

**NOTICE OF DECISION ON DEVELOPMENT APPLICATION**

**FOR A DECLARED SIGNIFICANT DEVELOPMENT**

**Pursuant to Section 44D(2) of the *Planning Act 2002 (NI)***

I, Eric Hutchinson, Administrator of Norfolk Island and delegate of the Commonwealth Minister under paragraph 1.78 of the *Minister's Norfolk Island Delegation Instrument 2017 (No. 1) (Cth)*, under section 44(D)(2) of *Planning Act 2002 (NI)* determine the Development Application ('the Application') referred to in Schedule 1 by granting development approval subject to the conditions set out in Schedule 2.

The reasons for the imposition of conditions are to achieve, in part, the principle aim of the *Norfolk Island Plan 2002* (as amended), and to minimise any adverse environmental and other impacts associated with the use / development on the property and on adjacent properties.

  
Eric Hutchinson  
Administrator of Norfolk Island & Commonwealth Minister delegate

Date approved: 

**Notes:**

1. Pursuant to section 50A of *Planning Act 2002 (NI)*, the date upon which this development approval takes effect is the date on which the approval is given.
2. Pursuant to Section 62 of the *Planning Act 2002 (NI)*, this development approval will lapse if the land the subject of this approval has not been used or developed in accordance with this approval by the prescribed date, which is 60 months after the approval is given.

**SCHEDULE 1 - DEVELOPMENT APPLICATION**

<b>DEVELOPMENT APPLICATION NO:</b>	DA.BA 36/2021
<b>APPLICATION MADE BY: (THE APPLICANT)</b>	A Roach for Norfolk Island Regional Council
<b>LAND TO BE USED OR DEVELOPED: (SUBJECT LAND)</b>	<p>Youngs Road Quarry Site:</p> <ul style="list-style-type: none"> <li>- Part of Youngs Road, described as RD 35, Section No. 10;</li> <li>- Part of land within Cascade Reserve, described as RES, Lot No. 28, Section Nos. 9 and 10.</li> <li>- Part of Portion 5a1, described as Lot 116, Section 9.</li> </ul> <p>Temporary bulk explosives storage site:</p> <ul style="list-style-type: none"> <li>- Part of Portion 109a, described as Lot 20, Section 33.</li> </ul> <p>Temporary rock storage site:</p> <ul style="list-style-type: none"> <li>- Part of Portion 183, described as Lot 1, Section 29.</li> </ul> <p>All sites included in the Subject Land are located in NORFOLK ISLAND 2899.</p>
<b>PROPOSED USE OR DEVELOPMENT: (THE DEVELOPMENT)</b>	Extractive Industry (Young's Road Quarry) and ancillary projects: Temporary Bulk Explosive Storage at Anson Point and Temporary Rock Storage at the Norfolk Island Airport.
<b>DECISION:</b>	Approved
<b>DATE OF DECISION:</b>	22 March 2022
<b>DATE THE DEVELOPMENT APPROVAL TAKES EFFECT:</b>	Same date as the date of decision
<b>DATE THE DEVELOPMENT APPROVAL LAPSES:</b>	22 March 2027

**DEFINITIONS**

<b>Term</b>	<b>Definition</b>
Blasting Specialist	An appropriately qualified and experienced blasting expert engaged to undertake all transport, storage and use of explosives for the Development
Building Condition Survey	A survey of building condition taken before and after a Development (or part of a Development) to determine if any damage to the building was incurred as a result of the Development.
Building Condition Survey Report	A report that documents the outcomes of a Building Condition Survey.
Commencement of the Development	Any on-site work at the Youngs Road Quarry Site or any Ancillary Site (Anson Point and Norfolk Island Airport)
Completion of the Development	The date upon which all works and activities described in the EIS, Response to Submissions and this Notice of Decision, are completed, and any requirements of the General Manager have been met.
Council	Norfolk Island Regional Council

<b>Term</b>	<b>Definition</b>
Council's Environment and Planning Department	The Department responsible, in conjunction with the General Manager, for monitoring compliance with the conditions of this Approval – compliance responsibility.
Council's Infrastructure and Services Department	The Department responsible for undertaking the Development – operational responsibility.
Day	Calendar day
Development	The Development as described in Schedule 1 and <b>Condition 3</b> of this Approval.
EIS	Environmental Impact Statement for the Development dated 16 September 2021.
EMP	Environmental Management Plan.
Environmental Representative	A suitably qualified and experienced Environmental Representative who is independent of the Proponent and the design, construction and operation personnel.
Feasible and reasonable	Feasible and reasonable, in relation to a measure or control to prevent or minimise an impact, means a measure or control that is practicable and reasonable having regard to the relative costs and benefits of the measure or control and best practice.
Fire Drill Ground	The location of the temporary rock stockpile site within the broader Norfolk Island Airport Development Precinct.
General Manager	General Manager of the Norfolk Island Regional Council.
Incident	An occurrence or set of circumstances that: <ul style="list-style-type: none"> <li>causes, or threatens to cause, material harm to the environment, community or any member of the community, being actual or potential harm to the health or safety of human beings or to threatened species, endangered ecological communities or ecosystems that is not trivial; or</li> <li>breaches or exceeds the limits or performance measures or criteria required to be complied with under this Approval.</li> </ul>
Practicable	As soon as possible and practical taking into account all of the facts and circumstances in the individual case.
Project Works Program	The program for undertaking activities required to complete the Development.
Proponent	Norfolk Island Regional Council.
Minister	Commonwealth Minister for Regional Development and Territories
Month	A period of 28 consecutive days (including weekends).
Road Condition Report	A survey of road condition taken before and after a Development (or part of a Development) to determine if any damage to the road was incurred as a result of the Development.
Safety and Emergency Management Plan	A Plan to ensure on-site safety and to provide emergency response actions to be implemented in the event of an emergency.
Subject Land	The Subject Land as described in Schedule 1 of this Approval.

Term	Definition
Traffic Management Plan	A plan to ensure public safety and avoid conflict and disruption on the local road network as a result of the Development.
Unexpected heritage find	An unexpected heritage find is a potential heritage item that is discovered (usually during construction), where further assessment is required to determine if the item has heritage significance, and the Proponent does not have approval to impact the item.
Week	A period of seven consecutive days (including a weekend).

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## SCHEDULE 2 - CONDITIONS OF DEVELOPMENT APPROVAL

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### GENERAL CONDITIONS RELATING TO THIS APPROVAL

#### Scope of this Approval

1. The Development must be carried out in accordance with:
  - a) DA.BA 36/2021 (including the accompanying Environmental Impact Statement (EIS) dated 16 September 2021 and all appendices to the EIS). All commitments made in the EIS must be complied with and have generally not been repeated in this Notice of Decision;
  - b) All relevant requirements in the *Norfolk Island Plan 2002* (as amended);
  - c) All relevant requirements of *Development Control Plan No. 5 – Norfolk Island Airport*; and
  - d) All the conditions of this Approval.
2. Where there is any inconsistency between the items listed at (a), (b), (c) and (d) above, the conditions of this Approval will prevail. For the purpose of this condition, there will be an inconsistency between a condition of this Approval and any other document if it is not possible to comply with both the condition and the other document.

#### Limits to this Approval

3. This Approval is for “the Development” only, as described in Schedule 1 and this condition (**Condition 3**) of this Approval and Section 4 of the EIS:
  - a) Temporary quarry at Youngs Road for extraction of about 13,500 tonne of rock including:
    - i. Phase 1: Delivery and temporary storage of about 9,100 kg of Class 5.1 Ammonium Nitrate Emulsion bulk explosive at Anson Point.
    - ii. Phase 2: Site establishment at the Youngs Road Quarry Site – including access road regrading, drainage reinstatement and site equipment storage/establishment.
    - iii. Phase 3: Drilling and blasting in accordance with the Blast Design prepared for the Development by Donnelly Blasting Services Pty Ltd (2021) and as modified in accordance with the conditions of this Approval.
    - iv. Phase 4: Breaking, loading and haulage of blasted rock to the stockpile site at the Norfolk Island Airport Development Precinct.
    - v. Phase 5: Temporary storage of rock at the Norfolk Island Airport Development Precinct.

4. Phase 4 (breaking, loading and haulage of rock) of the Development must be completed within three months from the date of commencement of Phase 2 (site-establishment at the Youngs Road Quarry Site) of the Development plus a duration of time that is equivalent to the cumulative amount of time that work on the Development is paused to minimise traffic impacts on Cascade Pier operations (refer to **Condition 59** of this Approval), paused to minimise noise impacts on Forrester's Court Tourist Accommodation (refer to **Condition 53** of this Approval), paused due to unfavourable weather conditions and delayed due to any unforeseen and unavoidable delays to the Project Works Program.
5. If unforeseen and unavoidable delays to the Project Works Program (refer **Condition 4** of this Approval) are incurred, landowners adjoining the Youngs Road Quarry Site (Portion 1d2, Portion 5a1 and Cascade Pier) must be consulted to negotiate the days and times that any residual rock breaking, loading and haulage activities would be undertaken until removal of rock from the Youngs Road Quarry Site is complete.
6. All conditions of this Approval that require cooperation, access to private property or any other action by landowners are subject to the landowner agreeing to that condition and cooperating, providing access or taking any other action to enable the condition to be implemented. If the landowner does not agree to the requirement(s) of any condition, the respective condition must be voided for that particular landowner.
7. Any further use or development of the Subject Land that requires a development approval under the *Planning Act 2002 (NI)* must not be conducted without first obtaining separate development approval.

#### **Conditions to be Satisfied Prior to Commencement of the Development**

8. Prior to the commencement of the Development, all relevant approvals must be obtained, including:
  - a) Controlled Activity Permit issued in accordance with Division 2 of the *Public Reserves Act 1997 (NI)* for controlled activities in Cascade Reserve.
  - b) Licence to use Commonwealth Land as required by the Significant Development Declaration dated 22 March 2019.
  - c) Building Approval under the *Building Act 2002 (NI)*.

#### **Commencement of the Development**

9. At least one week prior to the commencement of site establishment activities at the Ancillary Site – Temporary Bulk Explosives Storage at Anson Point, the General Manager must be notified in writing of the date of commencement.
10. At least one week prior to the commencement of Phase 2 (site establishment activities at the Youngs Road Quarry Site) of the Development, the General Manager must be notified in writing of the date of commencement.

#### **Completion of the Development**

11. Not later than one week following the removal of the Bulk Explosives Storage Facility at the Ancillary Site – Temporary Bulk Explosives Storage at Anson Point, the General Manager must be notified in writing that the work at the Ancillary Site – Temporary Bulk Explosives Storage at Anson Point has been completed and the relevant conditions of this Approval have been complied with.

12. Not later than one week following the completion of work at the Youngs Road Quarry Site, the General Manager must be notified in writing that the work at the Youngs Road Quarry Site has been completed and that the relevant conditions of this Approval have been complied with.
13. Not later than one month following the completion of Phase 5 (temporary rock storage at the Norfolk Island Airport) of the Development, the General Manager must be notified in writing that the Development has been completed and the conditions of this Approval have been complied with.

#### **Compliance**

14. All conditions of this Approval must be complied with.
15. All employees, contractors and subcontractors involved in the Development must be made aware of, and required to comply with, the conditions of this Approval.
16. An ethical wall must be established between Council personnel who will be responsible for implementing the Development (Infrastructure and Services Department) and Council personnel who will regulate compliance with the conditions of this Approval (General Manager/Environment and Planning Department).
17. A suitably qualified and experienced Environmental Representative(s) who is independent of Council and any design, construction and operational personnel for the Development must be nominated by Council's Manager – Environment and Planning, approved by the General Manager and engaged for the duration of Phases 1-4 of the Development.
18. Prior to commencement of the Development, a Compliance Tracking Program must be prepared to monitor compliance with the conditions of this Approval.
19. The Compliance Tracking Program must be endorsed by the Environmental Representative and submitted to the General Manager for information prior to the commencement of the Development or within another timeframe agreed with the General Manager.
20. The Compliance Tracking Program must be implemented by Council's Environment and Planning Department for the duration of Phase 1-4 of the Development and must be:
  - a) Provided to the Environmental Representative for review and endorsement once per week or at another timeframe nominated by the Environmental Representative.
  - b) Provided to the General Manager for information on request at any time.

#### **Dispute resolution**

21. For any unresolved dispute arising out of the implementation of these conditions between Council's Infrastructure and Services Department and a public authority, company or person (but excluding any dispute between the Council's Infrastructure and Services Department and its contractors and/or subcontractors engaged in the construction of the Development), in the first instance either party can refer the matter to the General Manager and, if not resolved, the Minister. The Minister's determination of the disagreement shall be final and binding on all parties.

## ENVIRONMENTAL PERFORMANCE

### Obligation to Minimise Harm to the Environment

22. In addition to complying with the conditions of this Approval and carrying out the commitments made in the EIS, all feasible and reasonable measures must be implemented to prevent or, where prevention is not feasible or reasonable, minimise any harm to the environment that may result from the Development.

### Hours of Operation

23. Standard hours of operation of the Development must be limited to:

- a. 7.00am to 5.00pm Mondays to Fridays inclusive;
- b. 8.00am to 1.00pm Saturdays; and
- c. At no time on Sundays or public holidays;

except in the following circumstances:

- a. Transportation of explosives if transportation out of standard operating hours is safer; and
- b. Emergency work to avoid injury or the loss of life, to avoid damage or loss of property and / or to prevent environmental harm.

24. Standard operating hours must be modified as follows:

- a. Rock breaking, loading and hauling activities at the Youngs Road Quarry Site must not commence prior to 9 am.
- b. Operating hours must be adjusted as required by the **Condition 59** of this Approval to minimise impacts on and maintain safety for commercial operational activities at Cascade Pier, including unloading cargo ships and cruise ship visit days.
- c. Operating hours must be adjusted as required by **Condition 53** of this Approval to minimise impacts on agreed tourism events at Forrester's Court Tourist Accommodation on Portion 1d2.
- d. Operating hours must be adjusted if required by **Condition 52** of this Approval to manage residual noise impacts on nearby residents.

### Hazard and Risk

25. During the Development, all necessary measures must be undertaken to ensure public safety including, but not limited to, restriction of public access to the Subject Land by securing the site(s) and, if required, the surrounding area(s) with barricades and warning signs at all entrance points.

### *Transport, Storage and Use of Explosives*

26. All transport, storage, and use of explosives must be undertaken in accordance with the Blast Design and Blast Management Plan prepared by Donnelly Blasting Services Pty. Ltd. for the Development and included in the EIS – as modified in accordance with the requirements of **Conditions 28-30** inclusive of this Approval.
27. A suitably qualified and experienced blasting specialist (Blasting Specialist) must be engaged to undertake, and must undertake, all post-approval blast planning, transport, storage and use of explosives for the Development.

28. Prior to the commencement of the Development, the Blast Design and the Blast Management Plan prepared by Donnelly Blasting Services for the Development must be reviewed by the Blasting Specialist, to ensure:
- a) Currency.
  - b) Consistency between the Blast Design and the Blast Management Plan.
  - c) Consistency with the conditions of this Approval.
  - d) That all blasting and associated activities are carried out so as not to generate unacceptable noise and vibration impacts or pose a significant risk to sensitive receivers.

Note: This Approval includes conditions that require additional tasks to be undertaken by the Blasting Specialist and included in the Blast Management Plan. These include, but are not limited to:

- a) Public notifications.
  - b) Building Condition Surveys.
  - c) Locations for monitoring of ground vibration and airblast overpressure.
29. Prior to the commencement of drilling, the final Blast Design and the Blast Management Plan must be quality checked and endorsed by the Blasting Specialist and provided to the General Manager for information.
30. The endorsed Blast Design and the endorsed Blast Management Plan must be reviewed by the Blasting Specialist on an ongoing basis for the duration of the Phase 3 (drilling and blasting) of the Development to enable progressive adjustments to the design and the management measures based on actual environmental conditions if required.
31. All landowners and all residents within a radius of one kilometre of the Youngs Road Quarry Site must be provided with the Project Works Program within 20 business days of the date of this Approval. Initial contact with these landowners and residents must be direct – Email, phone or in person.
32. All adjoining landowners to the Youngs Road Quarry Site (Portion 1d2, Portion 5a1, Cascade Pier) must be provided with 24 hours notice of the blast. Notification to adjoining landowners must be by email. Each email must be followed up with a phone call or if required, in person, to ensure the notification has been received by the respective landowner. Any subsequent adjustments to the timing of the blast must also be notified by email and followed up by phone or in person.
33. Blast monitoring must be undertaken by the Blasting Specialist at all three residential buildings on Portion 1d2 (one residence and two accommodation units) and the residence on Portion 5a1 to measure ground vibration and airblast overpressure resulting from the blast.
34. All unused explosives and detonators must be removed from the island by the Blasting Specialist as soon as practicable following the blast.



### ***Building Condition (Dilapidation) Survey***

35. Prior to commencement of Phase 3 (drilling and blasting) of the Development, pre-blast Building Condition Surveys must be undertaken by an independent structural engineer at all three residential buildings on Portion 1d2 (one residence and two accommodation units), the residence and viewing platform on Portion 5a1 and Cascade Pier. The results of the surveys must be documented in a pre-blast Building Condition Survey Report for each structure surveyed. Copies of the pre-blast Building Condition Survey Reports must be provided to the relevant landowner and the General Manager no later than one week prior to the commencement of Phase 3 (drilling and blasting) of the Development.
36. Following the completion of Phase 3 (drilling and blasting) of the Development, post-blast Building Condition Surveys of all structures for which pre-blast Building Condition Surveys were undertaken in accordance with **Condition 35** of this Approval must be undertaken by an independent structural engineer. The results of the surveys must be documented in a post-blast Building Condition Survey Report for each structure surveyed. Copies of the post-blast Building Condition Survey Reports must be provided to the relevant landowner and the General Manager no later than one month following the completion of Phase 3 (drilling and blasting) of the Development.
37. If damage to property for which Building Condition Surveys were undertaken occurs as a result of the Development, as determined by an independent structural engineer, the Council must, as soon as practicable, either (at the landowner's discretion):
- a) Compensate the landowner for the damage so caused in the amount as may be agreed with the landowner; or
  - b) Rectify the damage so as to restore the property to the condition it was in prior to the commencement of Phase 3 (drilling and blasting) of the Development, as may be agreed with the landowner.
38. If damage to property for which Building Condition Surveys have not been conducted is reported to Council, the damage must be assessed by an independent structural engineer. If the independent structural engineer determines that the damage was caused by the Development, Council must, as soon as practicable, either (at the landowner's discretion):
- a) Compensate the landowner for the damage so caused in the amount as may be agreed with the landowner; or
  - b) Rectify the damage so as to restore the property to the condition it was in prior to the damage determined by the independent structural engineer.

### ***Safety and Emergency Management Plan***

39. A Safety and Emergency Management Plan for the Development (all three sites included in the Subject Land) must be prepared in consultation with Council's Emergency Services Team Leader and the Blasting Specialist. The Safety and Emergency Management Plan must include, but shall not be limited to:
- a) Site safety and security.
  - b) Personnel safety (e.g. training, induction, PPE, exclusion zones, health).
  - c) Plant and equipment safety (compliance with safety and maintenance standards).
  - d) Public safety (e.g. exclusion zones and notifications/communication protocol).
  - e) Emergency Response (incident, fire, accidental explosion, medical).

40. The Safety and Emergency Management Plan must be approved in writing by Council's Emergency Services Team Leader and the Blasting Specialist. The approved Safety and Emergency Management Plan must be lodged with the General Manager for information at least one week prior to the arrival of the explosives onto the island.

#### ***Storage of Fuels and Oils***

41. All fuels, oils and other hazardous liquids must be stored at Council's Services Depot in accordance with *AS 1940 – 2004 (The Storage and Handling of Flammable and Combustible Liquids)*.

#### ***Post-blast instability of the exposed cliff face***

42. Following the blast and prior to commencement of Phase 4 (rock breaking, loading and hauling activities) of the Development, the area of the cliff face impacted by the blast must be assessed by Council's Project Engineer – Civil and Council's Manager - Infrastructure and Services for structural stability and safety.
43. Any loose or unstable rocks identified during inspection of the cliff face, as required by **Condition 43** of this Approval, must be removed and the cliff stabilised.
44. Prior to the commencement of Phase 4 (rock breaking, loading and hauling activities) of the Development, Council's Project Engineer – Civil and Council's Manager - Infrastructure and Services must provide the General Manager with a written declaration that the cliff face is stable and that it is safe for Phase 4 (rock breaking, loading and hauling activities) of the Development to commence.
45. Phase 4 (rock breaking, loading and hauling activities) of the Development must not commence until written approval to commence has been provided by the General Manager.

#### **Noise and Vibration**

46. Noise monitors must be installed at each of the three residential buildings on Portion 1d2 (one residence and two accommodation units) and the residential building on Portion 5a1 (one residence) for at least one month prior to the commencement of Phase 2 (site establishment at the Youngs Road Quarry Site) of the Development and remain in place until the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.
47. Noise monitoring must commence a minimum of one month prior to the commencement of Phase 2 (site establishment works at the Youngs Road Quarry Site) of the Development and continue until the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.
48. Noise monitoring as required under **Condition 47** must be undertaken by the Environmental Representative in accordance with the methodology provided in the *NSW EPA Noise Policy for Industry (EPA 2017)*.
49. Background noise levels must be monitored for at least one month prior to the commencement of Phase 2 (site establishment works at the Youngs Road Quarry Site) of the Development using the procedure documented in *Fact Sheet A: Determining Existing Noise Levels* of the *NSW EPA Noise Policy for Industry (EPA 2017)*.
50. Following monitoring of the background noise level for a period of at least one month, the Industrial Noise Trigger Level for the Development must be calculated in accordance with the methodology provided in Section 2 of the *NSW EPA Noise Policy for Industry (EPA 2017)*.

51. All reasonable and feasible noise mitigation and management measures must be implemented with the aim of reducing noise levels at any residential building on Portion 1d2 (one residence and two accommodation units) and Portion 5a1 (one residence)<sup>1</sup> as far as possible toward the Industrial Noise Trigger Level relevant to that building – as calculated in accordance with **Condition 50** of this Approval<sup>2</sup>.
52. If legitimate noise complaints are received by Council in relation to any aspect of the Development, additional reasonable and feasible measures must be implemented to address the cause of the complaint. If noise levels cannot be further reduced, additional measures reasonable and feasible must be negotiated with the complainant such as respite.
53. Noise generating activities at the Youngs Road Quarry Site must be ceased during up to two key tourism events (such as the Australia/New Zealand Jazz week referenced in the public submission) at the Forrester's Court Tourist Accommodation on Portion 1d2 as agreed in accordance with **Condition 54** of this Approval. Work is not required to cease for more than one week per agreed event.
54. Two key tourism events with a maximum duration of one week per event (refer to **Condition 53** of this Approval) must be identified in consultation with Forrester's Court Management during development of the Project Works Program and incorporated into the Project Works Program.
55. All vehicles, plant and equipment used in relation to the Development must be maintained in a proper and efficient condition for the duration of the Development.

#### **Traffic and Transport**

56. During the Development, all feasible and reasonable measures must be implemented to ensure that pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties is maintained, and disruptions are avoided, or where avoidance is not possible, minimised.

#### **Traffic Management Plan**

57. A Traffic Management Plan must be developed to ensure public safety and avoid conflict and disruption on the local road network.
58. The Traffic Management Plan must be prepared in consultation with relevant stakeholders including: Council; the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications; the Norfolk Island Airport Manager; Cascade Pier operators, Norfolk Island Central School, Norfolk Island Police, the Norfolk Island Pistol Club, the Norfolk Island Gun Club and other stakeholders as relevant.

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<sup>1</sup> Tourist accommodation Unit on Portion 5a1 – Forrester A in Figure 16 of the EIS.

Tourist accommodation Unit on Portion 5a1 – Forrester B in Figure 16 of the EIS.

Residence on Portion 1d2 – Forrester C in Figure 16 of the EIS.

Residence on Portion 5a1 – Christian's House in Figure 16 of the EIS.

<sup>2</sup> It is not expected that the Industrial Noise Trigger Levels will be achievable. The Industrial Noise Trigger Level should be used as a goal.

59. The Traffic Management Plan must include all traffic control measures identified in the EIS and any additional measures identified during development of the Traffic Management Plan including, but not limited to:
- a) Measures to avoid conflict with local traffic including, but not limited to:
    - i. Norfolk Island Central School traffic.
    - ii. Cascade Pier operational traffic.
  - b) Identification of vehicular and pedestrian exclusion zones and road closures and public notifications of such.
  - c) Traffic management controls including site access arrangements, signage and traffic control measures such as designated routes and speed limits.
60. The Traffic Management Plan must be submitted to the General Manager for approval at least one week prior to the commencement of the Development.
61. The Development must not commence until the General Manager has provided written approval of the Traffic Management Plan.
62. The Traffic Management Plan must be implemented for the duration of the Development.

**Access**

63. The access gate to the Youngs Road Quarry Site must be closed and locked at the end of every workday.
64. Clear vehicular access to the access gate to the Youngs Road Quarry Site must be maintained at all times.

**Delivery of explosives**

65. Delivery of bulk explosives to Anson Point must be undertaken outside operational hours of the Pistol Club and the Gun Club as determined in consultation with these two associations.

**Road Condition (Dilapidation) Surveys**

66. A pre-haulage Road Condition Report must be prepared by Council's Infrastructure and Services Department for all roads proposed to be used by heavy vehicles for Phase 4 of the Development (haulage of rock from the Youngs Road Quarry site to the Norfolk Island Airport Development Precinct) prior to the commencement of use by such vehicles and provided to the General Manager for information.
67. A post-haulage Road Condition Report must be prepared by Council's Infrastructure and Services Department for all roads proposed to be used by heavy vehicles for Phase 4 of the Development (haulage of rock from the Youngs Road Quarry site to the Norfolk Island Airport Development Precinct) within one week following completion of Phase 4 (breaking, loading and haulage of rock) of the Development and provided to the General Manager for information.
68. If the Road Condition Reports show that damage to roads has occurred as a result of the Development, the damage must be rectified so as to restore the road(s) to at least pre-haulage condition. The rectification of damage to roads must be included in the Public Works Program for completion as soon as practicable, subject to availability of materials and balance of road safety priorities.

69. Any damage to private property that occurs as a result of the Development must be rectified so as to restore the damaged property to at least the condition it was in before it was damaged.
70. Any damage to roads or private property resulting from the Development that would render that road or property ineffective or unsafe must be made safe or useable immediately. This may need to be a temporary repair pending a permanent fix, subject to the availability of materials.

## **Air Quality**

### ***Dust Suppression***

71. The Development must be constructed, used and maintained in a manner that will minimise the generation of dust in the Subject Land, and the emission of dust from the Subject Land.

### ***Dust Monitoring***

72. Dust monitors must be installed at each of the three residential buildings on Portion 1d2 (one residence and two accommodation units) and the residential building on Portion 5a1 (one residence) for at least one month prior to the commencement of Phase 2 (site establishment at the Youngs Road Quarry Site) of the Development and remain in place until the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.
73. Dust monitoring must commence a minimum of one month prior to the commencement of Phase 2 (site establishment at the Youngs Road Quarry Site) of the Development and continue until the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.
74. Dust monitoring, as required under **Condition 73**, must be undertaken by the Environmental Representative in accordance with the methodology provided in *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (NSW EPA, 2017) for deposited dust.
75. Ambient deposited dust levels must be monitored for a minimum of one month prior to the commencement of Phase 2 (site establishment at the Youngs Road Quarry Site) of the Development to measure baseline ambient deposited dust levels.
76. Should baseline ambient deposited dust levels be exceeded (during Phase 2, Phase 3 and Phase 4 of the Development) by the following parameters (*from Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (NSW EPA, 2017)), additional mitigation measures must be implemented as detailed in **Condition 77** of this Approval:
- a) 2 g/m<sup>2</sup>/month (Maximum increase in deposited dust level), or
  - b) 4 g/m<sup>2</sup>/month (Maximum total deposited dust level).
77. If baseline ambient deposited dust levels are exceeded (during Phase 2, Phase 3 and Phase 4 of the Development) by the parameters provided in **Condition 76** of this Approval, the following measures must be implemented:
- a) Provision of a gutter cleaning service at the particular monitored residence where a dust parameter(s) was exceeded.
  - b) Implementation of additional at source mitigation (such as increased watering of the site) to minimise the potential for further exceedances at the monitored residences.

### Erosion and Sedimentation

78. The Development must not result in increased erosion caused by surface water runoff.
79. Disturbed areas must be rehabilitated as soon as practicable.

### Water Quality

80. All feasible and reasonable erosion and sediment controls must be installed and maintained in good working order to minimise water pollution.
81. Erosion and sediment control infrastructure on the Youngs Road Quarry Site must be augmented, supplemented and maintained as required to minimise sediment leaving the site and entering the Marine Park for the duration of Phases 1-4 of the Development and until the Youngs Road Quarry Site has been rehabilitated.
82. Where it is not possible to prevent sediment leaving the Youngs Road Quarry site, water quality parameters (at the point where water filters from the rear of the settling pond and exits the erosion and sediment control infrastructure) must not exceed the following water parameters from *Technical Guideline: Wastewater Release to Queensland Waters (Guidance for setting limits for indicators)* (Queensland Government, 2016):
- a) Turbidity or suspended solids (50 NTU or 50 mg/L).
  - b) pH (6.5-8.5).
83. Water quality monitoring must be undertaken by Council's Infrastructure and Services Department from at least the commencement of Phase 2 (site establishment at the Youngs Road Quarry Site) of the Development and until the Youngs Road Quarry Site has been rehabilitated.
84. Water quality monitoring results must be reported to Council's Environment and Planning Department as soon as practicable for inclusion in the Compliance Tracking Program and action under **Condition 85** of this Approval if water quality parameters are exceeded.
85. Any exceedance of either parameter provided in **Condition 82** of this Approval must be reported to the Department of Agriculture, Water and the Environment – Marine Parks and the General Manager within 24 hours of the exceedance.
86. Any reasonable and feasible direction from the Department of Agriculture, Water and the Environment – Marine Parks or the General Manager in response to a notification of an exceedance of parameter(s) must be implemented as soon as practicable.
87. Additional measures to retain sediment onsite must be implemented as soon as practicable if either parameter provided in **Condition 82** of this Approval is exceeded to manage the current pollution event and prevent further non-compliances. Measures may include but must not be limited to:
- a) Mechanical removal of sediment from the sediment ponds.
  - b) Addition of flocculants to reduce sediment load in water.
  - c) Relocation or additional sediment controls in drains.

### Water Supply

88. All reasonable and feasible effort must be made to repair Council's desalination plant and restore it to working order prior to commencement of the Development.

89. All water required for the Development must be sourced in accordance with the following priorities:
- a) Council's desalination plant;
  - a) Where it is not possible to source water from the desalination plant, water is to be sourced from existing Council water storage tanks; and
  - b) Where it is not possible to source water from existing Council water storage tanks, water may be sourced from commercial water carters.

### **Biodiversity**

90. Site establishment, drilling and blasting activities must not be undertaken at the Youngs Road Quarry Site between 1 October and 31 March inclusive (nesting seabird period).
91. Where possible, subject to the Project Works Program, cliff stabilisation works, rock breaking, loading and haulage activities should be avoided between 1 October and 31 March (nesting seabird period).
92. Bulk explosives storage at Anson Point must be avoided between 1 October and 31 March (nesting seabird period) if practicable subject to the Project Works Program.
93. The spread of Argentine Ants to and from the Subject Land must be prevented. Measures to prevent the spread of Argentine Ants must include but need not be limited to, the measures recommended in Section 6 of the *Ecological Assessment - Cascade Quarry* (Castles Environmental December 2020) and Section 3 of the *Ecological Risk Management and Offset Plan, Cascade Quarry* (Castles Environmental, December 2020).
94. The spread of weeds to and from the Subject Land must be prevented. Measures to prevent the spread of Argentine Ants must include but need not be limited to, the measures recommended in Section 6 of the *Ecological Assessment - Cascade Quarry* (Castles Environmental December 2020) and Section 3 of the *Ecological Risk Management and Offset Plan, Cascade Quarry* (Castles Environmental, December 2020).
95. A Habitat Rehabilitation Plan must be developed and implemented in accordance with the recommendations in Section 6 of the *Ecological Assessment - Cascade Quarry* (Castles Environmental December 2020) and Section 3 of the *Ecological Risk Management and Offset Plan, Cascade Quarry* (Castles Environmental, December 2020).

### **Visual Amenity**

96. The Subject Land must be maintained in an orderly manner for both visual aesthetics and occupational health and safety considerations for the duration of the Development.
97. The Anson Point Bulk Explosives facility (including shipping containers, fencing, signage and all other associated structure(s)) must be removed within two weeks after the removal of the explosives to the Youngs Road Quarry.

### Waste Management

98. Waste generated during the Development must be dealt with in accordance with the following priorities:
- a) Waste generation is to be avoided and where avoidance is not feasible or reasonable, reduced;
  - b) Where avoiding or reducing waste is not possible, waste is to be re-used, recycled, or recovered; and
  - c) Where re-using, recycling or recovering waste is not possible, waste is to be treated or disposed of.
99. All waste generated at the Subject Land must be stored in waterproof and vermin proof bins.
100. All waste generated at the Subject Land must be delivered to Council's Waste Management Centre or another appropriate waste facility offshore for disposal.

### Heritage

101. Prior to commencement of any ground disturbance associated with the Development, all people, including all contractors, that will be involved in the Development must be:
- a) Made aware that the subject land is within the "Heritage Overlay" in the *Norfolk Island Plan 2002* (as amended) and that there is potential for archaeological remains of heritage significance to be identified at the Youngs Road Quarry site and along the haulage route(s) in the Cascade area; and
  - b) Provided with a copy of this Approval.
102. The Commonwealth Heritage Manager must be provided with at least two weeks notice of any ground disturbance at the Youngs Road Quarry site and along the haulage route(s) in the Cascade area. Ground disturbance includes, but is not limited to, excavation for the installation of signage.
103. The Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, must be permitted to supervise any ground disturbance.
104. If the Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, wishes to supervise any ground disturbance, the excavation must not commence until the Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, is present.
105. Should any unknown archaeological deposit be discovered at any time, work in the immediate area of the item must stop immediately. A no-go zone must be established around the item and the Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, must be notified as soon as practicable.
106. Work in the immediate area of the item must not recommence until the Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, has undertaken any required management action in relation to the item and provided written approval to recommence.



107. A written approval from the Commonwealth Heritage Manager, or another suitably qualified and experienced archaeologist nominated by the Commonwealth Heritage Manager, to recommence work may include conditions. These conditions must be complied with.

#### **Airport Operations**

108. To comply with Part 4.1.1 of the Norfolk Island Airport Transport Security Program, no rock or materials are to be stored within three metres landside of the airport security fence that separates airside areas from the landside Norfolk Island Airport Development Precinct.
109. To comply with Part 4.1.1 of the Norfolk Island Airport Transport Security Program, the landside area of the airport security fence separating airside areas from the landside Norfolk Island Airport Development Precinct must be kept clear of all vegetation. The fence structure, including the base of the fence, must be kept clear of all foliage that may conceal cutting or damage, or which may assist any person to gain airside access.
110. To comply with Part 4.1.1 of the Norfolk Island Airport Transport Security Program, the area landside of the airport security fence separating airside areas from the landside Norfolk Island Airport Development Precinct must be kept clear of any object (including but not limited to: trees; vehicles; equipment), which may provide any person with assistance to breach the security barrier.
111. No vehicle or plant movements may occur at the rock stockpile site at the Norfolk Island Airport Development Precinct, or along the unsealed access / egress road between the Fire Drill Ground entry gate at Ben Christian Drive and Fire Drill Ground exit gate at Douglas Drive, for 30 minutes prior to the arrival of any aircraft and 30 minutes after the departure of any aircraft from the commencement of the Development and for as long as rock from the Youngs Road Quarry is stockpiled.
112. Prior to commencement of haulage of rock from the stockpile site, the Norfolk Island Airport Manager must be consulted to develop and agree on procedures for managing the pre- and post-flight exclusion periods.

#### **Youngs Road Quarry Site Rehabilitation**

113. Following the removal of rock and decommissioning of the Youngs Road Quarry, the site must be rehabilitated as soon as practicable and within a maximum timeframe of three years.
114. The Youngs Road Quarry site must be reinstated to land suitable for grazing cattle or as otherwise agreed with the owners of land in the area to be rehabilitated (Portion 5a1, Youngs Road reserve and Cascade Reserve). The final land use post rehabilitation must be consistent with the intent, objectives and guidelines for the Rural Zone.
115. A separate Development Approval (or a modification to this Approval) must be sought for the rehabilitation of the Youngs Road Quarry site.

#### **ENVIRONMENTAL MANAGEMENT PLAN**

116. An **Environmental Management Plan (EMP)** must be prepared to detail how the performance outcomes, commitments and mitigation measures made in the EIS, the Response to Submissions and the conditions of this Approval will be implemented and achieved throughout the duration of the Development.

117. The **EMP** must include:

- a) Details of how the Development will be carried out to:
  - i. Meet the environmental performance outcomes stated in the EIS, the conditions of this Approval;
  - ii. Implement the mitigation and management measures identified in the EIS and the conditions of this Approval;
  - iii. Comply with the relevant conditions of this Approval.
- a) A protocol for managing and reporting any:
  - i. incidents;
  - ii. non-compliances with statutory requirements;
  - iii. exceedances of the impact assessment criteria or performance criteria;
- b) Management Plans for:
  - iv. Hazard and Risk.
  - v. Noise and Vibration.
  - vi. Traffic and Transport.
  - vii. Air Quality.
  - viii. Water Quality.
  - ix. Water Supply.
  - x. Biodiversity.
  - xi. Visual Amenity.
  - xii. Waste Management.
- c) Monitoring Programs for:
  - i. Noise and Vibration – drilling and blasting.
  - ii. Noise – activities other than blasting.
  - iii. Deposited Dust.
  - iv. Water Quality.

Each Environmental Monitoring Program must include:

- i. Details of baseline data available.
- ii. Details of baseline data to be obtained and when.
- iii. Details of all monitoring of the project to be undertaken.
- iv. The parameters of the project to be monitored.
- v. The frequency of monitoring to be undertaken.
- vi. The location of monitoring.
- vii. The reporting of monitoring results.
- viii. Procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory.
- ix. Any consultation to be undertaken in relation to the monitoring programs.

118. The **EMP** must be endorsed by the Environmental Representative and submitted to the General Manager for approval no later than one month prior to the commencement of the Development, or within another timeframe agreed with the General Manager.

119. The Development must not commence until the **EMP** has been approved by the General Manager.

120. The EMP, as approved by the General Manager, must be implemented for the duration of the Development.

## **COMMUNITY INFORMATION AND COMPLAINTS**

### ***Distribution of Project information***

121. A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Proponent and the community during the Development.
122. The Community Communication Strategy must include:
- a) Identification of people to be consulted during the planning phases of the Development, and during the Development;
  - b) Procedures and mechanisms for the regular distribution of accessible information about or relevant to the Development;
  - c) Procedures and mechanisms through which the Proponent will respond to enquiries or feedback from the community.
123. The Community Communication Strategy must include the following:
- a) All communication with adjoining landowners (Portion 1d2, Portion 5a1 and Cascade Pier) must be undertaken by email and followed up by a phone call. In the event connection by phone cannot be made, the email must be followed up in person.
  - b) Landowners of Portion 1d2, Portion 5a1 and Cascade Pier must be advised of:
    - i. Any development approval for the Development within one week of the date of approval.
    - ii. The Project Works Program at the Youngs Road Quarry Site within one month of the date this Approval was granted.
    - iii. Changes to the Project Works Program for work at the Youngs Road Quarry Site as soon as practicable.
    - iv. Completion of the removal of rock from the Youngs Road Quarry Site within 48 hours of completion.
  - c) All landowners and occupiers within a radius of one kilometre of the Youngs Road Quarry Site must be provided with:
    - i. Direct initial contact by email, phone or in person.
    - ii. A name and phone number for direct contact to the Blasting Specialist or relevant Council Representative.
    - iii. The Project Works Program at the Youngs Road Quarry Site within one month of the date this Approval was granted.
    - iv. Information about how updated information about the Development will be made available.
124. The Community Communication Strategy must be submitted to the General Manager for approval no later than one month prior to commencement of the Development.
125. Work must not commence until the Community Communication Strategy has been approved by the General Manager.

126. The Community Communication Strategy, as approved by the General Manager, must be implemented as soon as practicable following the granting of this Approval until at least the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.

***Complaints***

127. A Complaints Management System must be prepared to register complaints, the actions taken to address the complaint and whether resolution was reached.
128. The Complaints Management System must be prepared prior to the commencement of the Development and implemented and maintained until at least the completion of Phase 4 (rock breaking, loading and hauling activities) of the Development.
129. The information contained in the Complaints Management System must be provided to the General Manager upon request, and within the timeframe stated in the request.
130. Prior to the commencement of the Development, the following information must be made available to the community to facilitate enquiries and complaints: Details of how to make a complaint including: Telephone Number; Email Address; Postal Address; Physical Address and hours within which complaints can be made.

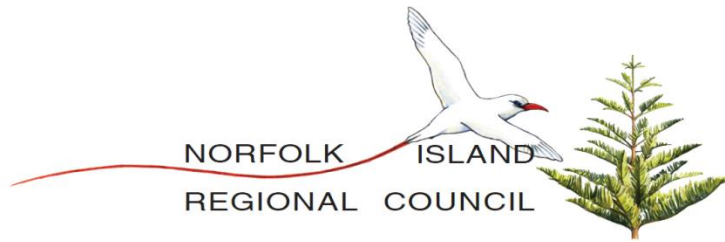
**PROVISION OF ELECTRONIC INFORMATION**

131. Information about the Development must be published on the Council website prior to commencement of the Development and maintained for the duration of Phases 1-4 of the Development. Up-to-date information must be published and maintained on the website including, but not limited to:
- a) A description of the Development.
  - b) The Project Works Schedule (to be updated as required).

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END

**Attachment A: Planning Assessment Report**



**PLANNING ASSESSMENT REPORT  
PROPOSED EXTRACTIVE INDUSTRY: YOUNGS ROAD QUARRY AND  
ANCILLARY EXPLOSIVES STORAGE AND ROCK STORAGE SITES**

<b>APPLICANT:</b>	A Roach, General Manager
<b>OWNER:</b>	Norfolk Island Regional Council
<b>APPLICATION No:</b>	DA.BA 36/2021
<b>ACCEPTED ON:</b>	22/09/2021
<b>LOCATION:</b>	NORFOLK ISLAND 2899 <b>Proposed Quarry Site</b> Part of Youngs Road, described as RD 35, Section No. 10, Cascade; Part of land within Cascade Reserve, described as RES, Lot No. 28, Section Nos. 9 and 10, adjacent to Youngs Road, Cascade; and Part of Portion 5a1, described as Lot 116, Section 9 Youngs Road, Cascade. <b>Temporary proposed bulk explosives storage site</b> Part of Portion 109a, described as Lot 20, Section 33, Anson Point, Anson Bay Road. <b>Temporary proposed rock storage site</b> Part of Portion 183, described as Lot 1, Section 29 off Douglas Drive, Norfolk Island Airport.
<b>ZONE:</b>	<b>Quarry:</b> Road, Open Space, Rural; <b>Ancillary Site (Explosives Storage):</b> Open Space; <b>Ancillary Site (Rock Storage):</b> Airport
<b>CATEGORY:</b>	Declared Significant Development and Ancillary Projects

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## 1. INTRODUCTION

The Norfolk Island Regional Council (NIRC) has received a Development Application (DA.BA) for the proposed Youngs Road Quarry at Youngs Road, Cascade and temporary ancillary activities at two alternate locations comprising a bulk explosive storage facility at Anson Point and rock storage at the Norfolk Island Airport (the Proposal).

The Proposal would take place across three sites located in the following Zones: Road, Open Space, Rural and Airport.

The Proposal is classified in the *Norfolk Island Plan 2002* (as amended) (the Plan) as 'Industry – Extractive'. The provisions of the *Norfolk Island Plan 2002* prohibit 'Industry – Extractive' in the Road Zone, Open Space Zone and Airport Zone.

The Proposal is Declared Significant Development. Section 6 of the *Planning Act 2002 (NI)* provides that Declared Significant Development is exempt from prohibition. The Proposal is therefore assessable in its entirety as Declared Significant Development following the pathway outlined in Part 5, Subdivision 2A of the *Planning Act 2002 (NI)*.

The Development Application seeks approval for a Declared Significant Development (including two ancillary projects) in accordance with Part 5: Subdivision 2A of the *Planning Act 2002 (NI)*. A Development Application for Declared Significant Development must be accompanied by an Environmental Impact Statement (EIS).

NIRC is the Applicant, the landowner (in part) and the Proponent for the Proposal. As such, it would be a conflict of interest for NIRC to:

- Assess its own Development Application.
- Regulate its own project.

Consequently: the General Manager's Requirements for the Environmental Impact Statement accompanying the Development Application were prepared by Port Macquarie Hastings Council; the Development Application has been assessed by an independent consultant, Planning Assist; and a separation of powers has been established within NIRC such that should approval be granted, the implementation and management of the project would be undertaken by NIRC's Infrastructure and Services Department and the compliance and complaints management role would be undertaken by NIRC's General Manager and Environment and Planning Department. In addition, an independent Environmental Representative would be engaged to undertake various monitoring and reporting tasks.

The conclusion of this planning assessment is that, subject to conditions, the Proposal would comply with the relevant requirements of the Plan and of the applicable Development Control Plan. It is recommended that the Development Application be approved subject to the conditions in the recommended Notice of Decision.

## 2. DESCRIPTION OF THE PROPOSAL

The proposed Youngs Road Quarry would be a small-scale, hard rock extraction quarry with a maximum potential yield of 13,500 tonnes of rock. The purpose of the quarry is to supply hard rock for local road maintenance and construction, which has an approximate demand of 7,000 tonnes of rock per year. On this basis, the yield from the proposed quarry would provide rock to cater for approximately two years of local demand.

### 2.1 The Sites

The Proposal would be undertaken at three sites, the quarry site and two ancillary sites.

The proposed Youngs Road Quarry site includes the following land:

- Part of Youngs Road, described as RD 35, Section No. 10; zoned 'Road' in the Norfolk Island Plan 2002 ('the Plan'). This land is owned by NIRC.
- Part of land within Cascade Reserve, described as RES, Lot No. 28, Section Nos. 9 and 10; zoned 'Open Space' in the Plan. This land is owned by the Commonwealth.
- Part of Portion 5a1 (part of the former quarry), described as Lot 116, Section 9, zoned 'Rural' in the Plan. This land is privately owned.

The proposed ancillary sites include the following land:

- Temporary proposed bulk explosives storage site - Part of Portion 109a, described as Lot 20, Section 33 (Anson Point); Zoned Open Space in the Plan. This land is owned by NIRC.
- Temporary proposed rock storage site - Part of Portion 183, described as Lot 1, Section 29 (Norfolk Island Airport); Zoned Airport in the Plan. This land is owned by NIRC.

The site locations are shown in **Figure 1**.

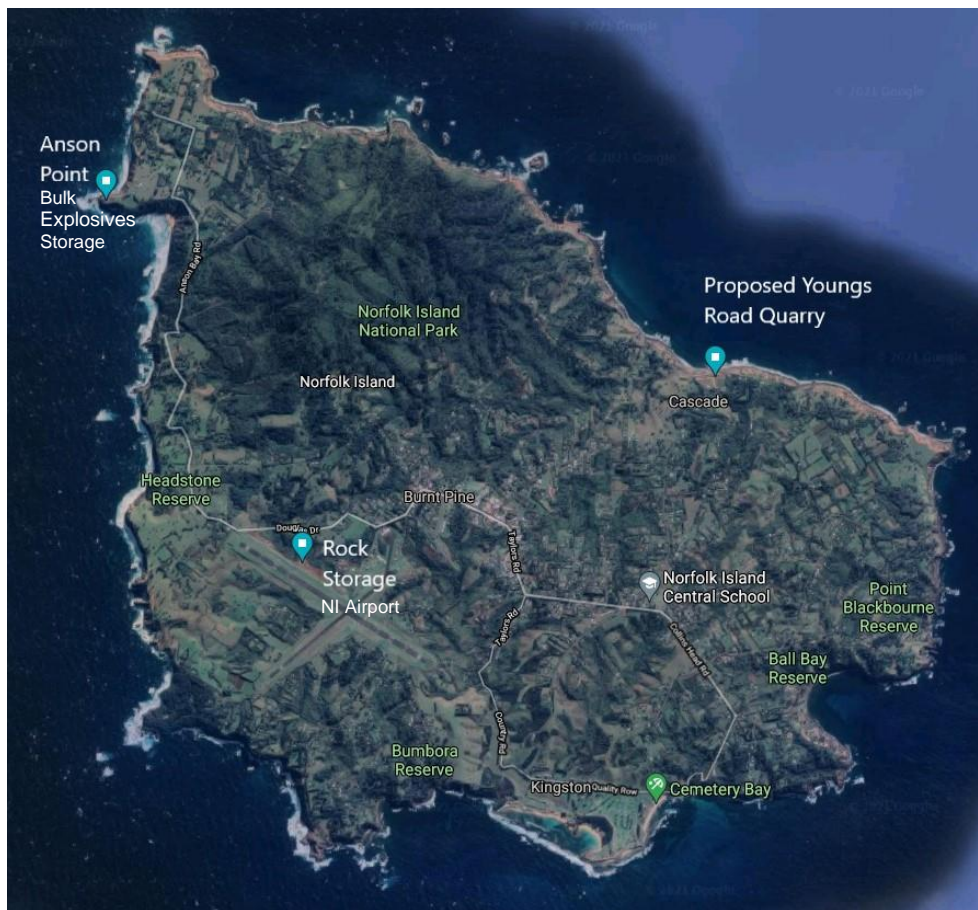


Figure 1 – Proposed Site Locations

### 2.1.1 Youngs Road Quarry Site

The proposed Youngs Road Quarry would be located at the site of the former, now decommissioned, Cascade Quarry – refer **Figure 2**. The quarry extraction site would be located in an area of the Cascade cliff which was benched and retained as part of the Cascade Cliff Stabilisation Project undertaken during the time the Cascade Quarry was operational. The area is highly disturbed and is largely unvegetated.

The proposed extraction area would yield a relatively small amount of rock; however, the Proposal presents a viable interim solution for the supply rock while long-term solutions are investigated.

### 2.1.2 Ancillary Project Site – Temporary Bulk Explosives Storage

The temporary bulk explosives storage site would be located at Anson Point.

This site is within the Anson Point Nesting Ground which is listed in the Norfolk Island Heritage Register and protected under the *Heritage Act 2002 (NI)*. Migratory seabirds that nest at this location are protected under the *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*.

The storage site would be located away from the cliff edge so as not to encroach into areas utilised by nesting seabirds – Refer **Figure 3**.





Figure 2 – Site for proposed quarry and surrounding land use and activities

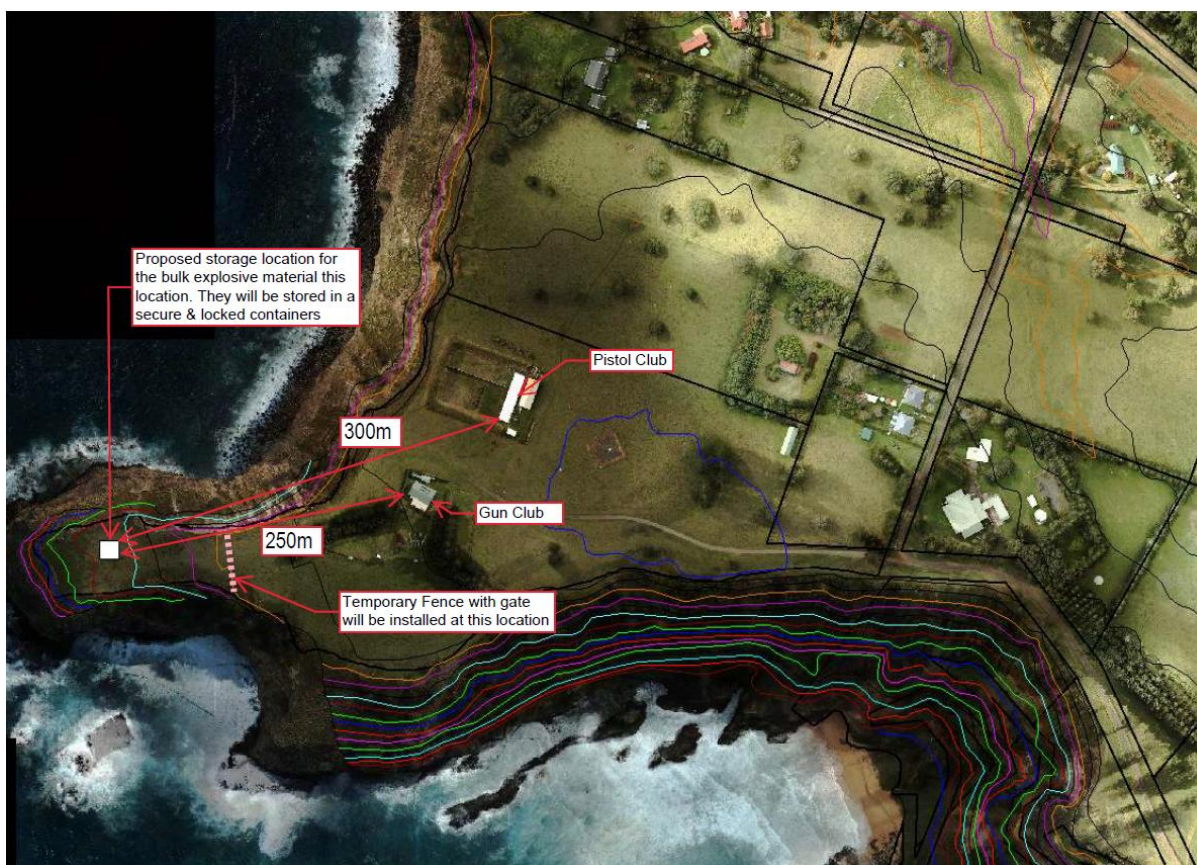


Figure 3 – Bulk Explosive Storage location, Anson Point

### 2.1.3 Ancillary Project Site – Temporary Rock Storage

A temporary rock storage site is proposed at Part of Portion 183 (Lot 1/Section 29), in the Development Precinct, as identified in *Development Control Plan No. 5 - Norfolk Island Airport*, adjacent to Runway 11 at the Airport and to the immediate north-west of the Water Assurance Scheme (WAS) wastewater treatment plant – refer **Figure 4**.

The site has previously been used for stockpiling rock, most recently during the Airport Runway Upgrade in 2020. The site is highly disturbed with little to no residual vegetation.



Figure 4 – Rock Storage location, Norfolk Island Airport Precinct

## 2.2 THE PROPOSAL

The Proposal would have four phases:

- Establishment and initial site development at the proposed Youngs Road Quarry site – including access road regrading, drainage reinstatement and site equipment storage/establishment
- Explosives delivery and storage at Anson Point.
- Drilling and blasting.
- Transport of blasted rock for stockpiling at the proposed temporary stockpile site at the Airport (including the breaking of rock that is too large to load onto trucks).

Donnelly Blasting Services Pty. Ltd. (Donnelly Blasting Services), Queensland based blasting specialists, were engaged by NIRC to design and plan the blast. Subject to the granting of development approval, Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) would be engaged to undertake the transport and storage of explosives, drilling and blasting.

### 2.2.1 Establishment and initial site development

The Cascade Quarry has been decommissioned but has not been rehabilitated. Infrastructure from the decommissioned quarry is still in situ. Preparation of the site for the proposed rock extraction would involve:

- Reinstall the access track from the Cascade Jetty area to the former quarry, using machinery and material from the quarry site to grade the track.
- Reinstall all internal access tracks inside the former quarry, using machinery and material from the quarry site to grade the tracks.
- Reinstall surface water V-drains and catchment pond at the former quarry, i.e. re-shaping of drains and cleaning of catchment pond. Stockpile excess material on-site for reuse in site rehabilitation.
- Remove overburden and vegetation re-growth material on top of the proposed rock extraction area with an excavator, for reuse in site rehabilitation. Stockpile on-site.
- Remove vegetation re-growth and prepare a temporary stockpile pad in the former quarry area. Stockpile excess material on-site for reuse in site rehabilitation.
- Site set up – stockpile area, detonator storage area, fences etc

### 2.2.2 Explosives delivery and storage at Anson Point

The bulk explosive that would be used for the Proposal is Class 5.1 Ammonium Nitrate Emulsion, commonly known as Ammonium Nitrate. Ammonium Nitrate water resistant and is non-reactive until mixed with a hydrocarbon such as diesel, or a detonator is applied.

An ancillary site for the temporary storage of the Ammonium Nitrate is proposed at Anson Point Portion 109a(rem) Anson Bay Road. The separate site is required to enable the Ammonium Nitrate to be stored separately to the detonators (stored at the Quarry site at Cascade) and fuels and oils (to be stored at the NIRC Services Depot) to minimise the risk of accidental combustion or explosion. This site also provides separation from incompatible land uses.

The Ammonium Nitrate would be shipped to the island in 7 x 1000 litre Intermediate Bulk Containers (IBC – 1300 kgs each) and transported to Anson Point in trucks where it would be stored in two dedicated shipping containers located on about a 40 metre x 30 metre flat grassed area which would be temporarily fenced for the duration of the storage for both security and the exclusion of cattle.

Explosives would be transported and stored in accordance with *Australian Standard AS 2187.1 – 1998 (Explosives – Storage, transport and use)*, Part 1: Storage - refer **Table 3.1: Clause 86:**

**Environment: Hazard and Risk.**

### 2.2.3 Drilling and blasting

The Blast Design for the Proposal has been developed by Donnelly Blasting Services. The Blast Design is accompanied by a Blast Management Plan, also prepared by Donnelly Blasting Services.

Subject to the granting of development approval for the Proposal, Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) would be engaged by NIRC to undertake the blasting and associated activities in accordance with the Blast Design and the Blast Management Plan.

The blast has been designed to avoid damage to nearby residences on adjoining Portions 5a1 and 1d2, and the Cascade Pier. Notwithstanding, precautionary measures would be undertaken to protect property including: pre-blast structural condition inspections; and monitoring of airblast overpressure and ground vibration during the blast.

Key blast parameters include:

- Blast hole spacing – 2.4 metres
- Average blast hole depth – 16.17 metres<sup>1</sup>
- Blast hole diameter - 76 millimetres
- Total number of blast holes – 128
- Total drill metres – 2069.9 metres
- Total bulk explosives – 7168.0 kilograms

Using a drill rig that would be imported for the Proposal, holes would be drilled into the rock in accordance with the Blast Design. The drill rig would be a high production rig capable of drilling about 210 metres of hard rock per day. Drilling would take about 10 business days (2 week / 3 week duration with contingency).

Prior to the blast, explosives would be transported to the Youngs Road Quarry site and inserted into the drilled holes.

The blast design requires one blast, utilising two decks of explosives with each charge initiating on a separate delay. This reduces the Maximum Instantaneous Charge and complies with the Australian Standard (AS 2187.2, Appendix J – Ground Vibration and Air Blast Overpressure). This blast design is intended to manage: air blast overpressure (noise); ground vibration; and fly rock, avoid impacts to nearby buildings and structures; minimise rock spillage down the face of the blast site to the entrance gate of the site and to generally break rock into a size able to be loaded onto trucks without the requirement for further breakage.

It is anticipated the blast sequence would take no longer than one minute and is likely to be completed in a few seconds.

#### **2.2.4 Transport of rock to the temporary stockpile site at the Airport.**

Following the completion of blasting, broken rock would be removed from the site over a period of 27 business days (40 business days with contingency).

Broken rock would be loaded onto tipper trucks using a front end loader or excavator. Rocks that are too large to load would be broken on-site with a rock hammer. Rock hammering is expected to be minimal as the blast has been designed to break the rock into pieces small enough to load.

Once loaded, rock would be carted from the quarry to the temporary stockpile site at the Airport. Haulage routes between the quarry site and the rock stockpile at the Norfolk Island Airport would be limited to those identified in the EIS.

Rock would be stockpiled temporarily (estimated about two years) until purchased and collected by industry and transported to approved rock crushing facilities for crushing and processing.

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• <sup>1</sup> EIS stated 12.17 metres. Blast Design states 16.17 metres.

## 2.3 Hours of Operation

The proposed hours of operation of the Quarry are generally:

Monday-Friday	7am-5pm
Saturday	8am-1pm
Sunday	Closed

In the EIS, the Applicant proposes to modify these general operating hours as follows:

- Operating hours would be adjusted as required to minimise impact and maintain safety for activities at Cascade Jetty, including unloading cargo ships and cruise ship visit days.
- Rock breaking, loading and hauling activities would not commence prior to 9am.

## 2.4 Public Infrastructure and services

### 2.4.1 Water

There is no water supply available at any of the three sites. Aside from toilet facilities which have their own existing water supply, water usage would be limited to watering of the proposed Young Road Quarry site, and possibly the temporary rock stockpile site and access/egress road at the Airport for the purposes of dust suppression.

The EIS provides that water for dust suppression would be sourced from the desalination plant owned and operated by NIRC located at the Cascade foreshore, immediately to the north of the proposed quarry site. This is still Council's preference, although due to current maintenance issues, the desalination plant is out of order and this may not be possible. Consequently, water may need to be sourced from NIRC water storage where available and then if necessary, groundwater supplies.

### 2.4.2 Sewage

Permanent toilet facilities are available at Cascade Jetty near the Passenger Transport Vessel (PTV) storage area. No additional amenities would be required to service the Proposal.

### 2.4.3 Electricity

No reticulated power is available at any of the three sites and no power is required. The Proposal would not have an impact on electricity infrastructure or supply.

### 2.4.4 Telecommunications

No telecommunications infrastructure is available at any of the three sites and is not required. Mobile telephones would be utilised. The Proposal would not have an impact on telecommunications infrastructure or supply.

### 2.4.5 Public Works

The roads designated in the EIS as truck haulage routes would experience wear and tear as a result of the Proposal. NIRC's Roads Manager and Engineer - Civil have been involved in the Development of the Youngs Road Quarry Proposal and are satisfied with the operational plan for the movement of rock from the Youngs Road Quarry Site to the rock stockpile site at the Norfolk Island Airport.

### 2.4.6 Emergency Services

The Emergency Services Manager has recommended that an Emergency/Fire/Medical Plan be developed in case of an incident. This requirement has been included as a recommended condition of Approval.

### 3. PLANNING ASSESSMENT

#### 3.1. Assessment of the Proposal Against the Norfolk Island Plan 2002 (as amended).

Table 3.1: Matters to be Considered

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
PART A - STRATEGIC PLAN	<p><b>ACTIVITY NODE PREFERRED DOMINANT LAND USE</b></p> <p><b>Youngs Road Quarry Site and Ancillary Site - Temporary Rock Storage</b></p> <p>Both the Youngs Road quarry site and the ancillary rock storage site are in areas designated for Activity Node Preferred Dominant Land Use. The objectives for the Activity Node Preferred Dominant Land Use area are:</p> <p>Objectives: Clause 4.5.2 (relevant subclauses):</p> <ul style="list-style-type: none"> <li><i>(a) provide a compact, buffered area for industrial uses;</i></li> <li><i>(b) minimise deleterious effects of higher intensity industrial use or development for as many residents, visitors and businesses as possible;</i></li> <li><i>(c) minimise the impacts on the environment caused by industrial use or development by maximising use of existing and future infrastructure;</i></li> <li><i>(d) protect airport and aviation related use or development opportunities, while co-locating appropriate industrial use or development opportunities;</i></li> <li><i>(e) protect existing sea transport facilities and related future use or development opportunities while co-locating appropriate industrial use or development; and</i></li> <li><i>(f) protect and preserve land for existing and future public, government, and Administration use or development.</i></li> </ul> <p>The majority of the objectives for the Activity Node Preferred Dominant Land Use Area relate to co-locating industrial uses in a compact area separated from other incompatible land uses, to protect air and sea transport related use and development and provide for government use and development.</p> <p>The Proposal complies with the objectives as it:</p> <ul style="list-style-type: none"> <li>• Is for 'Industry – Extractive' which is categorised as industrial use and development.</li> <li>• Is a government activity.</li> <li>• Would not have an adverse impact on air or sea transport use and development as: <ul style="list-style-type: none"> <li>- The area designated at the airport for rock storage is located in the Development Precinct that is designated for non-aviation development. The stockpile area has been used for this purpose previously, most recently during the Airport Runway Upgrade in 2020. During previous of the site for rock stockpiling, dust has impacted airport operations (refer <b>Table 3.2</b>). Measures to avoid and mitigate this impact have been developed in consultation with the Norfolk Island Airport Manager – refer <b>Section 3.2</b>.</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>- The Blast Design includes measures to direct rock fall toward the quarry floor and away from the Cascade Pier. The EIS includes an additional commitment to the installation of windrows between the approach to Cascade Pier and the quarry floor to retain any rock that may potentially roll from the quarry floor towards the pier – refer <b>Table 3.1: Clause 86: Environment: Hazard and Risk.</b></li> <li>- Quarry activities would be managed to avoid operational impacts on the Cascade Jetty including Cargo Ship, Cruise Ship and other commercial operations – refer <b>Table 3.1: Clause 86: Environment: Traffic and Transport.</b></li> </ul> <p>The Proposal is considered to be consistent with the objectives of the Activity Node Preferred Dominant Land Use Area.</p> <p><b>HIGH RURAL / CONSERVATION VALUE PREFERRED DOMINANT LAND USE AREA</b></p> <p><b>Ancillary Site – Temporary Bulk Explosives Storage</b></p> <p>The ancillary Bulk Explosives Storage site at Anson Point is designated for High Rural / Conservation Value Preferred Dominant Land Use. The objectives for the High Rural / Conservation Value Preferred Dominant Land Use area are:</p> <p>Objectives: Clause 4.2.2 (relevant subclauses):</p> <ul style="list-style-type: none"> <li><i>(a) retain and enhance the open space, natural environment and wildlife habitat that is vital to life systems on the Island;</i></li> <li><i>(b) conserve and preserve areas that have very high natural and/or cultural heritage conservation values;</i></li> <li><i>(c) allow for a very limited range of complimentary low intensity and low impact use or development in areas with very high natural and/or heritage conservation values;</i></li> <li><i>(d) maintain and protect the aesthetic backdrop for Norfolk Island;</i></li> <li><i>(e) maintain the existing rural character of much of Norfolk Island;</i></li> <li><i>(f) provide land that may buffer certain incompatible uses; and</i></li> <li><i>(g) protect and preserve land for existing and future public, government, and Administration use or development.</i></li> </ul> <p>Storage of Bulk Explosives is not compatible with the environment protection objectives for the area. However, it is compatible with objectives f and g in that it requires an isolated location separated from other uses and is ancillary to a Government proposal.</p> <p>Given the temporary nature of the bulk explosives storage (estimated less than six months), the location of the storage area outside known seabird nesting areas, the use of mobile shipping containers for storage which excludes the need for permanent construction, and the low risk associated with the storage of low volatility explosives (stored separately from detonators and</p>

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	<p>hydrocarbons that may trigger accidental combustion or detonation and in accordance with <i>Australian Standard AS 2187.1. – 1998 (Explosives – Storage, transport and use) - Part 1: Storage</i>, it is not considered that the use of the site would adversely impact or compromise the High Rural / Conservation Value use of the land following completion of the Project.</p> <p>The use of Anson Point as a temporary explosive storage area is considered to be compatible with objectives f and g and would not compromise objectives a - e of the High Rural / Conservation Value Preferred Dominant Land Use Area following complete removal of the storage facility once no longer required (estimated period less than six months).</p>
<p><b>PART B1 – ZONING SCHEME</b></p> <p>The intent, objectives and guidelines, for the Zone; and permissibility of the proposed development:</p>	<p><b>YOUNGS ROAD QUARRY SITE</b></p> <p>The Young Road Quarry site spans three zones: Road Zone; Open Space Zone; Rural Zone. 'Industry - Extractive is prohibited in the Road and Open Space Zones.</p> <p>Section 6 of the <i>Planning Act 2002 (NI)</i> provides that Declared Significant Development or an ancillary project(s) for a declared significant development is not prohibited in any zone. As the Proposal has been declared as Significant Development (refer <b>Section 1</b>) no part of the Proposal is prohibited and the entire Proposal can be assessed as Declared Significant Development.</p> <p><b>Road Zone</b> <u>Zone Intent: Clause 64(1):</u></p> <p>The Road Zone is intended to:</p> <ul style="list-style-type: none"> <li>(a) <i>provide a very limited range of use or development opportunities within areas that are set aside for transport and public access purposes;</i></li> <li>(b) <i>preserve and protect land for existing and future road requirements. The areas within the Roads Zone will include existing formed and unformed roads, as defined in this Plan, and may include provision to be made for future road requirements; and</i></li> <li>(c) <i>identify the extent of the existing and future road network.</i></li> </ul> <p><u>Zone Objectives and Guidelines: Clause 65(1) (relevant subclauses):</u></p> <ul style="list-style-type: none"> <li>(a) <i>provide opportunities for a very limited range of use or development types;</i></li> <li>(b) <i>provide opportunities for a variety of exempt developments including but not limited to, certain signs, street furniture, fire hydrants and traffic control devices, works carried out for the maintenance and repair of infrastructure including but not limited to roads, tracks, footpaths, drains, sewers, powerlines and telecommunications facilities within road reservations; and</i></li> <li>(c) <i>provide opportunities to ensure that existing and future operational road requirements are met.</i></li> </ul> <p>The Proposal would, except for the Significant Development Declaration, be prohibited in the Road Zone and it is not consistent with the intent, objectives and guidelines for the Zone.</p>



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	<p>Consideration has been given to the following:</p> <ul style="list-style-type: none"> <li>• The Proposal is consistent with the Activity Node Preferred Dominant Land Use and the strategic direction for the area.</li> <li>• The Youngs Road reserve in the extraction area is currently an unmade road consisting of a benched cliff. The topography of the Young's Road unmade road reserve is extreme and not conducive to Youngs Road being made.</li> <li>• Following the completion of the Proposal, the Youngs Road reserve would still be a benched cliff, albeit with an altered topography, and would still be extreme.</li> <li>• The Proposal would not change the long term opportunities for the making of a road.</li> </ul> <p>In light of these considerations, it is not considered that the inconsistency with the requirements of the Road Zone should preclude the Proposal from proceeding.</p> <p><u>Subdivision Standards Clause 66(1) (relevant subclauses): Not applicable.</u></p> <p><u>Development Standards Clause 67(1) (relevant subclauses): Not applicable.</u></p> <p><b>Open Space Zone</b> <u>Zone Intent: Clause 44(1):</u></p> <p>The Open Space Zone is intended to:</p> <ol style="list-style-type: none"> <li>(a) <i>provide a limited range of low intensity and low impact use or development opportunities within areas that have natural, cultural and heritage values that should be maintained;</i></li> <li>(b) <i>provide the open space and wilderness habitat that is vital to life systems on Norfolk Island; and</i></li> <li>(c) <i>provide land that may buffer certain incompatible uses.</i></li> </ol> <p><u>Zone Objectives and Guidelines: Clause 45(1) (relevant subclauses):</u></p> <ol style="list-style-type: none"> <li>(a) <i>provide opportunities for a limited range of low impact use or development types including Outdoor Sport and Recreation Facility facilities;</i></li> <li>(b) <i>provide opportunities for a variety of exempt use or development types including but not limited to temporary sporting and cultural activities;</i></li> <li>(c) <i>where possible, to buffer incompatible use or development types from one another, while maintaining the opportunities derived from the other objectives of the zone;</i></li> <li>(d) <i>encourage ecologically sustainable development practices that contribute to biodiversity maintenance and preservation;</i></li> <li>(e) <i>encourage management goals and practices that promote the conservation and protection of open space areas; and</i></li> <li>(f) <i>allowance should be made to enable continuation of practices that have important cultural significance to Norfolk Island's residents.</i></li> </ol>

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	<p>The Proposal would, except for the Significant Development Declaration, be prohibited in the Open Space Zone and it is not consistent with the intent, objectives and guidelines for the Zone.</p> <p>Consideration has been given to the following:</p> <ul style="list-style-type: none"> <li>• The area of land in the Open Space Zone that would be impacted by the Proposal was included in now decommissioned Cascade Quarry and the Cascade Cliff Stabilisation Project. It is highly modified, largely unvegetated, and is not typical of the remainder of the land in the Open Space Zone or Cascade Reserve. It has no recreational or biodiversity value and does not contribute to achieving the intent, objectives and guidelines for the Open Space Zone.</li> <li>• The ecological assessment and mitigation and offset plan prepared for the Proposal by Castles Environmental recommend the development and implementation of a Habitat Rehabilitation Plan to rehabilitate and improve native plantings and habitat value in the Youngs Road Quarry Site (where possible) and in the adjacent Cascade Quarry – refer <b>Table 3.1: Clause 86: Environment – Biodiversity</b>.</li> </ul> <p>In light of these considerations, it is considered that the inconsistency with the requirements of the zone would not adversely impact the values of the remainder of Cascade Reserve and should not preclude the Proposal from proceeding.</p> <p><u>Subdivision Standards Clause 46(1) (relevant subclauses): Not applicable.</u></p> <p><u>Development Standards Clause 47(1) (relevant subclauses): Not applicable.</u></p> <p><b>Rural Zone</b> <u>Zone Intent: Clause 9(1):</u></p> <p>The Rural Zone is intended to:</p> <p>(a) <i>maintain the existing rural character of much of Norfolk Island and to provide opportunities for both agricultural and appropriate non-agricultural use or development; and</i></p> <p><del>(b) retain the existing pattern of rural land use or development and retain the large land parcels that predominate in the area covered by the zone.</del></p> <p><u>Zone Objectives and Guidelines: Clause 10(1) (relevant subclauses):</u></p> <p>(a) <del>preserve larger parcels of land so that viable agriculture can be maintained;</del></p> <p>(b) <i>encourage use or development within the zone so that the existing landscape quality and visual amenity is maintained and preserved;</i></p> <p><del>(c) preserve large parcels of land that contribute to the maintenance and protection of biodiversity by preserving remnant native vegetation and habitat;</del></p>

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	<p><del>(d) avoid fragmentation of the land in the zone. Retention of large parcels of land will continue to contribute to maintenance of water quality by retaining vegetation and minimising erosion;</del></p> <p>(e) encourage use or development of land within the zone for low intensity, predominantly rural use or development to buffer sensitive conservation areas and provide valuable open space; and</p> <p>(f) encourage ecologically sustainable development practices that contribute to biodiversity maintenance and preservation.</p> <p>'Industry - Extractive; is permissible (with consent) use or development in the Rural Zone and is therefore considered an appropriate non-agricultural use of the land in the short term.</p> <p>The rehabilitation design for the former quarry is currently being developed by an independent engineering company as part of the Commonwealth Kingston Channel Construction Project which is also Declared Significant Development and scheduled for commencement in late 2022. Once the rehabilitation design is finalised and approved, it is proposed that the Youngs Road Quarry Site would be rehabilitated utilising material from the Kingston Channel Construction Project and re-vegetated back to grazing land for cattle.</p> <p>In the event that the Kingston Channel Construction Project does not proceed, then rehabilitation of the Youngs Road Quarry site would be undertaken as a modification to this Proposal and the materials required sourced from alternate locations such as existing material at the quarry site, Portion 44A Cascade Road. This requirement has been included as a recommended condition of approval.</p> <p>The eventual reinstatement of the site back to pasture for cattle grazing is consistent with the intent, objectives and guidelines for the Rural Zone.</p> <p><u>Subdivision Standards Clause 11(1) (relevant subclauses): Not applicable.</u></p> <p><u>Development Standards Clause 12(1) (relevant subclauses):</u></p> <p>(a) use or development for the purposes of an Industry-Extractive shall not be located within 150 metres of an existing or likely future dwelling, or within 300 metres of land zoned Residential, Special Use (where that Special Use Zoning is intended for, or used or developed for, the purposes of a hospital, school, or use or development within the residence class) or similar development;</p> <p><del>(a) the maximum height of buildings shall be 9 metres unless it can be satisfactorily demonstrated that a higher structure is required for operational, topographical or other justified purposes;</del></p> <p><del>(b) habitable buildings should be sited, designed and oriented to achieve energy efficiency;</del></p> <p><del>(c) buildings shall be setback a minimum distance of 10 metres from the front boundary and 3.6 metres from all other boundaries. Buildings shall not</del></p>

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	<p><del>project above a 45-degree line (from horizontal) as measured from any property boundary into the property upon which the building is situated;</del></p> <p><del>(d) setback requirements of clause 12(1)(d) may be varied pursuant to the provisions of clause 5 and giving consideration to:</del></p> <p><del>i. The particular size, shape, contours or slope of both the land and the adjoining land;</del></p> <p><del>ii. The adjoining land and uses and zone(s);</del></p> <p><del>iii. The position of existing buildings and setbacks in the immediate area; and</del></p> <p><del>iv. Any representations received as a result of notification under section 43 of the Act;</del></p> <p><del>(e) the roof areas of buildings shall be finished with non-reflective materials and/or colours that harmonise with the natural landscape;</del></p> <p><del>(f) the external walls, paving, and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially and permanently screened by landscaping;</del></p> <p><del>(g) all use or development shall comply with relevant environmental standards specified in applicable environmental planning and land management codes as approved by the executive member; and</del></p> <p><del>(h) use or development for the purposes of a Residence – Dual Occupancy or Residence – Accommodation Units (low density) shall comply with the relevant provisions of an approved Multi Unit Code.</del></p> <p>The proposed extraction site should not be located within 150 metres of a Rural Zone residence. The residence on Portion 5a1 is about 100 metres from the proposed extraction site which is not compliant with Development Standard (a).</p> <p>Consideration has been given to the following:</p> <ul style="list-style-type: none"> <li>• The lifespan of the quarry is expected to be short-term, with rock extracted using one set of simultaneous blasts (duration of no more than one minute) and rock removed from the quarry floor within a maximum period of 40 business days. This is a considerably different scenario to standard quarries which may have a lifespan of decades and would have a significantly greater impact on nearby residential land uses.</li> <li>• The landowner of Portion 5a1 has provided landowner's consent for the lodgement of the Development Application.</li> <li>• The Blast Plan prepared by Donnelly Blasting Pty Ltd has taken the short distance to the residence on Portion 5a1 into consideration. The blast has been designed to keep impacts to this residence, other nearby residences, within the limits of human comfort and below the limits of property damage.</li> <li>• No buildings would be erected for the purposes of the Proposal. Shipping containers used for temporary storage of detonators and other materials</li> </ul>

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	<p>required by the Proposal would be non-reflective. Generally, shipping container colours do not harmonise with the natural environment but as they would be located in a highly disturbed quarry site, no visual impact is anticipated.</p> <p>No Development Control Plan applies to the <b>Young's Road Quarry Site</b>.</p> <p>In light of these considerations, and consistency with the intent, objectives and guidelines for the Rural Zone, it is not considered that non-compliance with Development Standard (a) in relation to the residence on Portion 5a1 should preclude the Proposal from proceeding.</p>
	<p><b>ANCILLARY SITE – TEMPORARY BULK EXPLOSIVE STORAGE</b></p> <p><b>Open Space Zone</b> <u>Zone Intent: Clause 44(1):</u></p> <p>The Open Space Zone is intended to:</p> <p>(d) <i>provide a limited range of low intensity and low impact use or development opportunities within areas that have natural, cultural and heritage values that should be maintained;</i></p> <p>(e) <i>provide the open space and wilderness habitat that is vital to life systems on Norfolk Island; and</i></p> <p>(f) <i>provide land that may buffer certain incompatible uses.</i></p> <p><u>Zone Objectives and Guidelines: Clause 45(1) (relevant subclauses):</u></p> <p>(i) <i>provide opportunities for a limited range of low impact use or development types including Outdoor Sport and Recreation Facility facilities;</i></p> <p>(j) <i>provide opportunities for a variety of exempt use or development types including but not limited to temporary sporting and cultural activities;</i></p> <p>(k) <i>where possible, to buffer incompatible use or development types from one another, while maintaining the opportunities derived from the other objectives of the zone;</i></p> <p>(l) <i>encourage ecologically sustainable development practices that contribute to biodiversity maintenance and preservation;</i></p> <p>(m) <i>encourage management goals and practices that promote the conservation and protection of open space areas; and</i></p> <p>(n) <i>allowance should be made to enable continuation of practices that have important cultural significance to Norfolk Island's residents.</i></p> <p>The Proposal would, except for the Significant Development Ancillary Project Declaration, be prohibited in the Open Space Zone (Industry – Hazardous, Noxious or Offensive) and it is not consistent with the intent, objectives and guidelines for the Zone.</p> <p>Consideration has been given to the following:</p> <ul style="list-style-type: none"> <li>• The ancillary bulk explosives storage is consistent with High Rural / Conservation Value Preferred Dominant Land Use Area objectives (f) and</li> </ul>

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	<p>(g) in that the explosives storage requires isolation and separation from other land uses.</p> <ul style="list-style-type: none"> <li>• The bulk explosives storage is ancillary to a Government proposal.</li> <li>• Given the temporary nature of the bulk explosives storage (estimated less than six months), the location of the storage area outside known seabird nesting areas, the use of mobile shipping containers for storage which excludes the need for permanent construction, and the low risk associated with the storage of low volatility explosives (stored separately from detonators and hydrocarbons that may trigger accidental combustion or detonation and in accordance with <i>Australian Standard AS 2187.1. – 1998 (Explosives – Storage, transport and use) - Part 1: Storage</i>, it is not considered that the use of the site would adversely impact or compromise the High Rural / Conservation Value use of the land following completion of the project. In light of these considerations, it is not considered that the inconsistency with the requirements of the Open Space Zone should preclude the Proposal from proceeding.</li> </ul> <p><u>Subdivision Standards Clause 46(1) (relevant subclauses): Not applicable.</u></p> <p><u>Development Standards Clause 47(1) (relevant subclauses):</u></p> <p><i>(o) there are no maximum height or minimum setback requirements except those necessary to meet the zone intent;</i></p> <p><i>(a) the roof areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape;</i></p> <p><i>(b) the external walls, paving, and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially and permanently screened by landscaping; and</i></p> <p><del><i>(c) all use or development shall comply with relevant environmental standards specified in the approved applicable environmental planning and land management codes.</i></del></p> <p>No buildings would be erected for the purposes of the Proposal. Shipping containers used for temporary storage of bulk explosives would be non-reflective. Generally, shipping container colours do not harmonise with the natural environment but as they would temporary (removed after a maximum of six months), no visual impact is anticipated.</p> <p>No Development Control Plan applies to the Ancillary Site – Temporary Bulk Explosive Storage</p> <p>The Ancillary Project 1 – Temporary Bulk Explosive Storage is considered to be compliant with the relevant Development Standards for the Open Space Zone.</p>
	<p><b>ANCILLARY SITE – TEMPORARY ROCK STOCKPILE</b></p> <p><b>Airport Zone</b> <u>Zone Intent: Clause 59(1):</u></p>

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	<p><i>The Airport has been identified in recognition of the important contribution that the Airport makes to Norfolk Island's transportation and tourism development. The Airport Zone is intended to primarily provide a range of airport and aviation related use or development opportunities, while also providing opportunities for a limited range of industrial use or development opportunities.</i></p> <p><u>Zone Objectives and Guidelines: Clause 60(1) (relevant subclauses):</u></p> <p><del>(a) provide opportunities for a range of airport and aviation related use or development types;</del></p> <p>(b) <i>provide opportunities for general, noxious, hazardous or offensive industrial use or development types generally associated with airport and aviation activities that require isolation from residential use or development;</i></p> <p>(c) <i>collocate airport, aviation and related higher intensity industrial use or development to enable maximum use to be made of existing infrastructure and services. Minimising the need to provide infrastructure outside the Airport Zone will limit impacts on the environment and economy;</i></p> <p>(d) <i>cluster airport, aviation and related higher intensity industrial use or development to minimise potential impacts on surrounding use or development and to avoid the spread of such use or development in a random manner across Norfolk Island;</i></p> <p><del>(e) utilise rural and other low intensity use or development where possible to provide buffers around the Airport Zone to minimise the effects of use or development within the Airport Zone on surrounding use or development types;</del></p> <p><del>(f) encourage ecologically sustainable development practices that contribute to biodiversity maintenance and preservation;</del></p> <p>(g) <i>use or development should not compromise the operational requirements of the Airport's Obstacle Limitation Surfaces as approved by the executive member; and</i></p> <p>(h) <i>use or development shall be consistent with any relevant Development Control Plans.</i></p> <p>The temporary rock stockpile, whether classified as a Significant Development Ancillary Project Declaration or a stand-alone 'Industry – General' use or development, is permissible (with consent) in the Airport Zone.</p> <p>It is consistent with the intent, objectives and guidelines for the zone as it is an industrial development that requires isolation from residential development due various impacts including noise, dust, traffic and visual. It would be clustered with other higher impact development in the Airport Development Precinct and subject to the implementation of mitigation measures to mitigate potential impacts on airport operations (maintain the site for airside security and manage dust), it would comply with the requirements of the Obstacle Limitations Services and <i>Development Control Plan No. 5 – Norfolk Island Airport – Refer to Table 3.1: Part B - Overlay Provisions and Section 3.2.</i></p>

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	<p><u>Subdivision Standards Clause 61(1) (relevant subclauses): Not applicable.</u></p> <p><u>Development Standards Clause 62(1) (relevant subclauses):</u></p> <p><i>(a) the provisions of Australian Standard AS 2021-2000 shall apply to all use or development in the Airport Zone;</i></p> <p><del><i>(b) the maximum height of buildings shall be determined by the Obstacle Limitation Surfaces requirements as specified in clauses 78-81 inclusive, and shall be up to 9 metres on condition that the Obstacle Limitation Surfaces are not compromised. Buildings may not exceed 9 metres in height unless the Obstacle Limitation Surfaces are not compromised and unless it can be satisfactorily demonstrated that a higher structure is required for operational, topographical or other justified purposes;</i></del></p> <p><del><i>(c) use or development for the purposes of an Industry – Noxious, Offensive and Hazardous, or a Dangerous Goods Store shall not be located within 300 metres of land zoned Residential, or Special Use (where that Special Use Zoning is intended for, or used or developed for, the purposes of a hospital, school, or use or development within the residence class);</i></del></p> <p><i>(d) there are no minimum setback requirements except those necessary to meet the zone intent, protect the character of the surrounding area, protect the amenity of neighbouring properties, and provide access for essential and emergency services;</i></p> <p><del><i>(e) the roof areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape;</i></del></p> <p><del><i>(f) the external walls, paving, and other large surface areas of buildings shall be finished with non-reflective materials and colours that harmonise with the natural landscape or shall be substantially and permanently screened by landscaping; and</i></del></p> <p><i>(g) all use or development shall comply with relevant environmental standards specified in the approved applicable environmental planning and land management codes.</i></p> <p>AS 2021-2000 has been superseded by AS 2021-2015 Acoustics – Aircraft Noise Intrusion - Building Siting and Construction. This Standard provides guidance on the siting and construction of buildings in the vicinity of airports to minimise aircraft noise intrusion on those buildings. AS 2021-2015 is not relevant to a rock stockpile.</p> <p>The rock stockpile would be located in the Development Precinct of the Airport which is designated for non-aviation developments including industrial uses which required separation from other uses. The proposed stockpile is consistent with the zone intent and its isolated location inherently protects the character and amenity of the surrounding area.</p> <p><i>Development Control Plan No. 5 – Norfolk Island Airport applies to Ancillary Site - Temporary Bulk Explosive Storage. The Proposal complies with the relevant requirements of the Development Control Plan (refer <b>Section 3.2</b>).</i></p>



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	The Proposal is considered compliant with the Development Standards for the Airport Zone.
<b>PART B2- OVERLAY PROVISIONS</b>	
Clause 70 -72- Coastal Environment Overlay	Not applicable. The Proposal is not located within the Coastal Environment which is only applicable to land zoned Rural or Rural Residential.
Clause 73 -77 – Heritage Overlay	The Proposal is located in two areas that are included in the Heritage Overlay in the <i>Norfolk Island Plan 2002</i> : Cascade Reserve (Youngs Road Quarry Site) and Anson Pointing Nesting Ground (Ancillary Site - Bulk Explosives Storage). The Proposal is considered to be compliant with the requirements of the Heritage Overlay as discussed in <b>Table 3.1: Clause 86: Environment - Heritage</b> .
Clause 78 - 81 – Obstacle Limitation Surfaces Overlay	<p>The proposed ancillary site - temporary proposed rock storage is located within the Obstacle Limitation Surfaces Overlay. Clause 80 of the Plan requires that the Development Application be forwarded to the Norfolk Island Airport Manager for assessment against the Obstacle Limitations Services.</p> <p>Consultation with the Norfolk Island Airport Manager was not documented in the DA or in the EIS. Consequently, the Airport Manager, Brad Robinson, was consulted as part of the Planning Assessment process.</p> <p>Details of this consultation and measures agreed with the Airport Manager to mitigate potential dust impacts from the rock stockpile operation are provided in <b>Section 3.2</b>. Subject to implementation of these measures. The proposed rock stockpile would not adversely impact the Obstacle Limitation Surfaces.</p>
<b>PART B3- USE AND DEVELOPMENT PRINCIPLES</b>	Relevant Principles are discussed below.
Clause 83 - Use	<p><i>(a) Use or development shall not unreasonably impact on any existing or intended future use or development of neighbouring land.</i></p> <p><del><i>(b) Subdivision of land shall be carried out in accordance with the subdivision provisions for the zone within which the land is located or where that is not appropriate in accordance with:</i></del></p> <p style="padding-left: 40px;"><del><i>i. the requirements of the intended use or development;</i></del></p> <p style="padding-left: 40px;"><del><i>ii. the zone intent; and</i></del></p> <p style="padding-left: 40px;"><del><i>iii. where prepared, an approved development control plan.</i></del></p> <p><i>(c) All land shall be protected from encroachment by incompatible use or development.</i></p> <p><i>(d) Industries shall be appropriately located, sited, and designed to limit any detrimental effects on neighbouring land use or development, particularly in respect of atmospheric emissions, solid waste disposal and water pollution, soil erosion, noise, dust, or visual quality.</i></p> <p>The Proposal is for a small scale re-establishment of a previously decommissioned quarry for a temporary period to enable extraction of about</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>13,500 tonne of rock to supply the local construction industry whilst a permanent source of rock is identified.</p> <p><b>Youngs Road Quarry Site</b> The Proposal would have temporary impacts (conservatively estimated at about six months), primarily on land adjoining the quarry site and adjoining truck haulage routes. Measures have been included in the EIS for the Proposal to avoid, manage and mitigate impacts to what is considered a reasonable level given the limited options for sourcing rock on the island. The measures included in the EIS have subsequently been supplemented in order to address concerns raised in a public submission (refer <b>Attachment A</b>). Measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• The engagement of blasting specialists to design, conduct and manage the single proposed blast to minimise impacts of noise and vibration, fly rock, air blast, dust and safety among others.</li> <li>• Noise and vibration management including potential damage to property.</li> <li>• Dust management.</li> <li>• Traffic management.</li> <li>• Communication protocols.</li> <li>• Adjustment of operating hours to avoid key commercial activities on adjacent land.</li> </ul> <p>It is noted that the quarry was operational prior to development of adjoining freehold land for tourist accommodation (Portion 1d2) and residential (Portion 5a1) purposes and is not a new incompatible development.</p> <p><b>Ancillary Site – Temporary Bulk Explosives Storage</b> The two dedicated shipping containers that would house the explosives at Anson Point would have a short term temporary (estimated up to six months) visual impact. Given the temporary nature of this impact it is not considered unreasonable in light of the strategic need for the Proposal and separate isolated storage of bulk explosives.</p> <p>Any accidental combustion or explosion of the stored explosives would have an unacceptable impact on neighbouring land uses. Donnelly Blasting Services have selected the explosive for the Proposal based on its low volatility which makes it safer to transfer and store on the island, and its water resistant nature which reduces risks from Norfolk’s humid and wet weather. The nature of the explosive in conjunction with storage inside shipping containers and away from detonators, fuels and other substances that may cause accidental combustion or explosion and in accordance with <i>Australian Standard AS 2187.1. – 1998 (Explosives – Storage, transport and use) - Part 1: Storage</i>, makes accidental combustion or explosion unlikely.</p> <p><b>Ancillary Site – Temporary Rock Storage.</b> The rock stockpile site at the airport would have a short to medium term temporary (estimated about two years) visual impact. However, the stockpile site is removed from residential development, screened by trees on one side</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>and buffered by the airport on the other side. The site is designated for non-aviation industry and has been used for rock storage previously.</p> <p>Given the temporary nature of this impact and the industrial designation of the site, it is not considered unreasonable.</p> <p><b>Conclusion</b> The Proposal would have an impact on neighbouring land uses, particularly noise impact. However, given the public benefit of securing an interim rock supply for local construction and the mitigation and management that is proposed to minimise off-site impacts, it is not considered that the impacts of the Proposal on neighbouring land use would be unreasonable.</p>
Clause 84 - Character	<p><i>(a) Use or development shall adequately respect the character of, and future intentions for, the area in which it is to be located.</i></p> <p><i>(b) Subdivision layout, particularly roads, shall take adequate account of land contours and the need to limit visual scarring of the land;</i></p> <p><i>(c) Use or development (including public facilities, utilities and services) shall adequately respect the surrounding streetscape and neighbouring use or development, particularly in relation to scale, setbacks, form (including roof shape and pitch), landscaping, materials, colours and fencing.</i></p> <p><i>(d) Landscaping of use or development shall be of a type, form, variety(s) and character which is suited to the intention of the zone, the area and the nature of the use or development.</i></p> <p><i>(e) Where trees are an important element in the landscape or streetscape character of an area they should be retained.</i></p> <p><i>(f) Signs shall be consistent in type, scale and location, and be in keeping with the intention of the zone, the streetscape, and the building or structure on which they are positioned or to which they otherwise relate.</i></p> <p><i>(g) Forestry use or development, particularly plantations, shall be appropriately sited and planned to protect the visual quality and character of the surrounding landscape and to protect important viewing locations and viewsheds in particular.</i></p> <p><b>Youngs Road Quarry and Ancillary Site - Temporary Bulk Rock Storage</b> The proposed Youngs Road Quarry Site is located within the boundaries of the decommissioned Cascade Quarry. The Cascade Quarry site has not been rehabilitated to date, is highly disturbed and largely unvegetated. Post completion of the Proposal, the quarry floor would be rehabilitated into land suitable for cattle grazing.</p> <p>The proposed rock stockpile would be located within the Development Precinct of the Norfolk Island Airport which is separated from other land uses and designated for industrial uses. This site is also highly disturbed and largely unvegetated.</p> <p>Both these components of the Proposal are in keeping with the existing character of and the future intentions for the area.</p>

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	<p><b>Ancillary Site - Temporary Bulk Explosives Storage</b></p> <p>Whilst Anson Point is a heritage listed seabird nesting area, it is also used for various other purposes including the Gun Club, the Pistol Club and Air Services Australia infrastructure.</p> <p>The bulk explosives storage facility would not be out of keeping with existing buildings and infrastructure on the land required for these other uses whilst in place. The facility would be temporary (estimated up to six months) and would be removed completely following relocation of the explosives to the quarry site reverting Anson Point to its original character.</p> <p><b>Conclusion</b></p> <p>It is not considered that the Proposal would have a significant adverse impact on the existing or future character of the quarry site, the two ancillary sites or the surrounding areas.</p>
Clause 85 - Amenity	<p><del>(a) Adequate public open space shall be provided in areas of new subdivision, to meet the recreational and open space requirements of the community generally, and particularly, the new owners of the lots created by the subdivision;</del></p> <p><del>(b) Use or development shall accord all existing and/or future occupiers with adequate and reasonable levels of amenity, especially in relation to privacy, sunlight, aspect, views and noise disturbance; and</del></p> <p><del>(c) Dwellings shall provide an adequate amount and appropriate type of private open space, to meet the expected lifestyle requirements of occupants. Such private open space shall provide adequate privacy, be exposed to reasonable levels of sunshine and directly accessible from the dwelling to which it belongs.</del></p> <p>Not applicable. Relevant to subdivision and dwellings only.</p>
Clause 86 - Environment	<p>(a) Proposals for use or development shall demonstrate how that use or development will not harm and/or degrade the ecology and environment of Norfolk Island.</p> <p>(b) Use or development shall minimise the potential detrimental effect on the environment. All areas, and sensitive ecological and/or visual areas in particular, shall be developed in a manner and to an extent that is consistent with the protection of the values of the area.</p> <p>(c) Use or development and land management practices shall be directed towards achieving environmentally sustainable biodiversity and ecological balance, and avoiding environmental harm such as soil erosion, cliff erosion, coastal and dune erosion or degradation, loss of endemic plant and animal species, and increases in vermin populations.</p> <p>(d) Use or development shall not be located in areas of unacceptable risk, particularly due to land slippage, or cliff collapse. In situations where foreseeable reasonable risk may exist, use and development shall be appropriately designed and sited to provide an acceptable level of protection and safety for that use or development and for future users of that land and surrounding land in particular;</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>(e) <i>Potentially incompatible uses or developments shall be adequately and appropriately located, sited, and designed to avoid conflict and potential harm;</i></p> <p>(f) <i>Activities involving extensive site works, such as quarrying, shall be sited, screened, and rehabilitated where appropriate, to protect the ecological and visual qualities of the area; and</i></p> <p>(g) <i>Use or development shall be of a suitable form and siting to avoid any adverse impact on any watercourse and to avoid potential impacts of flooding.</i></p> <p><b>HAZARD AND RISK</b></p> <p>Key hazards and risks of the Proposal include:</p> <ul style="list-style-type: none"> <li>• Transport (sea and road) and storage (Anson Point) of explosives.</li> <li>• Use of explosives (blasting).</li> <li>• Storage and use of fuels and oils.</li> <li>• Post-blast instability of the exposed cliff face.</li> </ul> <p><b>Transport, Storage and Use of Explosives</b></p> <p>Donnelly Blasting Services have prepared a Blast Plan (2021) and a Blast Management Plan (2019) for the Youngs Road Quarry Proposal.</p> <p>Subject to the granting of development approval, Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) would be engaged to undertake the transport and storage of explosives, drilling and blasting.</p> <p>The Blast Plan reflects the current Proposal. The Blast Management Plan was prepared for a superseded version of the Blast Plan. Whilst generally applicable, the Blast Management Plan requires revision for consistency with the current Blast Plan, and with the recommended conditions of approval which include some additional mitigation measures added in response to concerns raised in a public submission lodged in relation to the Proposal (refer <b>Attachment A</b>).</p> <p>Prior to the commencement of drilling, the Blast Management Plan must be revised by Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) for consistency with the Blast Plan, and with the recommended conditions of approval, and reviewed by Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) and NIRC for Quality Assurance purposes.</p> <p>The Blast Plan and the Blast Management Plan would also need to be reviewed on an ongoing basis for the duration of the drilling and blasting phase of the Project to enable progressive adjustments to be made to the plans based on actual environmental conditions.</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>All transport, storage and use of explosives would be undertaken in accordance with the revised Blast Design and Blast Management Plan, manufacturer's specifications and relevant Australian Standards as detailed in the Blast Design and Blast Management Plan.</p> <p>The Blast Design has been developed to avoid, mitigate and manage: falling rock; fly rock; airblast overpressure; and ground vibration.</p> <p>Measures included in the Blast Design are:</p> <ul style="list-style-type: none"> <li>• Rock fall: Rock fall directed towards the quarry floor and away from the Cascade Pier area.</li> <li>• Fly rock: Boretracking to identify any areas of unsatisfactory burden, stemming using aggregate (aggregate is more effective than sand) and if required, creation of a false burden using clean fill.</li> <li>• Airblast overpressure and ground vibration: Adoption of a '2-deck single charge per delay' design to comply with <i>AS 2187 Part 2 Appendix J – Ground Vibration and Airblast Overpressure</i> limits for human comfort at the closest residence (thresholds for property damage are substantially higher than human comfort levels) including: <ul style="list-style-type: none"> <li>- Reduction of allowable limits by 20-25 percent to ensure a conservative blast.</li> <li>- Adequate timing between charges to ensure arrival time for the vibration at sensitive receivers does not double up and arrive as two charges combined.</li> <li>- Building dilapidation surveys and independent vibration and air blast monitoring at the residence on Portion 5a1 and the closest residence on Portion 1d2 to ensure compliance with <i>AS 2187.2: Part 2 – Use of Explosives</i>.</li> </ul> </li> </ul> <p>These measures have been supplemented by additional measures either included in the EIS or, in response to concerns raised by the public (refer <b>Attachment A</b>), in the recommended conditions of approval including:</p> <ul style="list-style-type: none"> <li>• Rock fall: Installation of windrows between the approach to Cascade Pier and the quarry floor to retain any rock that may potentially roll from the quarry floor towards the pier (EIS).</li> <li>• Fly rock, airblast overpressure and ground vibration: <ul style="list-style-type: none"> <li>- 24 hour notice of the blast to adjoining landowners to enable them to provide occupiers with the opportunity to stay inside or to vacate the property during the blast. Notification would be by email followed up by a phone call or if required, in person (Public Submission).</li> <li>- Independent ground vibration, airblast overpressure and dust monitoring at all three residential buildings (one residential dwelling house and two accommodation units) on Portion 1d2 and the residence on Portion 5a1 to ensure compliance with <i>AS 2187.2: Part 2 – Use of Explosives</i> (Public Submission).</li> <li>- Independent Building Condition (dilapidation) Surveys at all three residential buildings on Portion 1d2 (one residence and two</li> </ul> </li> </ul>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p>accommodation units), the residence and viewing platform on Portion 5a1 and Cascade Pier.</p> <p>Further to the Blast Management Plan and advice from NIRC's Emergency Services Team leader that an Emergency/Fire/Medical Plan be developed in case of an incident, the development and implementation of a Safety and Emergency Management Plan would be required for the Youngs Road Quarry site and the Ancillary Site – Temporary Bulk Explosives Storage.</p> <p>The Safety and Emergency Management Plan would be developed by Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) in consultation with Norfolk Island Emergency Services and should include (but not be limited to):</p> <ul style="list-style-type: none"> <li>- Site safety and security.</li> <li>- Personnel safety (e.g. training, induction, PPE, exclusion zones, health).</li> <li>- Plant and equipment safety (compliance with safety and maintenance standards).</li> <li>- Public safety (e.g. exclusion zones and notifications/communication protocol).</li> <li>- Emergency Response (incident, fire, accidental explosion, medical).</li> </ul> <p><b>Storage of Fuels and Oils</b></p> <p>Risks associated with fuels and oils include combustion / ignition and subsequent impacts to humans or infrastructure through poor storage and handling, and discharge to the environment.</p> <p>Fuels, oils and other hazardous liquids, bulk explosives and detonators would be all stored separately (three locations) to minimise the risk of accidental fire or explosion.</p> <p>The fuels, oils and other hazardous liquids would be stored at the NIRC Services Depot in accordance with <i>AS 1940 – 2004 (The Storage and Handling of Flammable and Combustible Liquids)</i>.</p> <p><b>Post-blast instability of the exposed cliff face</b></p> <p>Following blasting, the area of the cliff face impacted by the blast would need to be assessed for structural stability and safety prior to commencement of rock removal from the site.</p> <p>The EIS states that any loose rock would be removed and the rock face would be battered back or benched to ensure that the cliff face is stabilised to as close as possible to its natural state during the rock extraction process.</p> <p>Further clarification of this statement was sought from NIRC's Project Engineer - Civil, as part of the assessment process.</p>

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	<p>NIRC expects that the final cut face of the rock cliff would be stable as the blast design has taken post-blast cliff safety into account (the aim is to maintain the existing rock bench/slope of the rock cliff).</p> <p>Notwithstanding, the blasted face of the rock cliff would be assessed by the NIRC construction team (Project Engineer - Civil and Manager - Infrastructure and Services) immediately following completion of the blasting operation.</p> <p>Any loose or unstable rocks present at the cut face of the cliff would be removed with an excavator prior to the commencement of loading and haulage of rock to ensure site safety.</p> <p>The final finish level and shape of the area would be incorporated into the levels and shape of the rehabilitation design to be developed by an external engineering consultant in conjunction with the development of the Kingston Channel Construction Project.</p> <p><b>Conclusion</b> The main hazard/risk of the Proposal is the transport, handling, storage and use of explosives. The engagement of blasting experts to plan and conduct the blast is the primary mitigation of this risk.</p> <p>It is considered that planning and conduct of the blast by blasting experts in conjunction with the other measures included in the Blast Management Plan, the EIS and the recommended conditions of approval, adequately manages hazard and risk to people and property.</p> <p><b>NOISE AND VIBRATION</b></p> <p>Key noise and vibration impacts of the Proposal include:</p> <ul style="list-style-type: none"> <li>• Blasting at the Youngs Road Quarry Site.</li> <li>• Other activities at the Youngs Road Quarry Site.</li> <li>• Heavy traffic along the haulage route.</li> </ul> <p><b>Blasting</b></p> <p>The noise and vibration impacts of the blast (airblast overpressure and ground vibration) have been addressed in <b>Table 3.1: Clause 86 Environment: Hazard and Risk</b>. The blast has been designed to keep noise and vibration impacts of the blast within the limits of human comfort.</p> <p><b>Other activities at the Youngs Road Quarry Site</b></p> <p>Other noise generating activities at the Youngs Road Quarry Site include:</p> <ul style="list-style-type: none"> <li>• Site establishment.</li> <li>• Drilling.</li> <li>• Rock breaking.</li> <li>• Rock loading and haulage.</li> </ul>



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	<p><b>Noise Assessment for the EIS</b></p> <p>The noise assessment for the Proposal was undertaken by NIRC using the NSW Roads and Maritime Services (RMS) <i>Construction and Maintenance Noise Estimator Tool</i> (RMS 2017), which applied the <i>NSW EPA Noise Policy for Industry</i> (EPA 2017). The purpose of the assessment was to predict noise levels at residential receivers on adjoining land.</p> <p>The predicted noise levels at the nearest residential building on Portion 5a1 (residence) and Portion 1d2 (accommodation unit) are:</p> <table border="1" data-bbox="475 618 1366 1182"> <thead> <tr> <th data-bbox="475 618 644 815">Quarry Activity and estimated time frames</th> <th data-bbox="644 618 813 815">Indicative Daytime Background Noise Level – Rural, dB(A)</th> <th data-bbox="813 618 948 815">Dominant Noise Source</th> <th data-bbox="948 618 1136 815">Representative Noise Management Level (NML), dB(A)</th> <th data-bbox="1136 618 1251 815">Noise Level – Portion 5a1 ((100m) dB(A)</th> <th data-bbox="1251 618 1366 815">Noise Level – Portion 1d2, (190m) dB(A)</th> </tr> </thead> <tbody> <tr> <td data-bbox="475 815 644 920">Site Establishment (3 days)</td> <td data-bbox="644 815 813 1182" rowspan="4">30</td> <td data-bbox="813 815 948 920">Front-end Loader, Excavator</td> <td data-bbox="948 815 1136 1182" rowspan="4">40</td> <td data-bbox="1136 815 1251 920">62</td> <td data-bbox="1251 815 1366 920">53</td> </tr> <tr> <td data-bbox="475 920 644 983">Drilling (10 days)</td> <td data-bbox="813 920 948 983">Drill Rig</td> <td data-bbox="1136 920 1251 983">73</td> <td data-bbox="1251 920 1366 983">64</td> </tr> <tr> <td data-bbox="475 983 644 1088">Rock Breaking (ASAP post blast)</td> <td data-bbox="813 983 948 1088">Excavator with hammer</td> <td data-bbox="1136 983 1251 1088">71</td> <td data-bbox="1251 983 1366 1088">62</td> </tr> <tr> <td data-bbox="475 1088 644 1182">Loading / Haulage (27 days)</td> <td data-bbox="813 1088 948 1182">Excavator, Truck</td> <td data-bbox="1136 1088 1251 1182">67</td> <td data-bbox="1251 1088 1366 1182">58</td> </tr> </tbody> </table> <p>When noise levels at a receiver are above the Representative Noise Management Level (40dB(A)), the need for noise mitigation is triggered.</p> <p>The assessment predicts that noise from varying quarrying operations would range from 22 to 33 dB(A) above the Representative Noise Management Level at Portion 5a1 and would range from 13 to 24 dB(A) above the representative Noise Management Level at Portion 1d2 – without mitigation.</p> <p>Consequently, noise mitigation and management would be required.</p> <p><b>Planning Assessment</b></p> <p>The <i>NSW EPA Noise Policy for Industry</i> (EPA 2017) sets out a process for determining Industrial Noise Trigger Levels. If the noise trigger level is exceeded at existing noise sensitive receivers, management measures need to be considered to seek to reduce the predicted noise level.</p> <p>Two noise levels are considered when determining Industrial Noise Trigger Levels. Intrusiveness Noise Level and Amenity Noise Level. The Industrial Noise Trigger Level is the lowest of these two noise levels.</p> <ul style="list-style-type: none"> <li>• The Intrusive Noise Level is the Background Noise Level plus 5 dB(A).</li> <li>• The Amenity Noise Level is provided in the <i>NSW EPA Noise Policy for Industry</i> (EPA 2017) (Table 2.2).</li> </ul>	Quarry Activity and estimated time frames	Indicative Daytime Background Noise Level – Rural, dB(A)	Dominant Noise Source	Representative Noise Management Level (NML), dB(A)	Noise Level – Portion 5a1 ((100m) dB(A)	Noise Level – Portion 1d2, (190m) dB(A)	Site Establishment (3 days)	30	Front-end Loader, Excavator	40	62	53	Drilling (10 days)	Drill Rig	73	64	Rock Breaking (ASAP post blast)	Excavator with hammer	71	62	Loading / Haulage (27 days)	Excavator, Truck	67	58
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MATTERS TO BE CONSIDERED	CONSIDERATION
	<p>Note: Items that are crossed out are not relevant to the proposal</p> <p>Relevant criteria for determining the Industrial Noise Trigger Levels for the Proposal are:</p> <ul style="list-style-type: none"> <li>Receiver Category: Rural - an area with an acoustical environment that is dominated by natural sounds, having little or no road traffic noise and generally characterised by low background noise levels. Settlement patterns would be typically sparse. The typical existing background noise level for Rural areas (daytime) are less than 40 decibels (dB(A)).</li> </ul> <p>The 'Rural' Receiver Category is the most appropriate available category, however it is considered conservative for the Proposal as the adjoining residential land would be impacted intermittently by existing operational noise from the Cascade Pier.</p> <ul style="list-style-type: none"> <li>Receiver Type: Residential and Holiday Accommodation.</li> </ul> <p><b>Amenity Noise Level</b> Recommended Amenity Noise Levels are:</p> <ul style="list-style-type: none"> <li>Residential Receivers - 50 dB(A).</li> <li>Holiday Accommodation Receivers - 55 dB(A).</li> </ul> <p><b>Intrusiveness Noise Level</b> The Intrusiveness Noise Level is determined as follows:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b><math>L_{Aeq, 15min} = \text{rating background noise level} + 5 \text{ dB}</math></b></p> <p style="text-align: center;"><b>where:</b></p> <p><b><math>L_{Aeq, 15min}</math></b> represents the equivalent continuous (energy average) A-weighted sound pressure level of the source over 15 minutes.</p> <p style="text-align: center;"><b>and</b></p> <p><b>Rating background noise level</b> represents the background level to be used for assessment purposes, as determined by the method outlined in Fact Sheets A and B.</p> </div> <p>Assuming the rating background noise level is 30 dB(A) (this is the background noise level used in the noise assessment for the EIS and is conservative compared to the typical existing background noise levels for Rural areas (daytime) of less than 40 dB(A)), the Intrusiveness Noise Level for the Proposal would be 35 dB(A).</p> <p>Note that the Intrusiveness Noise Level only applies to residential receivers. It is not applicable to holiday accommodation receivers.</p> <p>According to this process, the Industrial Noise Trigger Level for the Proposal would be:</p> <ul style="list-style-type: none"> <li>35 dB(A) at the residence on Portion 5a1 and the residence on Portion 1d2 (Building C in the Blast Plan).</li> <li>55 dB(A) at the accommodation units on Portion 1d2 (Buildings A and B in the Blast Plan).</li> </ul> <p>The predicted noise levels for the Proposal exceed both the Representative Noise Management Level from the noise assessment for the EIS and the</p>

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	<p>Industrial Noise Trigger Level calculated using methods from the <i>NSW EPA Noise Policy for Industry</i> (EPA 2017).</p> <p>Consequently, all reasonable and feasible mitigation would need to be applied to minimise noise impacts on residential receivers. A number of measures are presented in the EIS to avoid, mitigate and manage noise impacts. These would need to be applied, where relevant, for the duration of the project and supplemented if necessary subject to noise monitoring results. Measures in the EIS include:</p> <ul style="list-style-type: none"> <li>• Ensuring an efficient quarry development process to limit the period in which nuisance noise would be impacting nearby residences and accommodation premises. This includes ensuring that a drill rig with good production capacity is used.</li> <li>• Breaking oversize rock immediately following blasting so that this can be loaded for haulage without the need for further rock breaking</li> <li>• Notification to the nearest residences at least one month prior to planned site establishment, drilling and blasting activities.</li> <li>• Limiting all quarry development and operation activities between designated times of: <ul style="list-style-type: none"> <li>- Monday-Friday – 7am-5pm</li> <li>- Saturday – 8am-1pm</li> <li>- Sunday – Closed</li> </ul> </li> <li>• Ensuring that all plant and equipment is sufficiently maintained, including functional exhausts control devices and other controls for noisy equipment.</li> <li>• Muffling and shrouding of drill rig to dampen noise from drilling activities.</li> <li>• All equipment to be fitted with mufflers or other noise reductions measures as appropriate.</li> <li>• Adequate design of drilling, with sufficient detonation spacings to limit the degree to which rock breaking will be required before transport from site.</li> <li>• No rock-breaking or filling of trucks with rocks to be undertaken prior to 9am.</li> </ul> <p>Concerns were raised in a public submission about noise impacts – refer <b>Attachment A</b>. In response to the concerns raised, the following additional measures would be implemented:</p> <ul style="list-style-type: none"> <li>• Modification of the standard operating hours to exclude public holidays.</li> <li>• Installation of noise monitors at each of the three residential buildings (one residence and two accommodation units) on Portion 1d2 and at the residence on Portion 5a1.</li> <li>• Engagement of an independent environmental representative to conduct the noise monitoring.</li> <li>• Conduct of noise monitoring for at least one month prior to the commencement of the project and for the duration of the Project.</li> </ul>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<ul style="list-style-type: none"> <li>• Monitoring of background noise levels for at least one month prior to the commencement of site establishment using the procedure documented in Fact Sheet A: Determining Existing Noise Levels of the <i>NSW EPA Noise Policy for Industry</i> (EPA 2017).</li> <li>• Revision of Representative Noise Management Level / Industrial Noise Trigger Level and predicted noise impacts based on measured background noise levels (rather than typical background noise levels).</li> <li>• Implementation of all reasonable and feasible mitigation and management measures with aim to reducing noise levels at residential buildings to as close as possible to the Intrusiveness Noise Level (dB(A) to be determined following measurement of the Background Noise Level (residences)) and the Amenity Noise Level of 55 dB(A) (holiday accommodation).</li> <li>• If measured noise levels exceed the Intrusiveness Noise Level (residences) and the Amenity Noise Level (tourist accommodation), additional noise mitigation measures would be implemented at the source of the noise (e.g. additional shielding of plant and equipment, limiting machinery operating at the same time, noise barriers etc.).</li> <li>• If Intrusiveness Noise Level (residences) and the Amenity Noise Level (tourist accommodation) are unable to be achieved with additional at source mitigation, alternate mitigation would be negotiated with the landowners of Portion 1d2 and Portion 5a1 and may include reasonable and feasible measures such as reduced operating hours.</li> <li>• Ceasing noise generating activities at the Youngs Road Quarry Site during up to two agreed tourism events on Portion 1d2.</li> </ul> <p><b>Heavy Traffic Along the Haulage Route</b></p> <p>Heavy traffic movements for haulage of rock from the Youngs Road Quarry Site to the Norfolk Island Airport are estimated at 2,160 traffic movements – 1,080 return trips undertaken over equivalent 27 days in a maximum 56 day period (40 business days).</p> <p>These movements cannot be avoided. Measures identified in the EIS to manage heavy vehicle traffic noise include:</p> <ul style="list-style-type: none"> <li>• Good vehicle maintenance.</li> <li>• Speed limit of 40 km/hour.</li> </ul> <p><b>Conclusion</b></p> <p>Noise impacts of the Youngs Road Quarry site are likely to be intrusive at nearby residences / tourist accommodation. Even with mitigation, it is likely that residual noise impacts would be significant.</p> <p>All reasonable and feasible measures to avoid and mitigate noise impacts would need to be applied and if necessary, supplemented over the life of the project to manage residual impacts on nearby residents.</p> <p>The completion of noise generating activities as efficiently and expeditiously as possible would minimise the time period of during which nearby residents would be impacted by nuisance noise.</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p><b>TRAFFIC AND TRANSPORT</b></p> <p>It is expected that the explosives, drill rig and other equipment required for drilling and blasting would arrive by barge at Cascade Pier.</p> <p>The drill rig and other equipment and materials required for drilling and blasting (excluding bulk explosives which would be transported to Anson Point) would be relocated directly to the adjacent quarry site. Transport on public roads would not be required.</p> <p>Traffic on the local road network would be generated by the following:</p> <ul style="list-style-type: none"> <li>• Construction traffic during setup and decommissioning of the Youngs Road Quarry site.</li> <li>• Construction traffic during setup and decommissioning of the of the Ancillary Site – Temporary Bulk Explosives Storage at Anson Point.</li> <li>• Transport of bulk explosives and two shipping containers from Cascade Pier to the Ancillary Site – Temporary Bulk Explosives Storage at Anson Point for storage, and then from Anson Point to the Youngs Road Quarry site prior to blasting (hazards associated with the transportation of explosives (four traffic movements) are addressed separately in <b>Table 3.1: Clause 86 – Environment: Hazard and Risk</b>.)</li> <li>• Operational traffic comprising light vehicles travelling to the Youngs Road Quarry site each day for the duration of the project.</li> <li>• Operational traffic comprising 10 metre heavy vehicles hauling rock for a duration of up to 40 business days.</li> </ul> <p>Given the small scale and short duration of the proposed quarry operation and the comparatively low volume of traffic on Norfolk Island roads, the majority of traffic movements that would be generated by the Proposal are considered negligible.</p> <p>Key traffic and transport issues are:</p> <ul style="list-style-type: none"> <li>• Safety of the surrounding road network during blasting.</li> <li>• Heavy vehicle movements associated with haulage of rock from the Youngs Road Quarry site to the airport: Estimated 80 vehicle movements per day for 27 days (spread over a period of 40 business days allowing for delays) - 2,160 heavy vehicle movements and resulting in: <ul style="list-style-type: none"> <li>- Conflict with local traffic.</li> <li>- Impacts to vehicular and pedestrian safety.</li> <li>- Damage to road infrastructure.</li> </ul> </li> </ul> <p><b>Road Safety During Blasting</b></p> <p>Safety of the surrounding road network during blasting would be managed through the use of exclusion zones. The exclusion zones would be identified by Donnelly Blasting Services (or another appropriately qualified and experienced blasting specialist) and included in the Blast Management Plan - refer <b>Table 3.1: Clause 86 – Environment, Hazard and Risk</b>.</p>

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	<p><b>Haulage of Rock</b></p> <p>The proposed rock haulage route is from the Youngs Road Quarry site, past the Cascade Pier, along: Cascade Road; Queen Elizabeth Avenue; Taylors Road; Douglas Drive; and Ben Christian Drive, through the rock stockpile site at the airport (one way loop) to Douglas Drive, and return.</p> <p>The haulage of rock from the Youngs Road Quarry site to the airport has the potential for significant impact on the local road network, road users and adjoining land uses. The EIS contains numerous measures to manage the various impacts of haulage including the development of a Traffic Management Plan specifically designed to manage haulage traffic.</p> <p>The purpose of the Traffic Management Plan would be to ensure public safety and avoid conflict and disruption on the local road network. It would be prepared in consultation with relevant stakeholders including: the project team; NIRC; the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications; the Norfolk Island Airport Manager; Cascade Pier operators), Norfolk Island Central School, Norfolk Island Police and other stakeholders as relevant.</p> <p>The Traffic Management Plan would include all traffic control measures identified in the EIS for haulage traffic and any additional measures identified during development of the Plan including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Measures to avoid conflict with local traffic including: <ul style="list-style-type: none"> <li>- Norfolk Island Central School traffic.</li> <li>- Cascade Pier operational traffic.</li> </ul> </li> <li>• Identification of exclusion zones and road closures and public notifications of such.</li> <li>• Traffic management controls including site access arrangements, signage and traffic control measures such as designated routes and speed limits.</li> </ul> <p>Concerns about damage to roads along the haulage route were raised in a public submission (refer <b>Attachment A</b>).</p> <p>Potential deterioration of the road infrastructure due to increased heavy vehicle traffic was recognised in the EIS. To address this matter, the following measures to identify and rectify any deterioration or damage would be implemented:</p> <ul style="list-style-type: none"> <li>• Dilapidation surveys of public road infrastructure along all potential haulage routes prior to the commencement of haulage.</li> <li>• Assessment of damage to public road infrastructure and private property (if any) following completion of haulage and the rectification of any damage.</li> </ul> <p>During consultation undertaken during preparation of the EIS, the Pistol Club, a licensee at Anson Point, requested that the transport of explosives to Anson Point be undertaken outside of hours when the Pistol Club is operating. It is</p>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p>logical that this should extend to the operating hours of the Gun Club, also located at Anson Point.</p> <p>Delivery of bulk explosives to Anson Point would be undertaken outside operational hours of the Pistol Club and the Gun Club as determined in consultation with these two associations.</p> <p><b>Conclusion</b> The key impact of the Proposal in relation to traffic and transport would be haulage of rock from the Youngs Road Quarry Site to the Norfolk Island Airport. It is considered that the development and implementation of a Traffic Management Plan prepared in consultation with all relevant stakeholders and repair of any deterioration of road infrastructure would adequately manage the traffic and transport impacts of hauling.</p> <p><b>AIR QUALITY</b> The main impacts of the Proposal on air quality would be vehicle emissions and dust.</p> <p><b>Vehicle Emissions</b> Vehicle emissions would be managed through proper maintenance of vehicles, plant and equipment, including exhaust systems - refer to <b>Table 3.1: Clause 86: Environment: Noise and Vibration</b></p> <p><b>Dust</b></p> <p><b><i>Youngs Road Quarry Site</i></b> The Blast Management Plan prepared by blasting specialists Donnelly Blasting Services outlines measures for the management of dust during the blast including:</p> <ul style="list-style-type: none"> <li>• Maintain the drill rig dust collection system so it operates effectively during drilling.</li> <li>• Conduct a pre-blast assessment of weather conditions including cloud cover, wind speed and direction, immediately prior to the blast to assess the potential for dust emissions from blasting on neighbouring residences.</li> <li>• Postpone the blast if weather conditions are unsuitable.</li> </ul> <p>The EIS includes additional dust suppression measures intended to prevent dust impacts on nearby residences for the duration of the project. The primary measures are:</p> <ul style="list-style-type: none"> <li>• Conducting high dust generating activities during favourable wind conditions i.e. when the prevailing wind direction is heading north out to sea and away from the residential areas.</li> <li>• Regular watering of the site (stockpiles, unsealed roads and other dust generating areas) to suppress dust.</li> <li>• Covering of loads during haulage.</li> </ul> <p>It is not anticipated that dust would have a significant impact subject to the implementation of the Blast Management Plan and the dust mitigation</p>

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	<p>measures presented in the EIS. However, in response to concerns raised in a public submission (refer <b>Attachment A</b>) the following measures would also be implemented:</p> <ul style="list-style-type: none"> <li>• Install dust monitors at each of the residential buildings on Portion 1d2 (one residence and two accommodation units) and Portion 5a1 (one residence) for the duration of the project.</li> <li>• Monitor ambient deposited dust levels for as long as possible but for a minimum of one month prior to the commencement of site establishment to establish a baseline(s) for ambient deposited dust levels.</li> <li>• Engage an independent environmental representative to monitor deposited dust levels for the duration of the project.</li> <li>• Undertake additional dust mitigation should recorded deposited dust levels exceed measured ambient deposited dust levels by the following parameters (adopted from the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (NSW EPA, 2017)):           <ul style="list-style-type: none"> <li>- 2 g/m<sup>2</sup>/month (maximum increase in deposited dust level), or</li> <li>- 4 g/m<sup>2</sup>/month (maximum total deposited dust level).</li> </ul> </li> <li>• In the event these parameters are exceeded, additional mitigation would comprise (but is not limited to):           <ul style="list-style-type: none"> <li>- Provision of a gutter cleaning service at a monitored residence each time dust parameters are exceeded at that residence.</li> <li>- Additional at source mitigation (such as increased watering of the Youngs Road Quarry site) to better manage future dust emissions.</li> </ul> </li> </ul> <p><b>Ancillary Site – Temporary Bulk Explosive Storage</b></p> <p>No air quality impacts would result from the Temporary Bulk Explosives storage at Anson Point.</p> <p><b>Ancillary Site – Temporary Rock Storage</b></p> <p>The proposed stockpile site at the airport is highly disturbed and is accessed via a dirt road.</p> <p>Consultation with the Norfolk Island Airport Manger has identified unacceptable dust impacts to airport operations from previous stockpile operations including:</p> <ul style="list-style-type: none"> <li>• Dust from the stockpile.</li> <li>• Dust from traffic movements on the dirt access/egress road.</li> </ul> <p>Measures to manage dust impacts on airport operations have been developed in consultation with the Norfolk Island Airport Manager as discussed in <b>Table 3.2</b>.</p> <p><b>Conclusion</b></p> <p>Dust can generally be managed using standard mitigation measures. Subject to implementation of the Blast Management Plan, the mitigation measures identified in the EIS, the additional mitigation measures proposed to address</p>



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	<p>concerns raised in the public submission and in relation to airport operations, it is not considered that dust emissions would have a significant impact.</p> <p><b>WATER QUALITY</b></p> <p>The Youngs Road Quarry site is located about 40 metres from the boundary of the Norfolk Marine Park. The Proposal would have no direct impact on the Marine Park, however indirect impacts of surface water runoff and sedimentation are possible if not adequately managed.</p> <p>The EIS describes an existing drainage system that was used to manage sedimentation during operation of the Cascade Quarry. This has been inspected by NIRC’s Engineer – Civil who has advised it is in a good state and functional. NIRC proposes that the drainage system be augmented to include an additional upstream settling pond at the base of the rock storage location to provide a two-stage settling system. Additional sediment controls are also proposed at the site of the V-drains during site establishment and prior to drilling and blasting.</p> <p>In the EIS, NIRC has provided detail about how the drainage system would be augmented, supplemented if required, maintained and monitored to ensure the drainage system and controls are working effectively. This includes visual inspections after any rainfall event, and water quality testing and completion of checklists after a 20 millimetre rainfall event. The water quality parameters to be achieved are:</p> <ul style="list-style-type: none"> <li>• Turbidity or suspended solids (50 NTU or 50 mg/L).</li> <li>• pH (6.5-8.5).</li> </ul> <p>These parameters are extracted from the <i>Technical Guideline: Wastewater Release to Queensland Waters (Guidance for setting limits for indicators)</i> (Queensland Government, 2016)</p> <p>Any exceedance of these parameters in water discharged to the Marine Park would be reported to the Department of Agriculture, Water and the Environment – Marine Parks.</p> <p>Key measures to minimise sedimentation include</p> <ul style="list-style-type: none"> <li>• Augmentation, supplementation, maintenance and monitoring of the drainage system as required to minimise sediment leaving the site and entering the Marine Park for the duration of the project and until the site has been rehabilitated.</li> <li>• Additional mitigation to retain sediment onsite if required, such as the addition of flocculants to the sediment ponds.</li> <li>• A requirement to report any exceedance of parameters to the Department of Agriculture, Water and the Environment – Marine Parks.</li> <li>• A requirement to implement any reasonable direction from the Department of Agriculture, Water and the Environment – Marine Parks in response to an exceedance of the specified water quality parameters.</li> </ul>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p><b>Conclusion</b></p> <p>Subject to implementation of the sediment control measures proposed in the EIS and the recommended conditions of approval, it is considered that impacts on water quality would be adequately managed. In the event that water quality impacts on the Marine Park are greater than anticipated, additional mitigation is available (e.g. addition of flocculants to sediment ponds). In addition, NIRC would be required to implement any reasonable and feasible direction from the Department of Agriculture, Water and the Environment – Marine Parks where possible to prevent future exceedances.</p> <p><b>WATER SUPPLY</b></p> <p>Water supply requirements of the Proposal are limited to site watering for dust suppression at the quarry site and the rock stockpile site.</p> <p>The EIS states that water usage is expected to be 24kL per day during haulage. For a 27-40 day haulage duration, this totals 648-960kL or 143000-212,000 gallons.</p> <p>Additional water (about 10kL per day) would be required throughout the duration of the project to water internal roads, stockpiles and during blasting for dust suppression.</p> <p>The EIS states that water would be sourced from the desalination plant located at the Cascade foreshore immediately north of the quarry site. During recent discussions with NIRC, it has been identified that the desalination plant is out of commission due to technical/mechanical issues and that water would need to be obtained via commercial water carters.</p> <p>Due to recurrent droughts experienced in recent years and significant lowering of the water table, use of ground water to supply new developments has been generally discouraged. In light of this, and the significant volumes of water required, it is considered that water should be sourced in order of the following hierarchy where this is possible:</p> <ul style="list-style-type: none"> <li>• The desalination plant – this must be repaired for use in the project if possible.</li> <li>• Existing NIRC water storage.</li> <li>• Water carters – last resort.</li> </ul> <p><b>Conclusion</b></p> <p>Water must be sourced in accordance with the water supply hierarchy to avoid impacts to groundwater supplies.</p> <p><b>BIODIVERSITY</b></p> <p>An ecological assessment <i>Ecological Assessment Cascade Quarry</i> (Castles Environmental, December 2020) was prepared for the Proposal. Findings of the assessment are summarised below.</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p><b>Youngs Road Quarry Site</b></p> <p>The Youngs Road Quarry site is highly disturbed with little habitat value due to previous land clearing, rock and soil removal, widespread soil disturbance and significant weed invasion.</p> <p><b>Flora</b> Vegetation is dominated by introduced species, primarily weeds. Whilst some native groundcover was identified - most commonly <i>Sporobolus virginicus</i> (Salt Couch) - no threatened, rare or locally significant flora species were found at the site.</p> <p>The key impact identified in relation to flora at the quarry site would be the unintended spread of weed species from the quarry site during transport of rock and other materials.</p> <p><b>Fauna</b> Due to lack of suitable habitat, native fauna are highly unlikely to utilise the quarry site.</p> <p>The surrounding area however is likely to be utilised by various species of birds including:</p> <ul style="list-style-type: none"> <li>• Seabirds: <i>Anous minutus</i> (Black Noddy), <i>Adrenna pacifica</i> (Ghostbird), <i>Fregata sp.</i> (Frigate Bird), <i>Sula dactylatra fullagari</i> (Masked Booby), <i>Phaeton rubricauda roseotincta</i> (Red-tailed Tropicbird) and <i>Gygis alba</i> (White Tern), as well as other species, e.g. <i>Falco cenchroides</i> (Australian Kestrel), <i>Todiramphus sanctus norfolkensis</i> (Sacred Kingfisher) and <i>Hirundo neoxena</i> (Welcome Swallow).</li> </ul> <p>Four of these species are migratory seabirds protected under the EPBC Act: Frigate Bird Ghostbird, Masked Booby and Red-tailed Tropicbird.</p> <ul style="list-style-type: none"> <li>• Forest birds: <i>Pachycephala pectoralis xanthoprocta</i> (Norfolk Island Golden Whistler), <i>Ninox novaeseelandiae undulata</i> (Norfolk Island Boobook Owl) and <i>Cyanoramphus novaezealandiae cookii</i> (Norfolk Island Green Parrot).</li> </ul> <p>These three native species are threatened and are protected under the EPBC Act.</p> <p>The ecological assessment concluded that the risk to avifauna from the quarry is low to very low due to the defined nature of the quarry site and the lack of suitable nesting and foraging habitat within the quarry site. The greatest potential impact to birds utilising surrounding areas would be from blasting activities, particularly the potential impacts to seabirds during the nesting period of October to March inclusive.</p> <p>Argentine Ants have not been found at the Quarry site to date, but the potential spread of Argentine Ants to and from the site needs to be considered and managed.</p> <p>The key ecological impacts identified in relation to flora and fauna at the quarry are:</p>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<ul style="list-style-type: none"> <li>• Impacts of blasting on birds in the surrounding area, particularly nesting seabirds.</li> <li>• Spread of Argentine Ants to and / or from the quarry site.</li> <li>• Spread of high threat weeds from the quarry site.</li> </ul> <p>Recommended mitigation to avoid, mitigate and manage these impacts are provided in the Offset and Mitigation Plan that supplements the <i>Ecological Assessment Cascade Quarry</i> (Castles Environmental, December 2020) and include:</p> <ul style="list-style-type: none"> <li>• Avoiding blasting during the seabird nesting period of October to March.</li> <li>• Ensuring materials and machinery entering and exiting the site are from non-Argentine Ant infested areas and are Argentine Ant free.</li> <li>• Monitoring spread of weeds and ensuring that weeds that occur in the quarry area are not spread to new areas.</li> <li>• Preparation of a habitat rehabilitation plan to undertake weed control and revegetation with appropriate native species on the Youngs Road Reserve (if possible) and the adjoining Cascade Reserve to improve habitat for native fauna in the immediate area.</li> </ul> <p>In addition, the restrictions imposed during the seabird nesting exclusion period (October to March inclusive) have been expanded to include site establishment and drilling stages of the Proposal in addition to blasting. No site establishment, drilling or blasting would occur between October and March inclusive.</p> <p>Subject to the Project Works Program, rock breaking, loading and haulage would also be completed prior to October if possible. This would be subject to start dates and delays incurred during the project, including adjustments to operating hours to cater for work at the pier, tourism events, weather and other unforeseeable disruptions.</p> <p><b>Youngs Road Quarry Site - Marine</b></p> <p>The Youngs Road Quarry site is located approximately 40 metres from Norfolk Marine Park waters.</p> <p>There is no direct interaction with the Marine Park and the potential risk to the park is limited to potential surface water runoff and sedimentation. This is discussed in <b>Table 3.1: Clause 86: Environment: Water Quality</b>.</p> <p><b>Ancillary Site – Temporary Bulk Explosives Storage</b></p> <p>Anson Point is identified in the Norfolk Island Heritage Register as ‘Anson Point Nesting Ground’ for the preservation of nesting grounds of seabirds. It is understood the nests are predominantly located in burrows along the top of the escarpment and the listing notes that the site supports a large colony of wedge tailed shearwaters. There is no native forest cover and the dominant vegetation is Kikuyu grasslands.</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>The proposed site for the temporary placement of shipping containers for storage of explosives is clear, grassed and used for grazing. The temporary placement of the containers and use for storage would not have an impact on any threatened species or ecological communities.</p> <p>Risk of fire or explosion from the storage of bulk explosive material would be managed by Donnelly Blasting services (or another appropriately qualified and experienced blasting specialist) in accordance with <i>Australian Standard AS 2187.1 – 1998 (Explosives – Storage, transport and use)</i> and is unlikely – <b>Refer Table 3.1: Clause 86: Environment: Hazard and Risk</b></p> <p>Notwithstanding, if possible, bulk explosives storage at Anson Point should be avoided between 1 October and 31 March (nesting seabird period).</p> <p><b>Ancillary Site – Temporary Rock Storage</b></p> <p>The site earmarked for storage of rock has been used for rock storage previously, most recently in 2020. The site is highly disturbed and has no important ecological values that would be affected by the proposed temporary storage of extracted rock.</p> <p><b>Conclusion</b></p> <p>The main impact of the Proposal on biodiversity is the risk to nesting seabirds.</p> <p>The primary mitigation for this is to avoid undertaking activities that pose a risk to the seabirds during the sensitive nesting period from October to March inclusive.</p> <p>It is considered that the prohibition of site establishment, drilling and blasting (and where possible rock haulage) during the period of 1 October to 31 March in conjunction with the other measures included in the EIS and the recommended conditions of approval adequately mitigates impact of the Proposal on biodiversity.</p> <p><b>VISUAL AMENITY</b></p> <p><b>Youngs Road Quarry Site</b></p> <p>The Young’s Road Quarry site is located within the previous Cascade Quarry site. This site is highly disturbed and has not been rehabilitated, leaving it in a visual state of abandonment.</p> <p>The rock extraction area is located on a benched rock face.</p> <p>The Proposal would have temporary visual impacts whilst in operation and particularly during the rock haulage stage of the Proposal. Following completion of the project and rehabilitation of the site, the visual quality of the area would be enhanced.</p> <p>Whilst the Proposal would permanently alter the shape of the benched rock face, this would not change the visual quality of the site and would not have an impact on heritage values of the area - refer <b>Table 3.1: Clause 87: Heritage.</b></p>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p><b>Ancillary site – Temporary Bulk Explosives Storage</b></p> <p>The bulk explosives storage facility at Anson Point would have a temporary, short-term (less than six months) visual impact by way of presence of shipping containers and security fencing/signage on the site. However, following relocation of the explosives to the quarry site prior to blasting, the storage area would be decommissioned and removed leaving no ongoing visual impact.</p> <p><b>Ancillary site – Temporary Rock Storage</b></p> <p>The proposed rock stockpile site is highly disturbed, has been recently used for rock stockpiles and has little to no visual amenity. The stockpile would be on the site for about two years and any visual impact would be negligible and temporary.</p> <p><b>Conclusion</b></p> <p>Whilst no long-term visual impact is anticipated at any of the three sites, measures have been included in the recommended conditions of approval to requiring each site to be maintained in a tidy state to minimise visual impacts of the Proposal.</p> <p><b>WASTE MANAGEMENT</b></p> <p>Waste generated by the Proposal is expected to be limited to general construction site waste material such as food scraps, plastic wraps, cardboard boxes for equipment parts, bags from explosive material and small amounts of waste oil/fuel.</p> <p>These waste streams would be stored in suitable vermin proof bins on site and disposed at the NIRC Waste Management Centre for disposal as required.</p> <p><b>Conclusion</b></p> <p>Waste would be minimal and easily managed to prevent impact.</p> <p><b>SOCIO-ECONOMIC</b></p> <p>The proposed Youngs Road Quarry Proposal would benefit the Norfolk Island community by providing an interim supply of rock for general construction and public works to support the local economy and jobs.</p> <p>The Proposal would generate short term impacts that would adversely impact the community, particularly noise and traffic. Environmental impacts of the Proposal would be managed and mitigated as described throughout this assessment, but some residual impacts are unavoidable. It is considered however that the need for rock outweighs the temporary residual impacts.</p> <p>In order to manage community expectations and concern, a number of measures are proposed in the EIS to keep adjacent landowners and the general community informed throughout the duration of the Project to enable them to be proactive and better manage residual impacts from a lifestyle perspective if required.</p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>These measures include:</p> <ul style="list-style-type: none"> <li>• Communication Protocols: <ul style="list-style-type: none"> <li>- Provide local residents within a nominal one kilometre radius of the blast site with the blasting works schedule and a name and phone number for direct contact to the blasting supervisor or relevant NIRC representative.</li> <li>- Dedicated communication with adjoining landowners on the blasting program via phone or in person.</li> <li>- Communication with the general community about the quarry development and operation program would include print media, social media and radio announcements. All communication would be conducted in accordance with the NIRC Media Policy.</li> </ul> </li> <li>• Complaints Procedures <ul style="list-style-type: none"> <li>- Complaints would be made to NIRC Customer Care, either in person, over the phone or by email. The standard complaints response procedure would typically be: <ul style="list-style-type: none"> <li>▪ Complaint recorded by Customer Care and forwarded to the NIRC General Manager / Environment and Planning Section who are responsible for compliance with conditions of approval.</li> <li>▪ Preliminary investigations to be commenced within 24 hours of receipt of the complaint to determine likely causes: e.g. prevailing meteorological conditions, the nature of activities taking place; monitoring results; or observations made by project personnel.</li> <li>▪ Implementation of additional mitigation if required.</li> <li>▪ Monitoring of effectiveness of additional mitigation.</li> </ul> </li> </ul> </li> </ul> <p>The measures included in the EIS have been supplemented in response to concerns raised in a public submission (refer <b>Attachment A</b>). Additional measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• All communication with adjacent landowners Portion 1d2, Portion 5a1 and Cascade Pier would be undertaken by email. This would overcome any issues with intermittent phone service and would provide a record of communications.</li> <li>• All time sensitive communication would be sent by email, followed up by a phone call and in the event connection by phone cannot be made, in person.</li> <li>• Landowners of landowners Portion 1d2, Portion 5a1 and Cascade Pier would be advised of: <ul style="list-style-type: none"> <li>- Any development approval for the Proposal within five business days of the date of approval.</li> <li>- The Project Schedule for work at the Youngs Road Quarry Site within 20 business days of development approval.</li> <li>- Changes to the Project Works Program for work at the Youngs Road Quarry Site as soon as practicable.</li> </ul> </li> </ul>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p>- Completion of work at the Youngs Road Quarry Site within 48 hours of completion.</p> <p>Other social interest considerations (economic) are discussed at <b>Table 3.1: Clause 90: Social Interest</b></p> <p><b>Conclusion</b> The Proposal would have some residual impacts, particularly noise and traffic, that are unable to be avoided or mitigated. Given the public benefits and the short duration of the Proposal, the residual impacts are not considered unreasonable.</p> <p>Direct and timely communication with adjoining landowners and project updates to the community supported by a complaints protocol would assist in the management of residual impacts.</p>
Clause 87 - Heritage	<p><i>(a) Proposals for use or development shall demonstrate how that use or development will not harm and/or degrade the cultural heritage of Norfolk Island.</i></p> <p><i>(b) Use or development shall be undertaken in areas and in a manner which conserves items, sites, areas, and customs of historic and cultural value;</i></p> <p><i>(c) Any use or development carried out on or in the vicinity of an item, area, feature, customary activity, or site with conservation value, shall adequately respect natural and cultural heritage values and those items, areas, features, customary activities, and sites shall be protected from use or development that threatens those values. The protection and conservation of items, sites, areas, features, and customary activities of historic and cultural importance applies to those previously identified and included in this Plan, and those which subsequently become known to the executive member;</i></p> <p><i>(d) Use or development of any item, area, feature, customary activity, or site with conservation value listed in the Norfolk Island Heritage Register shall be carried out in accordance with the principles of the Burra Charter; and</i></p> <p><del><i>(e) Use or development involving any historic building, group of buildings, or ruins, or groups of ruins, or combination of buildings and ruins, shall respect the associated archaeological, aesthetic, historic, and social values and adequately respect the design and construction elements of the building(s) and/or ruin(s), and particularly the relationship of spaces, orientation, form, mass, scale, fenestration, detailing, style, materials and colour.</i></del></p> <p>The Proposal would be located in two areas that are listed in the Norfolk Island Heritage Register and included in the Heritage Overlay in the <i>Norfolk Island Plan 2002</i>: Cascade Reserve (Youngs Road Quarry Site) and Anson Pointing Nesting Ground (Ancillary Site - Bulk Explosives Storage).</p> <p>The <i>Heritage Act 2002 (NI)</i>, the <i>Norfolk Island Plan 2002</i> (Heritage Overlay) and the conditions of the Significant Development Declaration require a Heritage Impact Statement to be prepared for the Proposal.</p>



MATTERS TO BE CONSIDERED	CONSIDERATION
	<p>Note: Items that are crossed out are not relevant to the proposal</p> <p>A Heritage impact Statement (Evans, 2020) was prepared for the proposed Youngs Road Quarry Site (Cascade Reserve) by [REDACTED] (Heritage Consultant) and reviewed by the Commonwealth Heritage Manager.</p> <p>A Heritage Impact Statement was not prepared for the proposed Bulk Explosives Storage at the Anson Point Nesting Ground as this requirement was waived by the NIRC General Manager in June 2021 in accordance with Section 34(3)(a) of the <i>Planning Act 2002 (NI)</i>.</p> <p>Notwithstanding, potential impacts on the heritage values of the Anson Point Nesting Ground have still been considered in this assessment.</p> <p><b>Cascade Reserve</b></p> <p>The Statement of Significance for Cascade Reserve (Norfolk Island Heritage Register 2003) is:</p> <p><i>“Cascade Reserve is the largest of several areas along the coastline of Norfolk Island that were selected to preserve some of the original vegetation and prevent alienation of the coastal landscape. The reserve is the location of the First Settlement township and farm of Phillipsburg. Late 18th Century artefacts were found eroding out of Harpers Road and outlines of former roads, pits, and dugouts can be seen. The reserve is also the location of two Second Settlement bridges and an early cemetery. The Plan of Management for Cascade Reserve was approved by the Norfolk Island Legislative Assembly on 21 May 2003.</i></p> <p><i>The waterfalls at Cockpit were named the "Cascades" by Captain Cook as he sailed along the coast after discovering Norfolk Island in October 1774. Cascade Creek is one of Norfolk's few permanent streams.</i></p> <p><i>A rocky outcrop in Cascade Bay was used as a landing place from the beginning of the First European Settlement in 1788 and the hamlet of Phillipsburgh was laid out by Lt. King near Cascade creek in 1790. Phillipsburgh is the oldest European township site in Australasia that has not been substantially altered. During the next 200 years, the Cascade Reserve area became a centre for various agro-industrial activities, including flax dressing (to make canvas), timber milling, fish processing, and whaling.</i></p> <p><i>The cultural heritage values of the reserve document the history and development of this community and provide a link with a past way of life that continues to shape the Island's character. The cultural landscape, together with the remnants of native coastal forest, provides some insight into the nature of the Island before Cook's discovery. The cascades, creeks, and coastline form one of the most valued landscapes on the Island.” (extract from the Norfolk Island Heritage Register prepared in accordance with the Heritage Act 2002).</i></p> <p>Based on this Statement of Significance, the significance of the area of Cascade Reserve can be summarised as:</p> <p><b>Landscape Values</b> – The cascades, creeks, and coastline that form one of the most valued landscapes on the Island.</p>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p><b>Biodiversity values</b> – The remnants of original native coastal forest vegetation.</p> <p><b>Cultural values</b> – Historic remains that document the history and development of the community and provides a link with a past way of life that continues to shape the Island's character.</p> <p><b>Historical values</b> – Historic links to the first and second European settlements and historic agro-industrial practices.</p> <p>Potential impacts on the heritage significance of Cascade Reserve have been considered in the Heritage Impact Statement for the Proposal which concludes that:</p> <ul style="list-style-type: none"> <li>• The Proposal would not directly impact established and specific sites of archaeological items relating to the First Settlement site of Phillipsburg or second settlement sites of Cascade Agricultural Station.</li> <li>• The Proposal would not impact on native vegetation remnants in the reserve.</li> <li>• The Proposal would not impact on the objectives of the Cascade Plan of Management, public use of the Cascade Reserve or the scenic quality or character of the Reserve.</li> <li>• There is a risk of discovery of unknown archaeological deposits due to proximity to sites of known significance.</li> <li>• The Proposal is considered acceptable from a heritage perspective.</li> </ul> <p>The proposed work is located on the edge of Cascade Reserve in an area that had been highly disturbed by previous pier, quarry and cliff stabilisation works. Taking the disturbed nature of the site and the outcomes of the Heritage Impact Assessment into account, it is not considered that the Proposal would have a significant impact on the known heritage values of Cascade Reserve.</p> <p>Given the risk (albeit low due to the disturbed nature of the site) of discovery of unknown archaeological deposits in the Proposal area, the following recommendation was made in the Heritage Impact Statement:</p> <ul style="list-style-type: none"> <li>• It is recommended that the Commonwealth Heritage Manager inspects the safety and traffic management signage that will be temporarily installed in the intersection of Harpers Road and Cascade Road due to the sensitivity of archaeological deposits in the area.</li> </ul> <p>This recommendation has been carried forward into the draft recommended conditions of approval.</p> <p><b>Anson Point Nesting Ground</b> The Statement of Significance for Anson Point Nesting Ground (Norfolk Island Heritage Register 2003) is:</p> <p><i>“Anson Point Nesting Ground is one of several areas along the coastline of Norfolk Island that was selected for the preservation of nesting grounds of seabirds, permit some regeneration of native species, and prevent the</i></p>

MATTERS TO BE CONSIDERED	CONSIDERATION Note: Items that are crossed out are not relevant to the proposal
	<p><i>alienation of foreshores and headlands. The area adjoins Anson Bay Reserve making this section of Norfolk Island a significant breeding site for nesting seabirds."</i></p> <p>The explosives storage area at the Anson Point Nesting Ground would comprise two shipping containers surrounded by security fencing, all of which would be temporary and would not leave any permanent impact once removed from the site.</p> <p>The storage area would be established on land set back from the cliff edge away from seabird nesting areas.</p> <p>The non-reactive nature of the explosive in conjunction with proper storage practices reduces the likelihood of accidental combustion or explosion (refer <b>Table 3.1: Clause 86: Environment: Hazard and Risk</b>).</p> <p>However, as a precautionary measure, it is recommended that explosives not be stored at Anson Point during the period of October to March inclusive which is the seabird nesting period.</p>
Clause 88 - Access and Parking	<p><del>(a) All new lots shall be provided with satisfactory pedestrian and vehicular access via each lot's frontage to a publicly accessible and publicly owned road;</del></p> <p>(b) All use or development shall provide satisfactory pedestrian and vehicular access, which is suited to the volume and needs of future users;</p> <p><del>(c) Buildings and spaces intended for public access shall provide for satisfactory use and access by the disabled;</del></p> <p><del>(d) Road widths and reservations shall be appropriate to the road function, expected traffic type and volume, and future subdivision potential of the subject and surrounding land;</del></p> <p>(e) Road intersections shall be kept to a minimum with the use of existing roads;</p> <p>(f) Intersections of road carriageways, footpaths, and pedestrian crossings and driveways shall provide adequate safety for all users;</p> <p>(g) New use or development shall provide adequate car parking on-site to provide for the demand it generates and shall be capable of being safely accessed; and</p> <p>(h) On site turning shall be provided for development involving significant traffic volumes, heavy vehicle types and/or at sites on roads which carry significant amounts of traffic.</p> <p><b>Youngs Road Quarry Site</b></p> <p>Access to the Quarry would be via existing roads - Cascade Road past Cascade Pier, a gravel track through Cascade Reserve and through the security gate at the entrance to the quarry site. Inside the quarry, all vehicles would use internal roads to move around the site.</p> <p>No alterations to Cascade Road or the track through Cascade Reserve would be required. The roads internal to the quarry are existing, but in disrepair, and would need to be graded prior to the commencement of work.</p>

<b>MATTERS TO BE CONSIDERED</b>	<b>CONSIDERATION</b> Note: Items that are crossed out are not relevant to the proposal
	<p>The roads internal to the quarry have some tight bends and limited capacity for on-site turning. Consequently, trucks would be size limited to 10 metres to enable on-site turning and aid movement around the site.</p> <p>On-site parking would be available for vehicles required for construction and operation (plant and equipment and about three light vehicles). All other vehicles would be parked in the public carparking area on the western side of the Cascade Jetty.</p> <p>The security gate at the entrance to the quarry is also an access gate to Portion 5a1. The landowner has requested that this gate be closed and locked at the end of each day and that clear vehicular access to the gate from Cascade Pier be maintained at all times. This request has been included in the recommended conditions of approval.</p> <p><b>Ancillary Site – Temporary Bulk Explosives Storage</b></p> <p>Access to the Bulk Explosives Storage facility at Anson Point would be via the existing cattlestop and access track from Anson Bay Road. There is ample room on site for parking and on-site turning. No modifications to roads or intersections would be required to access this site.</p> <p>The Pistol Club at Anson Point has requested that the transport of explosives to Anson Point be undertaken outside of hours when the Pistol Club is operating. It is logical that this should extend to the operating hours of the Gun Club. This requirement has been included in the recommended conditions of approval.</p> <p><b>Ancillary Site – Temporary Rock Storage</b></p> <p>Access to the rock stockpile site at the Norfolk Island Airport would be via a one way loop from Ben Christian Drive and a side access track into the airport that runs to the left of the Waste Management Centre, along the side of Runway 11 to the proposed rock stockpile site and then to the exit at Douglas Drive.</p> <p>There is ample room on site for parking during loading and unloading of rock. Due to the one way loop, on-site turning is not required. No modifications to roads or intersections would be required to access this site.</p> <p>The proposed access and parking arrangements at each of the three development sites are considered to be adequate. The Airport Manager requires vehicles to be parked away from the boundary fence between the runway and the stockpile site for airside security. This is discussed further in <b>Section 3.2.</b></p> <p>Other Traffic and Transport considerations are discussed <b>Table 3.1: Clause 86 – Environment: Traffic and Transport.</b></p>

Clause 89 -  
Infrastructure and  
Services

- ~~(a) Use or development shall be provided with adequate and appropriate infrastructure and services that are suited to the lifestyle requirements of people, the nature of the location, and the ability of the community to provide such infrastructure and services;~~
- ~~(b) Lot size and arrangement shall be adequate and appropriate to ensure an acceptable level of servicing, particularly in relation to waste disposal;~~
- ~~(c) Use or development shall provide an adequate rain water supply. Each dwelling unit shall provide a potable rain water storage facility (minimum capacity of 45,000 litres or as otherwise specified in an approved development control plan) to provide for the anticipated number of occupants;~~
- ~~(d) Use or development in areas not serviced by the Water Assurance Scheme shall provide adequate effluent disposal systems to a standard approved by the Administration;~~
- ~~(e) Use or development shall be appropriately sited, designed and constructed to avoid conflict with service mains (including telephone, power, sewerage, water, and other pipelines or service conduits). Buildings shall not be erected over any service main or within any easement providing for same, whether utilised or not unless authorised by the Administration;~~
- ~~(f) Infrastructure systems shall use adequate and appropriate design methods and materials to ensure an acceptable life span and allow for adequate maintenance requirements; and~~
- ~~(g) Use or development shall optimise efficiency in the use of energy and resources. In particular, land shall be subdivided on a generally sequential basis (that is, one area is substantially developed before the next is subdivided), common trenching should be used for different services where appropriate, and solar access for energy generation maximised.~~

NIRC Infrastructure and Services Team Leaders were consulted about the Proposal on 7 December 2020 prior to lodgement of the DA as documented below.

Electricity:

- No response received in relation to electricity infrastructure.

Waste and Environment:

- No comments from Waste and Environment as “no plans for sewerage or water storage” 7/12/20

Telecom:

- No comments as “no services are planned to be installed at the site” 8/12/21

Public Works:

- “Works have no issues with this DA as it would have little or no impact on the current state of the road infrastructure in and around the proposed area”. 10/12/20

Emergency Services:

- “An Emergency/Fire/Medical Plan should an incident occur especially for the contractor” 7/12/20

Following this consultation, the Proposal was modified. Council’s Infrastructure and Services Department subsequently confirmed (in February 2022) that, in relation to the modified design:

	<ul style="list-style-type: none"> <li>• No electricity or telecommunications infrastructure would be impacted by the Proposal.</li> <li>• The operational plan for the movement of rock from the Youngs Road Quarry Site to the rock stockpile site at the Norfolk Island Airport is satisfactory.</li> </ul> <p>No changes have been made in relation to the need for new water storage or sewerage infrastructure.</p> <p>Further information into Infrastructure and Service requirements for the Proposal is provided at <b>Section 2.4</b>.</p> <p>Measures included in the recommend condition of approval to address other infrastructure requirements include:</p> <ul style="list-style-type: none"> <li>• Development of a Safety and Emergency Management Plan - refer <b>Table 3.1: Clause 84: Environment – Hazard and Risk</b>.</li> <li>• Undertake dilapidation surveys of public road infrastructure along the haulage route and reinstate any damaged infrastructure to pre-haulage condition -refer <b>Table 3.1: Clause 84: Environment – Traffic and Transport</b>.</li> </ul> <p><b>Conclusion</b></p> <p>Subject to implementation of the recommended conditions of approval, it is not considered that the Proposal would have a significant adverse impact on NIRC’s infrastructure or services.</p>
Clause 90 - Social Interest	<p><i>(a) Use or development shall demonstrate how it suits the community interest;</i></p> <p><i>(b) Use or development shall have adequate and appropriate types and levels of access to social facilities and services;</i></p> <p><i>(c) Use or development shall not compromise or create an unreasonable demand for existing or future social service provision;</i></p> <p><i>(d) Where possible, use or development proposals shall demonstrate a net benefit to Norfolk Island’s social capital; and</i></p> <p><i>(e) Use or development proposals shall only be approved where the cost to the public of providing and maintaining services does not exceed the economic benefit of the use or development to the community.</i></p> <p>NIRC states in the EIS for the Proposal that the proposed Youngs Road Quarry Proposal would benefit the Island community by providing an interim supply of rock for general construction and public works to support the local economy and jobs, and that the supply of an on-Island source of rock would assist in managing the cost of construction for private and public developments.</p> <p>The option of importing rock to meet current demand was considered but based on recent experience with importation of rock to the island for a major re-seal of the Airport Runway - which required the construction of a shoreline ramp to enable barges to unload - the option was discarded as too expensive.</p> <p>NIRC operates within a Local Government Integrated Planning and Reporting Framework that is set out in the <i>Local Government Act 1993</i> and the <i>Local Government (General) Regulation 2021</i>.</p>

	<p>Under the Integrated Planning and Reporting Framework, NIRC undertakes high level strategic planning (10 year plus planning) that is documented in a Community Strategic Plan and supported by shorter term document including a Resourcing Strategy, Delivery Program and Operational Plan. These documents are developed in consultation with the community and support the statements in the EIS.</p> <p>The current NIRC <i>Community Strategic Plan 2016-2026</i> includes:</p> <ul style="list-style-type: none"> <li>• Strategic Direction 1: Objective 1: Use and Manage our Resources Wisely. Council’s role in achieving this objective is to plan for the supply of rock and timber to keep pace with island demand.</li> </ul> <p>The <i>NIRC Operational Plan 2021 – 2022</i> includes:</p> <ul style="list-style-type: none"> <li>• Deliverable S4: Blasting of Cascade Significant Development site to provide crushable rock for roads and construction.</li> <li>• Deliverable S5: Project to deliver long-term rock supply.</li> </ul> <p>The Proposal is consistent with the strategic directions included in NIRC’s approved Integrated Planning and Reporting Framework for the short-term supply of rock and does not interfere with the direction for identifying and securing a long term rock supply.</p>
Clause 97 - Advice from other authorities etc.	Not applicable.

### 3.2. ASSESSMENT OF THE PROPOSAL AGAINST RELEVANT DEVELOPMENT CONTROL PLANS

The only Development Control Plan (DCP) applicable to the Proposal is *Development Control Plan No. 5 – Norfolk Island Airport*.

The purpose of *Development Control Plan No. 5 – Norfolk Island Airport* is to co-ordinate and guide use and development of land within the Norfolk Island Airport (Lot 1 - Aerodrome). It aims to ensure that the primary use of the site as an aerodrome is not compromised and that maximum benefits are gained from the use and development of land that is not required for aviation activities.

#### 3.2.1 Provisions of the Norfolk Island Plan and Additional Development Standards

The overarching requirements provided by *Development Control Plan No. 5 – Norfolk Island Airport* are addressed in **Table 3.2**.

**Table 3.2: Provisions of the Plan and Development Standards**

Control / Requirements	Proposal complies	Comment
<b>Provisions of the NI Plan</b>		
Strategic Plan	✓	Refer to <b>Table 3.1: Part A – Strategic Plan: Ancillary Site – Temporary Rock Stockpile</b>
Planning Requirements	✓	Refer to <b>Table 3.1: Part B1 – Zoning Scheme: Ancillary Site – Temporary Rock Stockpile</b>

Control / Requirements	Proposal complies	Comment
<b>Development Standards</b>		
Ensure consistency with the requirements of the Norfolk Island Plan for land within the Airport Zone and the Obstacle Limitation Surface.	✓	<p>Refer to <b>Table 1: Part B1 – Zoning Scheme: Ancillary Site – Temporary Rock Stockpile</b></p> <p>Refer to <b>Table 1: Part B2 – Overlay Provisions: Clause 78 - 81 – Obstacle Limitation Surfaces Overlay</b></p>
Ensure that consideration is given to current and emerging security threats when assessing the merits of a proposed use or development.	✓	<p>The Norfolk Island Airport Manager was consulted in relation to this development standard on 16 February as part of this planning assessment. He advised that:</p> <ul style="list-style-type: none"> <li>• The site for the proposed rock stockpile and associated access/egress tracks are landside. They do not come into contact with airside areas of the airport.</li> <li>• No current or foreseeable security threats would be triggered or exacerbated by the Proposal (NI Airport Manager, email 17 February 2022).</li> </ul>
Ensure that all the security requirements, as set out in the Norfolk Island Airport Transport Security Program are met and regularly reviewed based on risk assessment.	✓	<p>The Norfolk Island Airport Manager was consulted in relation to this development standard on 16 February as part of this planning assessment. He advised that:</p> <ul style="list-style-type: none"> <li>• The site for the proposed rock stockpile and associated access/egress tracks are landside. They do not come into contact with airside areas of the airport.</li> <li>• Part 4.1.1 of the Norfolk Island Airport Transport Security Program states that <i>“The fence structure including the base of the fence will be kept clear of foliage that may conceal cutting or damage. Further, the Norfolk Island International Airport will ensure that no flora grows over the fence line which may assist an unauthorised person to gain airside access”</i> and <i>“The security fencing will be kept clear of any object, such as trees, parked vehicles, airport equipment, pallets or baggage containers, which may provide assistance to breach the security barrier”</i>.</li> <li>• To comply with Part 4.1.1 of the Norfolk Island Airport Transport Security Program, no rock or materials are to be stored within three metres of the airport security fence separating landside and airside areas, and that the landside side of the security fence be kept clear of all vegetation by the stockpile operator (NI Airport Manager, email 17 February 2022).</li> </ul> <p>These requirements have been included in the recommended conditions of Approval.</p>
Continue to satisfy requirements for a Certified Airport under the Civil Aviation Act and Regulations, including compliance with the <i>Manual of Standards Part 139</i> .	✓	<p>The Norfolk Island Airport Manager was consulted in relation to this development standard on 16 February 2022 as part of this planning assessment. He advised that:</p> <ul style="list-style-type: none"> <li>• The Proposal would not cause any non-compliance with the <i>Manual of Standards Part 139</i> as long as issues identified in relation to dust emissions during aircraft movements are addressed (B. Robinson, email 17 February 2022)*.</li> </ul> <p><i>[*On 15 February 2022, the Airport Manager identified the possibility of an impact from dust from the stockpile blowing over Runway 11 with a north, north-east wind during aircraft movements. On 18 February following further investigations, the Airport Manager advised that dust generated by traffic on the dirt access/egress road has had an unacceptable impact in the past and is a</i></p>



Control / Requirements	Proposal complies	Comment
		<p><i>risk to aircraft safety (dust in turbine engines). He also confirmed this could be managed in collaboration with stockpile operators/truck drivers to mitigate dust impacts during aircraft movements.</i></p> <p><i>Conditions have been included in the recommended conditions of approval requiring collaboration with the Airport Manager in relation to dust impacts from the stockpile adjacent to Runway 11 and the access/egress roads and implementation of agreed measures to mitigate dust impacts (excluding traffic from the site for 30 minutes before and 30 minutes after aircraft arrival and departure and watering for dust suppression during aircraft movements in N NE/NW wind conditions.)</i></p>
<p>Give priority to uses that have a direct link with Airport activities and should be located in proximity to airport activities. These include – Specifically -</p> <ul style="list-style-type: none"> <li>• Runways</li> <li>• Aircraft catering and servicing</li> <li>• Runway strips</li> <li>• Aircraft refueling</li> <li>• Taxiways</li> <li>• Air traffic control</li> <li>• Aprons</li> <li>• Communication facilities</li> <li>• Passenger terminal</li> <li>• Navigational aids</li> <li>• Bomb threat area</li> <li>• Airport lighting</li> <li>• Freight movement</li> <li>• Emergency services</li> <li>• Aerodrome access</li> <li>• Aerodrome administration</li> <li>• Aircraft maintenance</li> <li>• Aerodrome maintenance</li> </ul> <p><i>(from the Master Plan Concept – Aerodrome Master Plans 1988).</i></p>	✓	<p>The Proposal would not have a direct link with airport activities. However, it is not considered that the Proposal would have any conflict with Airport Activities. It would be located in an area both designated (in <i>Development Control Plan No. 5 – Norfolk Island Airport</i>) and previously used for the bulk storage of rock, most recently the Airport Runway Upgrade in 2020. The site would be accessed via a one way loop from Ben Christian Drive and a side access track that runs to the left of the waste management centre, along the side of the runway to the proposed rock stockpile site and on to the exit at Douglas Drive. At no time would trucks encroach on the runway (Refer Figure 20 of the EIS).</p>
<p>Ensure that generally any proposed use or development:</p> <ul style="list-style-type: none"> <li>• Will not affect airport operations through nuisance including birds, vermin, air pollution;</li> <li>• Will not breach aircraft and airport operations safety and security requirements;</li> <li>• Are compatible with and related to aircraft operations ;</li> <li>• Are uses that require separation from settled areas due to potential impact on an amenity;</li> <li>• Give preference to public and government uses and activities over private interests; and</li> <li>• Are, in the case of private uses and activities, leased at commercial rates.</li> </ul>	✓	<p>The Proposal is for rock storage. Rock storage does not include putrescible waste and is unlikely to attract birds or vermin.</p> <p>On 15 February 2022, the Airport Manager identified the possibility of an impact from dust from the stockpile blowing over Runway 11 with a north, north-east wind during aircraft movements. On 18 February following further investigations, the Airport Manager advised that dust generated by traffic on the dirt access/egress road has had an unacceptable impact in the past and is a risk to aircraft safety (dust in turbine engines). He also confirmed this could be managed in collaboration with stockpile operators/truck drivers to mitigate dust impacts during aircraft movements.</p> <p>Conditions have been included in the recommended conditions of approval requiring collaboration with the Airport Manager in relation to dust impacts from the stockpile adjacent to Runway 11 and the access/egress roads and implementation of agreed measures to mitigate dust impacts (excluding traffic from the site for 30 minutes before and 30 minutes after aircraft arrival</p>

Control / Requirements	Proposal complies	Comment
		<p>and departure and watering for dust suppression during aircraft movements in N NE/NW wind conditions.] On 17 February 2022, the Airport Manager confirmed that the Proposal would not breach aircraft and airport operations safety and security requirements (NI Airport Manager, email, 17 February 2022).</p> <p>The Proposal is not related to aircraft operations, but it is a suitable non-aviation use that is not incompatible with aircraft operations as demonstrated by the identification of rock storage and rock crushing as possible no aviation related developments in <i>Development Control Plan No. 5 – Norfolk Island Airport</i> and previous recent use of the site for rock storage.</p> <p>The Proposal is industrial and would have impacts (noise and visual) that are best separated from settled areas.</p> <p>The Proposal is for a government (NIRC) project and private leases are not relevant.</p>
Use land not required for airport-related activities to develop non-aviation related uses permitted or permissible (with consent) in accordance with this DCP and the Norfolk Island Plan, or alternatively subdivide land for purposes consistent with this Plan and the Norfolk Island Plan, subject to development approval.	✓	The Proposal is for a designated non-aviation related Development in the <i>Development Control Plan No. 5 – Norfolk Island Airport</i> . It would be located in the Airport Fire Drill Ground which is a Development Precinct set aside for both non-aviation/airport developments and aviation/airport developments.
Ensure that planning and development of the Airport takes into account the possibility of larger planes and the requirements of those aircraft.	✓	The Proposal is for a temporary rock stockpile that is expected to be exhausted in two years. It is not anticipated that larger planes would be landing on Norfolk Island in this time period. If larger planes did need to land, the remaining rock stockpile could be modified or removed if required.
Ensure that planning and development of the Airport takes into account possible expansion of the tourist services industry e.g. locally based catering for flights; future freight and warehouse storage.	✓	The Proposal is for a temporary rock stockpile that is expected to be exhausted in two years. It would be unlikely to hinder any aviation/airport development of the area to cater for expansion of the tourist services industry in this time.

### 3.2.2 Norfolk Island Airport Land Use Document

The Norfolk Island Land Use Document (NIALUD) supplements *Development Control Plan No. 5 – Norfolk Island Airport* by identifying existing airport land uses and developments and discussing any potential impacts to the airport that may result from proposed uses and developments.

The NIALUD places the Proposal in the Development Precinct. The Development Precinct is land that is currently vacant and considered suitable for possibly both aviation and non-aviation use and development.

The Development Precinct has been identified in response to pressure to locate non-airport related developments (such as industry which required separation from settled areas) on airport land.

A development proposed for the Development Precinct is to be assessed on its own merits using the criteria provided in *Development Control Plan No. 5 – Norfolk Island Airport Part B Development Standards for Non-Aviation Developments and Uses*.

The Part B Development Standards for Non-Aviation Developments and Uses are addressed in **Table 3.2**.

### 3.2.3 Conclusion

The Proposal had been assessed against all relevant requirements of *Development Control Plan No. 5 – Norfolk Island Airport* including the merit based assessment criteria (Part B Development Standards for Non-Aviation Developments and Uses) in consultation with the Norfolk Island Airport Manager.

The Proposal is considered to be compliant with all relevant requirements of *Development Control Plan No. 5 – Norfolk Island Airport*.

### 3.3. CONSIDERATION OF THE PROPOSAL AGAINST SECTION 46 *PLANNING ACT 2002 (NI)*.

Section 46 of the *Planning Act 2002 (NI)* specifies the matters that the Minister must have regard to when considering a development application. These matters are addressed in **Table 3.3**.

**Table 3.3 – Assessment Against Section 46 of the *Planning Act 2002 (NI)***

MATTERS TO BE CONSIDERED	CONSIDERATION
(a) The objects of this Act and objectives of the Plan generally;	Subject to the imposition of and compliance with the conditions in the recommended Notice of Decision, the Proposal would be consistent with relevant objects of the <i>Planning Act 2002 (NI)</i> and the relevant objectives and provisions of the Plan.
(b) The matters specified in the Plan to be considered in determining whether to give approvals of the kind sought;	The relevant matters listed in Clause 96 of the Plan for consideration during determination of the Development Application have been addressed in this Planning Assessment Report.
(c) The development and environmental standards specified in the Plan or another enactment for approvals of the kind sought;	The planning assessment concludes that, subject to the Declared Significant Development designation of the Proposal and the imposition of and compliance with the recommended conditions of approval, the Proposal would comply with: <ul style="list-style-type: none"> <li>• The relevant environmental standards specified in the <i>Norfolk Island Plan 2002 and Development Control Plan No. 5 – Norfolk Island Airport</i>.</li> </ul>
(d) If an environmental impact statement in relation to the application is required under section 45, the statement;	The Proposal is for Declared Significant Development and Ancillary Projects and is also Prescribed Development. Both these classifications require an EIS to accompany the DA. During a pre-acceptance adequacy assessment, Planning Assist cross checked the EIS against the following EIS content requirements: <ul style="list-style-type: none"> <li>• The Chief Executive Officer Directions for the EIS prepared under delegation by Port Macquarie Hastings Council.</li> <li>• The matters set out in Schedule 2 of the <i>Planning Regulation 2004 (NI)</i>.</li> </ul> <p>The adequacy assessment concluded that the EIS adequately addressed all relevant matters. The contents of the EIS have been considered throughout this Planning Assessment Report and</p>

MATTERS TO BE CONSIDERED	CONSIDERATION
	supplemented with additional information sourced from the Applicant and other relevant stakeholders as required.
(e) Any public submissions about the application received in accordance with the invitation under subsection 43(2) or 45(8) as the case may be;	<p>The Development Application and accompanying EIS was placed on public exhibition between 23 September 2021 and 30 October 2021.</p> <p>It was advertised in the Government Gazette on 23 September 2021.</p> <p>Submissions were accepted during the exhibition period and for two weeks following closure of the statutory 28 day public submission period to provide additional time for any person to lodge a submission.</p> <p>One public submission was received, The response to this submission is provide at <b>Attachment A</b> and discussed throughout this Planning Assessment Report.</p>
(f) Any advice or recommendation received from the Board about the application;	Not applicable for Declared Significant Development and Ancillary Projects
(g) Any recommendations by a person under section 91 relating to the application (inquiry into development matters)	Not applicable.
(h) Any matter required by any other enactment to be considered in relation to an approval of the kind sought;	<p><b>Building Act 2002 (NI)</b>  ‘Building activity’ is defined in the <i>Building Act 2002 (NI)</i> as</p> <ul style="list-style-type: none"> <li>(a) the construction of a structure;</li> <li>(b) the alteration of a structure;</li> <li>(c) the demolition of a structure;</li> <li>(d) the removal, or the removal and relocation, of a structure;</li> <li>(e) earthworks in excess of 50 m<sup>2</sup> or 50 m<sup>3</sup>,</li> </ul> <p>but not an activity declared to not be a building activity in the Regulations;</p> <p>Building approval would be required for any earthworks or structures that fall within this definition – to be determined during detailed site design. These might include (but are not limited to) things like site fences and shipping containers used for storage.</p> <p><b>Environment Protection and Biodiversity Conservation Act 1999</b>  Assessment under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) is required for actions that may have a significant impact on a Matter of National Environmental Significance (MNES) as defined in the EPBC Act, or for actions proposed to be carried out on Commonwealth land. Actions that are likely to have a significant impact must be referred to the Minister for the Department of Agriculture, Water and the Environment for determination as to whether an environmental</p>

MATTERS TO BE CONSIDERED	CONSIDERATION
	<p>impact assessment is required under the EPBC Act in relation to MNES or Commonwealth Land.</p> <p>MNES triggered by the Proposal are:</p> <ul style="list-style-type: none"> <li>• Listed threatened species and ecological communities.</li> <li>• Migratory species protected under international agreements.</li> <li>• Commonwealth marine areas: Norfolk Marine Park (part of the Temperate East Marine Parks Network).</li> </ul> <p>Cascade Reserve is Commonwealth land. Therefore the part of the Proposal that is in Cascade Reserve also triggers the EPBC Act.</p> <p>NIRC, as the Proponent, undertook a Project Self-Assessment to determine whether:</p> <p>(a) The proposal would be likely to have a significant impact on any MNES; and</p> <p>(b) The proposal would be likely to have a significant impact on the environment in general (for actions by Commonwealth agencies or actions on Commonwealth land) or the environment of Commonwealth land (for actions outside Commonwealth land).</p> <p>The Self-assessment concluded that the Proposal did not require referral to the Minister under the EPBC Act as it was not likely to have a significant impact on any MNES or on Commonwealth land. Reasons were provided in Section 3.3 of the EIS.</p> <p>In order to obtain an indication of whether or not the Minister agreed with this self-determination, the Department of Agriculture, Water and the Environment was notified of public exhibition of the Development Application and accompanying EIS for the Proposal as follows:</p> <ul style="list-style-type: none"> <li>• Phone call to Frances Murray, Marine Parks, Department of Agriculture, Water and the Environment (DAWE) from Philip Reid, NIRC Manager Environment and Planning to introduce the Proposal.</li> <li>• Follow up letter to Frances Murray, Marine Parks, DAWE sent by email on 21 October 2021 requesting input.</li> </ul> <p>This notification provided DAWE with the opportunity to require the Proposal to be Referred to the Minister under the EPBC Act.</p> <p>No response was received from DAWE and concurrence with the conclusion on NIRC's Project Self-Assessment is therefore assumed.</p> <p><b><i>Heritage Act 2002 (NI)</i></b>  Section 28 of the <i>Heritage Act 2002 (NI)</i> requires a Heritage Impact Statement to be prepared to support Development Applications that are in relation to, or likely to affect, a heritage item. A Heritage Impact Statement was prepared for the Youngs Road Quarry Site</p>

MATTERS TO BE CONSIDERED	CONSIDERATION
	<p>(Cascade Reserve) and included in the EIS. The requirement for an EIS was waived by the NIRC General Manager for Ancillary Facility – Bulk Explosives Storage (Anson Point Nesting Ground) – refer <b>Table 3.1: Clause 87 – Heritage</b>.</p> <p>The Minister is required to consider the Heritage Impact Statement.</p> <p><b>Public Reserves Act 1997 (NI)</b>            Cascade Reserve is a public reserve identified in the <i>Public Reserves Act 1997 (NI)</i>. Norfolk Island Parks and Forestry Service (2003) <i>Plans of Management for Norfolk Island Public Reserves: Part A The Norfolk Island Public Reserve System</i>; Section 11, lists quarrying and mining as a controlled activity that may only be undertaken in accordance with a permit issued by the Norfolk Island Conservator for Public Reserves.</p> <p>A permit issued in accordance with Division 2 of the <i>Public Reserves Act 1997 (NI)</i> must be in place prior to the commencement of construction or operation in the Cascade Reserve.</p> <p>The ancillary project sites are not located within Public Reserves.</p> <p><b>Significant Development Declaration</b>            The conditions of the Significant Development Declaration require the following:</p> <ul style="list-style-type: none"> <li>• A heritage impact statement considering the proposed Youngs Road and Cascade Reserve site and surrounding area must be undertaken by an independent expert and included with the development application. The statement must consider the potential heritage values of the site, with reference to the endorsed nomination of the Australian Heritage Council for Cascade Reserve to be included on the Commonwealth Heritage List.</li> <li>• Negotiations must commence between the Council and the Commonwealth for a licence agreement for use of the relevant sections of Cascade Reserve, including the terms and conditions for the extraction of rock from the site.</li> </ul> <p>A Heritage Impact Statement was prepared for the Proposal and included in the EIS – refer <b>Table 3.1: Clause 87 – Heritage</b>.</p> <p>The requirement to obtain a licence agreement from the Commonwealth for use of the relevant sections of Cascade Reserve has been included in the recommended conditions of approval.</p>
(i) Any other matters considered by the Minister to be relevant.	Not applicable.

## 5. CONCLUSION

Planning Assist has independently assessed Development Application DA.BA 36/2021 on behalf of Council who, as the Applicant, landowner (in part) and project proponent is unable to do so due to conflict of interest.

Development Application DA.BA 36/2021 is for a Declared Significant Development. The Significant Development Declaration was made for the following reasons:

1. The development is to establish or upgrade infrastructure of a type prescribed by the regulations, namely an extractive industry.
2. The development has potential economic and community benefits. Establishing the site would likely provide local employment, as would the building and construction activity that would follow. A local rock source would also support new and improved infrastructure and public works that would be of overall benefit to the community.
3. The development has links with other developments such as improvements to public infrastructure.
4. The development is consistent with the objectives of the Norfolk Island Plan 2002 for areas designated as 'Activity Nodes' and would be located next to an existing quarry.
5. The development is consistent with NIRC's Community Strategic Plan 2016-2026 and the objectives of Strategic Direction 1 — An environmentally sustainable community, in particular, using and managing resources wisely.
6. The development is consistent with NIRC's Environment Strategy.

The Planning Assessment concluded that subject to compliance with the recommended conditions of Approval, the proposed Youngs Road Quarry and ancillary bulk explosives storage and rock stockpile - as described in the Development Application, the accompanying EIS and in further correspondence with NIRC – is:

- Consistent with, complies with, or does not compromise, the relevant provisions of the *Norfolk Island Plan 2002*.
- Complies with the requirements of *Development Control Plan No. 5 – Norfolk Island Airport* (the only relevant Development Control Plan).
- Contributes to the achievement of the strategic directions and objectives in NIRC's Integrated Planning and Reporting Framework.
- Would have unavoidable residual (post-mitigation) impacts, particularly in relation to noise at the proposed Youngs Road Quarry Site and traffic along the haulage route between the Youngs Road Quarry Site and the rock stockpile site at the Norfolk Island Airport.
- Would not have an unreasonable environmental impact on balance with the benefit to the community of securing an interim source of rock for local construction whilst a long-term rock supply is investigated – evidenced by the Declaration of Significant Development.

One public submission was received in response to public exhibition of the Proposal. Relevant issues raised in the submission have been considered and where reasonable and feasible, additional avoidance, management and mitigation measures have been included to address concerns raised (refer to the Response to Submissions at **Attachment A**).

It is recommended that Development Application DA.BA 36/2021 be approved subject to the conditions of approval included in the recommended Notice of Decision (attached).

## 6. RECOMMENDATION

It is recommended that the Minister:

1. Considers the findings and recommendations as described in the Planning Assessment Report for DA.BA 36/2021;
2. Considers the draft Notice of Decision for this for DA.BA 36/2021;
3. Pursuant to section 44(D)(2)(a), give development approval to DA.BA 36/2021, subject to the conditions set out in the recommended Notice of Decision; or
4. Pursuant to section 44(D)(2)(b), refuse to give development approval to DA.BA 36/2021; or
5. Pursuant to section 44(D)(2)(c) refer the application back to the General Manager with directions to take specified further actions.

  
  
**Planning Assist**  
**11 March 2022**



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