Communication tactics and channels for Lord Howe Island Board Stakeholders

8. Strategy execution

The LHIB Communications Strategy will guide planning of communications for LHIB projects and business as usual (BAU) activities.

In addition, the following supporting artefacts will be used to ensure development and execution of communications in line with stakeholder need.

LHIB projects	BAU
<ul style="list-style-type: none"> - LHIB Brand Guidelines and Templates - NSW Government Editorial style guide - Stakeholder Matrix - Change Requirements Checklist - Change Impact Assessment - Communications Plan 	<ul style="list-style-type: none"> - LHIB Brand Guidelines and Templates - NSW Government Editorial style guide - LHIB Communication and Content Calendar - LHIB External Communication Protocols

9. Feedback and Complaints

Feedback and complaints from stakeholders will provide LHIB with opportunities to improve on communication objectives. Community members will be encouraged to direct their complaints via the app on the LHIB website. LHIB will record and address concerns.

The following data will be captured by LHIB:

- Responses to complaints
- Number of complaints

10. Monitoring and Evaluation

The following governance activities are required to ensure communications objectives are met:

- Communications requirements are considered during the planning process for LHIB projects and BAU activities.
- Use of the communications supporting artefacts as outlined in section 8.

In addition to feedback and complaints received (per section 9), surveys will be used to gauge community sentiment from the Residents stakeholder group. For Internal (staff) stakeholders, the People Matter Employee Survey will be used to assess staff engagement and to review responses to specific questions around communication.

The feedback noted in the Efficiency & Effectiveness review (May 2022) and the Communications and Community Engagement Survey (April 2016) will be used as a baseline to measure improvement in meeting communication objectives.

All information gathered via ongoing monitoring and measurement will be used to assess for continuous improvement opportunities.

Board Meeting - May 2024 - POLICY AND STRATEGY

	Minister	Board Members	Government	Residents	Business Operators	Media/ Social Media	Community Groups	Science & Knowledge	Visitors	Staff, Contractors, Volunteers	Suppliers	Skilled Workers
Householder		X		X	X		X			X		
Newsletter (ext)		X		X	X		X			X		
Newsletter (staff)										X		
Email notices		X	X		X		X	X		X	X	
Public notices		X		X	X				X			
Media releases/Media Q&A			X			X						
Ministerial Briefs	X											
Website				X	X	X	X	X	X	X	X	X
Social Media				X	X	X	X	X	X	X	X	X
Brochures/Fact Sheets/Flyers				X	X		X		X	X		
Noticeboards/Signage				X	X		X		X	X		
Open days				X	X		X		X	X	X	X
Annual report	X	X	X	X	X		X			X	X	
Project reports			X							X	X	
Board papers		X		X	X					X		
Scientific reports		X		X				X				
Discussion papers		X	X	X	X			X				
Surveys				X						X		
Information sessions				X								
Meetings (ext)		X	X	X				X			X	

DRAFT – Communications Strategy

Meetings (staff)									X		
Focus groups	X		X	X		X	X				
Workshops	X	X	X	X		X			X		

Table 1. Communication tactics and channels for Lord Howe Island Board Stakeholders

Board Meeting: May 2024 2024	Agenda Number: 11.01	Record Number: ED24/
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Owner Consent and Development Application – Urgent replacement of existing wastewater system – Request for approval to assess and determine application out of session – Somerset Apartments – Gai Wilson

Recommendations

1. **Agree** to assess and determine the owner consent and development application out of session.

Current position

On 26/03/2024, an application for owner consent and a development application was submitted through the NSW Planning Portal for Somerset Apartments to replace their wastewater system.

The application is undergoing a completeness check by the external planners. Fundamental issues have emerged in relation to leaseholder authorisation to lodge the application, and deficiencies in the information supplied. The Boards planner will provide further information to the applicants, who are focused on re-supplying complete application forms to enable lodgement.

Applicant request

On 24/04/2024, an email was received from Gai Wilson requesting the consideration and determination of the owner consent and development applications out of session as the next Board meeting is not until August 2024.

The wastewater system at Somerset is now in need of urgent replacement and Somerset is closed for June/July 2024 to undertake the work.

Given the extenuating circumstances, it is recommended that the Board agree to assess and determine the applications out of session.

Attachments

Attachment	Title
	Nil

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Paula Pollock	Senior Manager Environment & Community Services

Board Meeting: May 2024	Agenda Number: 12.01	Record Number: ED24/1215
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Creation of an easement in gross over Portion 109 – Bradley Wilson

Recommendations

The Board should decide between two available options:

1. **Approve** recommending that the Minister approve creation of an easement in gross over Portion 109 being vacant Crown land under Board control, avoiding impact to significant native vegetation, or
2. **Refuse** recommending that the Minister approve creation of an easement in gross over Portion 109, being vacant Crown land under Board control, **and recommend** to the leaseholder of Lot 183 that alternative access should be pursued through lot 183 if a subdivision is desired.

Current position

The Administration has received a request for an easement over vacant Crown land under Board control, being lot 109, 52 Old Lagoon Road, to provide legal and practical access benefitting a proposed new lot that may be created through subdivision of lot 183 Old Lagoon Road. (See Figure A and B, Attachment A)

The easement has been proposed by Bradley Wilson who has lodged an application for a dwelling allocation under the 2023 ballot process – refer to Business Paper 12.03, ED23/8487. The proposed easement is assumed to be approximately 50m in length and 3.5m in width but has not been ground-truthed or surveyed (see Figure 1).

Information regarding the background to this proposal, and limitations on creating easements on Lord Howe Island previously supplied in past Board papers can be found at Attachment A.

Considerations

The NSW Land Registry Services (NSW LRS) will register easements over crown land in limited circumstances, refer to issued guidance here [Lord Howe Island leases - Registrar General's Guidelines \(nswlrs.com.au\)](https://nswlrs.com.au) :

As the fee of the lands comprising Lord Howe Island remains Crown Title, easements cannot be created pursuant to section 88B Conveyancing Act 1919. However, easements in gross in favour of statutory authorities may be created over lands on the Island by:

- *registration of a deposited plan defining by survey the site(s) of the proposed easement(s) and*
- *preparation of a notification in the Government Gazette acquiring the new easement.*

The issue for the Board to consider is whether the proposed easement is in favour of the Board as the Public Authority ie. provides a public benefit. The Board itself has no need for the easement, as Lot 109 is Board land, and public access is already available via two alternative access roads to Lot 109.

This does not prevent the Board reaching a conclusion that the easement should be recommended to the Minister, provided the Board is satisfied that it will generate a genuine public benefit.

In considering whether there is a public benefit, the Board is entitled to consider the issue of housing stock on the island.

The particular and unique circumstances of Lord Howe Island give rise to consideration that providing an increase in available accommodation on the Island is a general public benefit, demonstrated by the following:

- Businesses and locals alike have repeatedly and consistently advised that accommodation for both locals and their required workforce is a major limitation to the economy of the Island, and their aspirations for housing options for lineal descendants.
- As the Island's major employer, the Board itself has 'lack of accommodation' identified as a major risk to workforce capacity and capability and its ability to deliver services effectively to the community.
- The Lord Howe Island Local Environmental Plan 2010 prevents the consent authority, the Lord Howe Island Board, from consenting to the development of more than 25 new dwelling over a 20-year period from 2005 to 2025. Only nine dwelling entitlements had been allocated during the 2005-2023 period. No allocations had been granted since 2006 and in 2023 the Board determined to release a further six dwelling allocations to eligible Islanders.
Despite the lack of new housing approvals or construction for more than a decade, only four eligible applications were received, largely due to the lack of available land. Potentially only 2 dwelling allocations will proceed to a new home without further action by the Board to create the right enabling conditions.
- The creation of one new dwelling in percentage terms increases available housing 0.6% from just 157 approval residential dwellings on 137 Perpetual Leases. In comparison to capital city housing supply increases, this is significant at a proportional level.
- If the easement was deemed in favour of the public generally, an easement in gross may be a possibility under Section 19 of the *Lord Howe Island Act 1953*

Costs

The Board has no identified budget for the costs associated with creating the easement. (See attachment A) and application of a fee may not be possible as the easement must be for public benefit. However, in lieu of costs, it may be possible to condition to easement approval to require the applicant to (for example):

- Upgrade the track to an all-weather surface, to demonstrate and benefit public access, or
- Revegetate an agreed area of vegetation to increase the extent, quality or habitat value of significant native vegetation.
- Note that both example conditions have not been tested with planners due to current demand on limited resources. The administration will revert to the Board for a decision

on conditions should a determination be made to recommend an easement in gross to the Minister.

Risks

- With major public benefit projects flagged for the waste transfer facility and airport precinct, care might be exercised regarding fettering future public use of lands in the area.
- Consenting to an easement gives substantial private benefit to the lessee of Lot 183 and the value of the new lot will reflect the values of the access (which is currently not available).
- The Board should be wary of fettering its statutory planning discretion in relation to the reception and determination of development applications. This might arise if it signals it will assist with the creation of the easement and therefore a subdivision.
- The Board may consider the precedent set regarding vacant public land and public funding being available to support a private development outcome.
- The proposed easement is yet to be surveyed, and may include areas mapped as significant native vegetation which must be protected under the Lord Howe Island Local Environment Plan. Creation of the easement will need to avoid these impacts.

Alternatives

Sale of crown land - The applicant has also expressed informally that he would be willing to purchase the public land from the Board. This option may remove any doubt as to the balance of public and private benefit. However, this proposal it should be assessed considering the [Land Asset Disposal Policy](#) (Attachment B) and against that policy's principles of fairness, transparency and equity to ensure that the Board obtains the best outcome on a fiscal and social basis. This public land – zoned Special Use – is Community Land and cannot be disposed of or consolidated into a Perpetual Lease. The land has not been identified as a surplus asset.

Permissive Occupancy - Community Land can be included as part of a Permissive Occupancy (PO) approved by the Minister, however there is little confidence that a PO would provide the required legal access as they cannot be transferred and do not run with the land.

Master-planning – Southern Precinct.

Should the Board require an alternative additional access to Lot 109 for the critical infrastructure program facilities that involved upgrading the existing track to a public road, it could potentially be argued that it would provide public access to the proposed subdivided portion of Lot 183, and an easement would not be required.. The Board should be aware that in a preliminary site visit such access was **not** identified as being necessary. However, it is too early in the planning process to confidently determine either way, and the parties involved in the application for an easement are anxious for an outcome of their application.

Alternative Access – Legal and practical access could be created through cleared land on the existing Lot 183 to the other side of the proposed subdivided new lot (see Figure B). This portion is also largely significant native vegetation, and such access would need to run very close to the existing residence. Additionally, the cleared land (non SNV) narrows to approximately 1.5m at the possible exit. The leaseholder is not in favour of this option, however it is the option to creating legal and practical access most likely to succeed and result in a subdivision outcome.

Conclusion

If the Board determines to consent to the proposed easement, the preferred approach would be an easement in gross, for the non-exclusive access of Brad Wilson, thereby not restricting public access including Board access or use of lot 109 including for services.

Attachments

Attachment	Title
A	Easement Considerations Background
B	Land Asset Disposal Policy

Approval and contact

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

Legal and practical access

The easement is proposed over an existing cleared track, refer Figure A, which has been utilised in the past by the Board and others.



Figure A: Existing track through significant native vegetation on lot 109 and proposed location of easement

The existing track runs along the assumed boundary of lot 183 and lot 109, Figure B. An application for the creation of a new lot (splitting 183) will need to demonstrate that both parent lot (183) and new child lot have or can achieve legal and practical access. Absent an easement over lot 109, a legal access would have to be provided over the parent lot 183 and adjacent lot 21 for a subdivision to proceed. A large proportion of lot 183 is mapped as Significant Native Vegetation and the Local Environmental Plan precludes damage to or removal of vegetation in these areas, limiting the ability to establish an access off Old Lagoon Road.

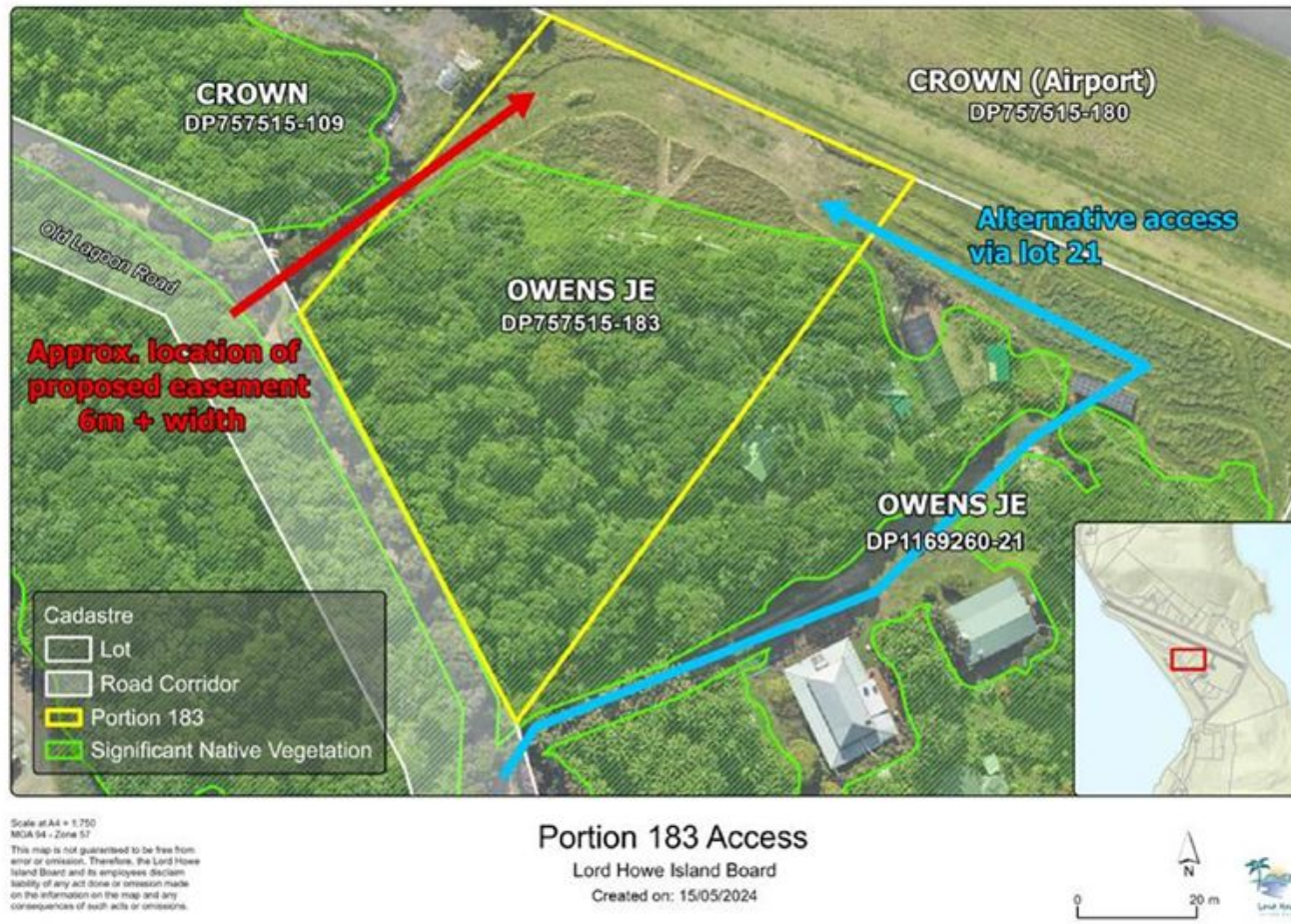


Figure B. Portions 109, 183, and 21: proposed easement and alternative access.

Easements on Lord Howe Island

There is no Policy that guides the creation of easements on public land on Lord Howe Island.

As the fee of the lands comprising Lord Howe Island remains Crown Title, easements cannot be created pursuant to s.88B *Conveyancing Act, 1919* as they can be on the mainland.

However, easements in gross in favour of statutory authorities may be created over lands on the island by:

- registration of a deposited plan defining by survey the site(s) of the proposed easement(s), and
- preparation of a notification in the Government Gazette acquiring the new easement.

Easements in gross, where there is no dominant tenement, might include easements for drainage of sewage, easements for drainage of water, and right of access (public not just single beneficiary).

Section 19 of the *Lord Howe Island Act 1953 (LHIA)* provides that:

The Minister on the recommendation of the Board may by notification in the Gazette reserve or dedicate Crown lands in such manner as may seem best for the public interest for any purpose declared by the Minister by notification in the Gazette to be a public purpose under this section.

Easements between Crown leases can only be created as rights stipulated in the terms of the individual leases, with the location of the easement identified in a registered or unregistered plan.

- The details of the rights associated with the easement must be expressed in a specific condition in each Lease, including express requirement to 'create' or to be 'subject to' the easement
- The terms of the lease and notations section might reference a plan of the proposed easement and expression of positive obligations to be observed.

Section 21(8) of the LHI Act provides that:

(8) The Minister may annex to any such lease such conditions reservations and provisions as the Minister may think fit. Any such condition reservation or provision annexed to such lease may on application by the lessee in the prescribed manner and on the recommendation of the Board be varied modified or revoked by the Minister.

There is no lease over lot 109, therefore this avenue is not available in this case.

The NSW Land Registry Services (NSW LRS) will register easements over crown land in limited circumstances, refer to issued guidance here [Lord Howe Island leases - Registrar General's Guidelines \(nswlrs.com.au\)](https://www.nswlrs.com.au/land-registry-services/land-registry-services-general-guidelines)

Costs

This proposal was tabled at the December 2023 and March 2024 Board meeting. The Board requested further information on costs associated with establishing the easement.

Fees that can be charged for assessment of development applications are regulated fees.

If the easement is in gross, then it is for the public benefit, so no fees would be payable. All costs associated with the creation of a proposed easement would therefore be borne by the Board.

The costs of establishing the easement in gross are estimated at:

Item	Cost
Survey plan prepared by a registered surveyor for easement in gross for public access created under s.56(2) <i>Crown Lands Act 1989</i>	\$4000 estimated + Flights and accommodation
Appropriate dealing lodged and registered with Land Registry Service creating the easement	\$1500 estimated
Ministerial briefing consent to create the easement	\$1484
Administration (research, legal advice, engagement of surveyor, invoicing, reporting, drafting for Gazette etc)	
Board staff field time locating site with surveyor	\$160
Total costs	\$7144 + Flights and accommodation

*Awaiting formal quote

LORD HOWE ISLAND BOARD POLICY

TITLE	Land Asset Disposal Policy		
DATE ADOPTED	March 2012	AGENDA ITEM	9i March 2012
CURRENT VERSION	March 2012	AGENDA ITEM	9i March 2012
REVIEW	5 years	FILE REFERENCE	PO0029
ASSOCIATED LEGISLATION	<i>Lord Howe Island Act 1953 (NSW)</i> <i>Public Finance and Audit Act 1983</i> <i>Treasurer's Directions</i>		
ASSOCIATED POLICIES	NSW Treasury Total Asset Management Guideline – TAM06-04 Asset Disposal Strategic Planning Review of Board Decisions Policy Department of Premier and Cabinet (DPC): Guideline for submission and assessment of unsolicited proposals (Jan 2012)		

1 Introduction

1.1 Title and Commencement

This policy is titled Lord Howe Island Board Land Asset Disposal Policy and has been developed at the direction of the Minister for the Environment.

1.2 Purpose of the Policy

Under the *Lord Howe Island Act 1953* the Board's Charter states that it is to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible.

The purpose of the policy is to ensure the Lord Howe Island Board has open and accountable processes to consider the disposal of land assets. The Board is required to prepare and submit a Property Disposal Plan (refer www.gamc.nsw.gov.au for specific details) to the NSW Treasury each year by 31 August with the Agency's Total Asset Management Strategic Plan.

The policy will establish a clear and transparent process for the Board to assess proposals or requests to transfer Crown land. The policy will also assist the Board to identify surplus assets in a systematic manner but does not necessitate an assessment of all Crown land assets for potential disposal.

2 Policy Statement

- a) Any disposal of land and other assets will be consistent with achieving the Board's Strategic Corporate Plan and community expectations.
- b) The process for the sale, disposal and acquisition of land assets will be fair, transparent and

- equitable to ensure that the Board obtains the best outcome on a fiscal and social basis.
- c) All proposed sale and disposal of land will be advertised for a period of 28 days.
 - d) Commercial confidentiality will apply to negotiations for sale and disposal of land and other asset transactions unless the Board decides otherwise.
 - e) Disposal and transfer of land will be in accordance with the provisions of the Public Finance and Audit Act, 1983 and Treasurers Directions.

3 Land Valuation

Crown land to be disposed under the Policy shall be valued by the Valuer General in accordance with the requirements of the *Lord Howe Island Act, 1953*. The transfer of all Crown Land shall only be at the value determined by the Valuer General in accordance with the requirements of the *Lord Howe Island Act, 1953*. The Board shall not recommend to the Minister to approve the transfer of Crown Land at a value less than that determined by the Valuer General except in accordance with Section 6 of the Policy.

4 Financial Hardship

Where a transferee of Crown land identifies financial hardship the Board may recommend to the Minister to request that the Treasurer approved the sale of the land at less than market value. Any request for the sale of the land at less than market value would be required that the Board identify strategies to make up the shortfall in revenue from the reduced sale price.

Financial hardship is defined as a situation where a transferee is unable, reasonably, because of illness, unemployment or other reasonable cause, to discharge their financial obligations under the contract for transfer and the transferee reasonably expects to be able to discharge those obligations if payment arrangements were changed.

5 Ministerial Approval

Crown Lands administered by the Board can be sold or transferred subject to compliance with the Board's Land Asset Disposal Policy. On recommendation by the Board the disposal or transfer of such land can only occur with approval of the Minister.

6 Application of Policy

6.1 Land Classification

The Board has adopted a formal process to classify of public land to improve the transparency and accountability in disposal of Crown land. All Crown lands administered by the Board have been classified as either "community" or "operational". This Policy will apply to all Crown land Administered by the Board that has been classified as Operational land.

6.2 Community Land

Classification as Community land reflects the importance of the land to the community because of its use or special features. Community land is generally defined as land intended for public access, community use or benefit or environmental protection. Community land is recognized as an important component of the environment, providing benefit for the community.

Community Land cannot be disposed of or consolidated into a Perpetual Lease. However Community

Land can be included as part of a Special lease or Permissive Occupancy approved by the Minister.

All land identified in the LHI Local Environment Plan 2010 under the following land use zones will be deemed as Community land:

- Zone 5 – Special Use
- Zone 6 - Recreation
- Zone 7 – Environmental Protection
- Zone 8 – Permanent Park Preserve

Proposals to reclassify or rezone Community land to Operational land will be subject to a detailed analysis and public consultation process. The Board must obtain approval from the Minister to reclassify or rezone Community land. A detailed analysis of current and future community needs and benefits of Community land must be prepared as part of any proposal.

6.3 Operational Land

Operational land has no special management restrictions other than those that may apply to any particular land zone or portion of land. Such restrictions are generally defined under the relevant planning and environmental legislation and other instruments, lease documents, Board policy and operational requirements.

Operational land can be sold or transferred subject to compliance with the Board's Land Asset Disposal Policy and approval by the Minister.

All land identified in the LHI Local Environment Plan 2010 under the following land use zone will be deemed as Operational land:

- Zone 1 - Rural
- Zone 2 – Settlement
- Unzoned Land

7 Disposal Planning and Criteria

7.1 Land Asset Disposal Planning

Land Asset Disposal planning involves two separate and distinct elements: the detailed assessment of land identified as **Surplus** by the Asset Strategy followed by an analysis of the physical **Disposal** of the assets.

A **Surplus** asset is identified when it:

- Is not required for the delivery of services, either currently, or over the longer planning timeframe; or
- Becomes uneconomical to maintain and / or operate; or
- Is not suitable for service delivery.

Disposal of the physical asset once it is identified as surplus depends on one or more of the following:

- Whether there are net disposal benefits, either in financial or other terms;
- Whether there are secondary service obligations associated with the asset which dictate its

- retention; and / or
- Whether a disposal can be carried out without adverse impacts on the natural and physical environment.

Assets identified as surplus to core service delivery requirements, may need to be retained due to heritage, open space or other social environmental considerations, which the Board may have as secondary service obligations.

If an asset is not presently used, the likelihood of it being required within the foreseeable future should also be considered. Changing demographic trends or service demands may see a renewed call for the asset in its present or altered state.

7.2 Criteria

The following criteria, as identified in the NSW Treasury Total Asset Management Guideline – TAM06-04 Asset Disposal Strategic Planning, will be utilised, but not limited, to assess whether the Board should retain or dispose of a land asset interest:

- Annual cost of maintenance
- Cost Benefit / Risk Analysis
- Current use / utilisation
- Cultural or historical significance
- Current state of the property
- Alternate future community use
- Area of land concerned
- Open Space Plan requirements
- How the property was acquired
- Covenants on the property
- Alternate future use
- Current Fair Value as determined by the Valuer General
- Relationship to service requirements and relevant strategic drivers
- Potential political consequences
- Level of community “ownership”
- Potential future use of adjacent properties
- Development potential

To allow open and accountable assessment of the above matters assessment criteria will be implemented to allow cross comparison testing of issues and to allow the following decision matrix to be used.

7.3 Decision Matrix

Based on the outcomes of the above process each land asset will be individually classified in terms of future use for the Board.

<p>High Strategic / Community Importance Assessed Against High maintenance cost / High or Low usage</p> <p>OUTCOME: RE-DEVELOP</p>	<p>High Strategic / Community Importance Assessed Against Low maintenance cost / High usage</p> <p>OUTCOME: RETAIN</p>
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<p>Low Strategic / Community Importance Assessed Against High or Low maintenance cost / Low Usage</p> <p>OUTCOME: DISPOSAL</p>	<p>Low Strategic / Community Importance Assessed Against Low maintenance costs / High usage</p> <p>OUTCOME: RETAIN PROPERTY IN THE SHORT TERM</p>
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Where it is found that a land asset should be disposed of or in any other way removed from general public usage the process will at all times be governed by the requirements of the Public Finance and Audit Act 1983 and Treasurers Directions.

7.4 Details Required in Property Disposal Plan

A property disposal plan will be prepared following assessment that an identified portion of land satisfies the relevant assessment criteria. The following information is required to be provided for each property for ratification by the Government Asset Management Committee (GAMC) within NSW Treasury.

Property Description	Lot / DP Number
Address	Street Name
Current Zoning	Agricultural / Settlement, Environment protection, etc
Current Use	Details of usage (community space, specific purpose, etc)
Site area	Approximate area in square metres
Site improvements	Brief details of site improvements (if any)
Tenure	Vacant Crown Land, details of leasehold arrangements, etc
Property Valuation	Valuation figure and basis, date of valuation
Heritage Status	Details of heritage orders and / or heritage listings
Ecological Status	Threatened / protected species, protected environment / habitat (known or proposed)
Contaminated Soils / Buildings	Brief details of contamination (if any) and remediation status
Ministerial Comments	Details of any known Ministerial comments / position re: land status and / or future uses.
General Comments	Any other pertinent information

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.

Board Meeting: May 2024	Agenda Number: 12.02	Record Number: ED24/2620
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Cancellation of Permissive Occupancy – PO1969.04 – The Estate of Bryan Rupert Charlton Young

Recommendations

1. **The Board recommend to the Minister** pursuant to section 31A(3) of the *Lord Howe Island Act 1953* that Permissive Occupancy No. 106 – 1969.04 (Well & Pipeline) held by the late Bryan Rupert Charlton Young be cancelled.
2. **Approve** the payment of Valuer General's value in consideration of improvements, where there are improvements on the surrendered Permissive Occupancy, as per the policy (Attachment A – Policy Provision 5).
3. **Note** that cleanup will be ordered if required at the expense of the estate.
4. **Approve** in principle to make Permissive Occupancy available over the same or similar area as the surrendered Permissive Occupancy and seek expressions of interest from within the island community for the Permissive Occupancy or alternate public uses for the land as per the policy (Attachment A – Policy Provisions 6 and 7).

Current position

On 12/09/1969, The Minister approved the granting of a Permissive Occupancy (PO) to Mr Bryan Rupert Charlton Young over a nominal part of Reserve 12 for the purposes of a well and pipeline for the irrigation of vegetable garden and watering of stock.

On 20/03/2024, the Board received a letter from the lawyers acting on behalf of the Executors of the Estate of Mr Bryan Young, who passed away on 03/01/2024. Permissive Occupancies for deceased persons cannot be transferred to the beneficiary/ies of the Estate of the PO holders and require cancellation.

Policy context

The Minister, on the recommendation of the Board makes Crown Land available under PO to eligible persons for a variety of valid purposes which range from kitchen gardens to communications infrastructure. The *Lord Howe Island Act 1953* (the Act) allows the Minister, on recommendation of the Board, to permit the occupation of vacant or reserved Crown Land on the Island. This is covered under Section 31A of the Act, which states:

31A Permissive Occupancies

- (1) The Minister on the recommendation of the Board may grant permissions to occupy vacant Crown lands or Crown lands the subject of a reservation under this Act, whether

above or below or beyond high water mark, for such purposes and upon such terms and conditions as the Minister may impose on the recommendation of the Board.

- (2) A permission to occupy such Crown lands or a permissive occupancy of Crown lands granted or purporting to have been granted before the commencement of the *Lord Howe Island (Amendment) Act 1967*, and whether or not a tenancy was created or purported to have been created thereby, shall be deemed to have been validly granted and to have and always to have had force and effect subject to the terms and conditions thereof.
- (3) A permission to occupy Crown lands or a permissive occupancy of Crown lands referred to in subsection (2) or a permission to occupy Crown lands granted under subsection (1) shall be terminable at will by the Minister on the recommendation of the Board.

The Board adopted a PO Policy on 22 January 2007 to ensure that land occupied under PO is allocated fairly and transparently, is well maintained by the PO holder and is used for the purpose it was granted. Under the Policy provisions:

3. POs must be continually used and occupied by the person to whom they are issued, and for the purposes for which they were issued. POs which do not meet these requirements should be surrendered.
4. POs may not be transferred. Where a holder no longer wishes, or is unable, to hold, use and occupy a PO it will be surrendered to the Board.
5. Where there are improvements on a surrendered PO, the Board will pay to the owner Valuer-General's value in consideration of the improvements.
6. In the event of a PO being surrendered, the Board may choose to make a new PO available over the same or similar area as the surrendered PO.
7. If the Board chooses to make a PO available as per Provision 6 above, it will seek expressions of interest from within the island community for the PO or for alternative public uses for the land. Subsequent issuing of a PO will be at the absolute discretion of the Board.

Conclusion

It is recommended that the PO is cancelled, consistent with the Policy, upon the passing of the PO holder and approve in principle to make the PO available over the same or similar area as the surrendered PO.

Attachments

Attachment	Title
	NIL

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Paula Pollock	Senior Manager Environment & Community Services

Board Meeting: May 2024	Agenda Number: 12.03	Record Number: ED24/2621
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LORD HOWE ISLAND BOARD

BUSINESS PAPER

OPEN SESSION

Item

Application to transfer Special Lease 2011.10 by way of will – Estate of William Phillip Retmock to Ginny Yvonne Rose Retmock

Recommendations

1. **The Board recommends** that the Minister approve the transfer of special lease 2011.10, being Part Portion 40 of LHI 60, by way of will from the Estate of William Phillip Retmock to Ginny Yvonne Rose Retmock subject to the existing conditions of the lease and amended property management plan with an expiry date of 31 December 2025 to coincide with the expiry date of all other special leases on Lord Howe Island.

Current position

Mr William Phillip Retmock, the holder of Special Lease 2011.10, being Part Portion 40 of LHI 60 passed away on 22 March 2023. His will provided that all interest in Special Lease 2011.10 be left to his wife, Ginny Yvonne Rose Retmock.

On 30 June 2023, the Board received a letter from Kell's Lawyers, who act for the joint executors, Ginny Retmock and Matthew Retmock, requesting that Special Lease 2011.10 be transferred to Ginny Retmock pursuant to the will of Mr William Retmock. The letter advised that no Grant of Probate was applied for or issued having regard to the nature and size of the estate.

Kell's Lawyers has provided certified copies of the will of Mr William Retmock as evidence of the appointed joint executors and beneficiary in relation to Special Lease 2011.10.

Pursuant to s44A of the *Probate and Administration Act 1898*, Ginny Retmock and Matthew Retmock can sign the transfer of Special Lease 2011.10 and give effect to the terms of William Retmock's will.

The following documents were received to effect the transfer of SL2011.10:-

- Form 5 – Application to transfer SL2011.10 from the Estate of William Phillip Retmock to Ginny Yvonne Rose Retmock;
- Statutory Declaration – 10-year islander – Ginny Yvonne Rose Retmock;
- Form 3 – Application for special lease SL2011.10 and Property Management Plan. (Attachment A)

Section 22 Special Leases

All land on Lord Howe Island is Crown land and may only be dealt with in accordance with the provisions of the *Lord Howe Island Act (1953)*

Pursuant to Section 22 of the *Lord Howe Island Act (1953)*, the Act requires that a special lease holder meet the following criteria:

- (1) Subject to this section the Minister may lease Crown lands for cultivation or grazing or cultivation and grazing or for such other purposes as the Minister on the recommendation of the Board may approve.
- (2) The term of a lease under this section may be fixed for any period not exceeding ten years, but such term may, on the recommendation of the Board, be extended by the Minister for such period as the Board may recommend.
- (3) A lease may only be granted under this section to the holder of a lease under section 21 (holder of a lease in perpetuity for the purposes of residence).
- (4) An application for a lease under this section shall be made to the Board in the manner and in or to the effect of the prescribed form.

Ginny Retmock meets the above criteria as follows:

- Has submitted a Property Management Plan showing the existing and proposed land use as grazing/livestock – horse, agriculture – fruit and vegetables, nature conservation – areas of significant native vegetation;
- Ginny Retmock is the holder of Perpetual Lease 2016.01; and
- Ginny Retmock has submitted the application to the Board in the prescribed form.

Section 23 Transfers and subleases

Section 23(4B) of the Act provides direction with regard to the term and conditions for transfer of leases issued under *section 22*:

- (ii) *where the original lease was a lease under section 22, the lease of the part so transferred and the residue so retained shall be each held for the balance of the term for which the original lease was held before the transfer,*
- (iii) *the lease of the part so transferred and the residue so retained shall, as from the transfer, be each held in all respects as a separate lease, but shall, subject to subsection (8) of section 21, or subsection (7) of section 22, as the case may require, and to section 25, be subject to such conditions, reservations or provisions as applied in respect of the original lease immediately before the transfer.*

It is recommended that the Minister approve the transfer of SL2011.10 from the estate of William Phillip Retmock to Ginny Yvonne Rose Retmock subject to the existing conditions of the lease and amended property management plan with an expiry date of 31 December 2025 to coincide with the expiry date of all other special leases on Lord Howe Island.

Attachments

Attachment	Title
A	Form 3 – SL2011.10 – Application for special lease and Property Management Plan – Ginny Retmock

Approval and contact

Approver	Position
Suzie Christensen	Chief Executive Officer
Preparer	Position
Paula Pollock	Senior Manager Environment & Community Services

Form 3 Application for special leases

(Clause 37 (2))

Lord Howe Island Act 1953, section 22

I, [full name] Ginny Retmick apply for special lease for the purpose of

[state use intended to be made of land] GARDEN and LIVESTOCK.

of the land described below (and shown on the accompanying sketch—required if the land is not a measured portion):

I have made the declaration on the back of this form.

Signed this 9th day of FEBRUARY, 2024.

Signature:

Ginny Retmick

Address: Lagoon Road Lord Howe Island NSW 2898.

To the Chairperson,
Lord Howe Island Board.

Amy Louise Hickey
AMY LOUISE HICKEY
JUSTICE OF THE PEACE 250582
9TH FEBRUARY 2024

Declaration by applicant

I, [full name] Ginny Retmook, of [address], Lagoon Road, Lord Howe Island NSW 2898.

solemnly declare and affirm that I am the applicant for a special lease of the land described on the front and that the answers to the questions in the Schedule are correct.

Schedule

1	(a)	Are you the holder of a lease in perpetuity for residence under section 21 of the <u>Lord Howe Island Act 1953</u> ?	<u>Yes, transferred through survivorship.</u>
	(b)	If you are not the holder at present, have you applied for such a lease?	
2	(a)	Are you already using the land the subject of this application?	<u>Yes</u>
	(b)	If so, for what purpose and for how long?	<u>GARDEN and LIVE STOCK - INDEFINITELY.</u>
3		Are there any improvements on the land the subject of this application? Give brief particulars and estimated values of the improvements.	<u>FENCING.</u>

I make this solemn declaration as to the above matters according to the law in this behalf made and subject to the punishment by law provided for any wilfully false statement in any such declaration.

Signature of Declarant: Ginny Retmook

Made before me at LORD HOWE ISLAND

this 9TH day of FEBRUARY, 2024.

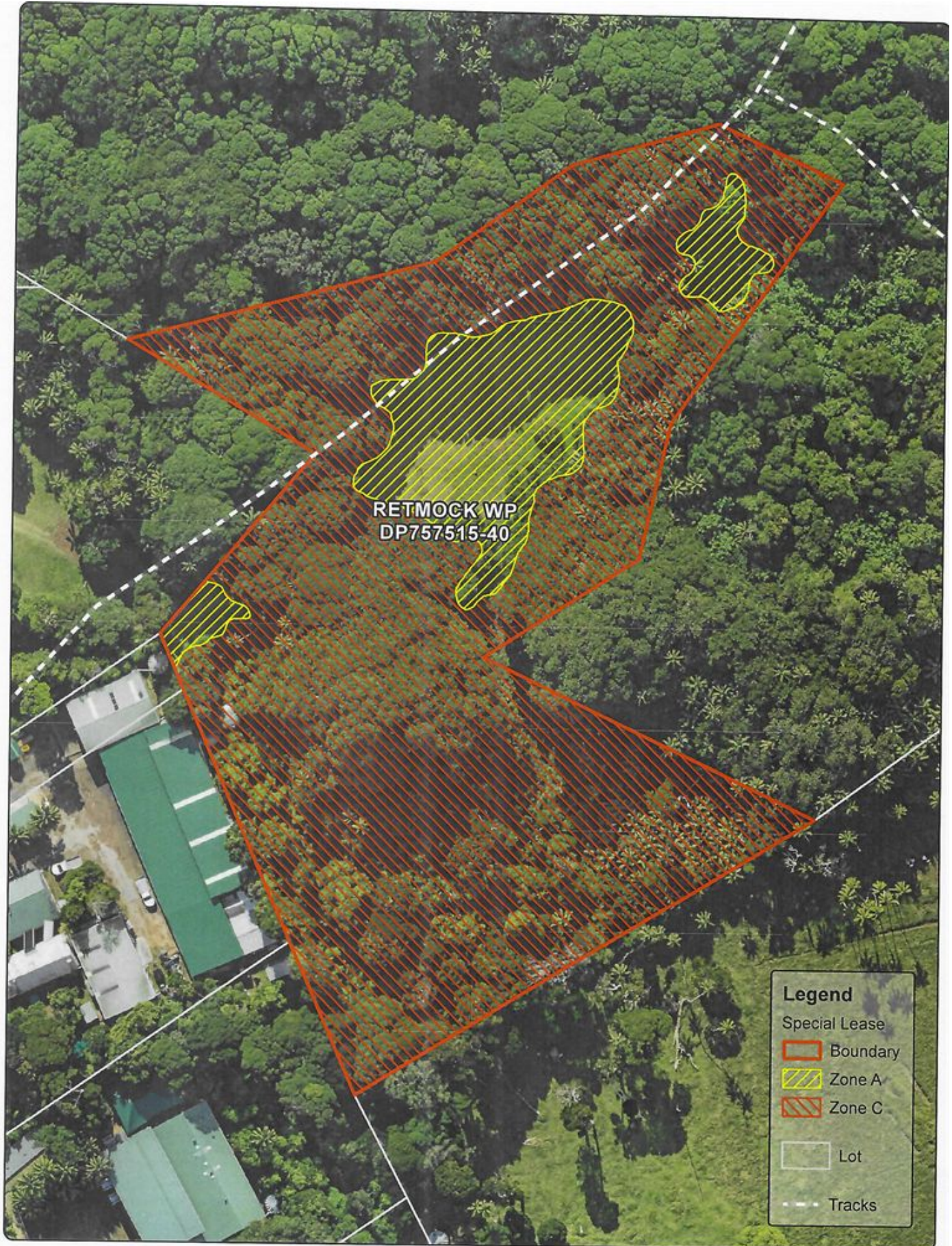
Amy Louise Hickey JUSTICE OF THE PEACE 250582
Signature of a Justice of the Peace, Commissioner for Affidavits or Notary Public:

PROPERTY MANAGEMENT PLAN

Special Lease No: SL2011.10
Portion No: Portion 40, Plan LHI 60
Leaseholder: Ginny Yvonne Rose Retmuck

Site description	<p>Portion 40 consists of predominantly significant native vegetation under the LHI Local Environmental Plan 2010.</p> <p>The allotment has two cleared areas which may be used for grazing or agriculture.</p> <p>The special lease is 1.04 ha in size</p>
Existing and proposed land use	<p>Grazing/Livestock - Horse</p> <p>Agriculture – Fruits and vegetables</p> <p>Nature conservation – Areas of significant native vegetation</p>
Management priorities and responsibilities and timeframes.	<p>Leaseholder Responsibility:</p> <ul style="list-style-type: none"> • Maintain lease in accordance with LHIB lease conditions, particularly for the control of pests and declared noxious weeds • Continue to remove weeds across Zone A and C, particularly cherry guava, Pittosporum, ground asparagus and climbing asparagus. • Maintain sustainable grazing regime in Zone A • Maintain fencing to acceptable standard to prevent stock from straying • Maintain turnstiles at any point where a fence crosses a pedestrian pathway on or within the boundaries of the lease • Maintain areas of lease designated Zone C nature conservation as free of livestock where possible
Issues/Threats	<p>Weed invasion</p> <p>Myrtle rust</p> <p>Phytophthora</p> <p>Other pest species, such as rodents or African Big-headed Ants</p>

GGR Retmuck
 Ginny Yvonne Rose Retmuck
 26-4-2024



Scale at A4 = 1:800
MGA 94 - Zone 57

This map is not guaranteed to be free from error or omission. Therefore, the Lord Howe Island Board and its employees disclaim liability of any act done or omission made on the information on the map and any consequences of such acts or omissions.

Special Lease 2011.10

Lord Howe Island Board

Created on: 26/04/2024

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