FOI 26-287 - Document 1

Australian Government
Department of Infrastructure, Transport, Regional Development and Communications

Recommendations

Agenda Item	Recommendations	Outcomes
2	**Note** the progress of the Project up to the 30% Design Report milestone. **Note** the 30% Design Report provided to the Department. **Note** the 30% Design Presentation provided to the community and key stakeholders. **Note** the Project program and risks.	Noted Noted Noted Noted
3	**Note** the community consultation process. **Note** the feedback provided by the community on the 30% Design Report Presentation. **Note** the technical investigations undertaken as part of the site investigation process and their input into the design development.	Noted Noted Noted
4	**Note** the four design options put forward in the 30% Design Report. **Note** the two additional design options put forward in the Options Assessment Memo, dated 30 June 2020.	Noted Noted
5	**Accept** the recommendations put forward in the Options Assessment Memo, dated 30 June 2020. **Endorse** Option 3a as the design option to be progressed to the 80% Design milestone, noting Option 1a will be taken up should Option 3a be rejected through the EPBC Act Referral process by the Department of the Environment.	Accepted Endorsed
6	**Note** the progress that has been made on the Environmental Assessment Report in parallel to the 30% Design Report. **Note** that the Environmental Assessment Report will form the basis of the EPBC Act Referral. **Agree** that additional site investigations are required to support both the Environmental Assessment Report and the EPBC Act Referral	Noted Noted Agreed
8	**Note** that a Media Release is to be prepared to thank the community for their input into the design development and advise them of the recommended design option to be further progressed.	Noted

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s 47F

Alex Foulds

First Assistant Secretary,

Regional and Territories Group

13 / 07 / 2020

s 47F

Nicole Pearson

General Manager,

Norfolk Island and Jervis Bay Territory Branch

13 / 07 / 2020

s 47F

Harriet Spring

A/g General Manager,

Indian Ocean Territories Branch

13 / 07 / 2020

s 22(1)(a)(ii)

A/g Director,

Territories Capital and Major Projects

13 / 07 / 2020

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Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

Recommendations

Agenda Item	Recommendations	Outcomes
2	**Note** the progress of the Project up to the 80% Design Report milestone; **Note** the 80% Design Report provided to the Department; **Note** the 80% Design Presentation provided to the community and key stakeholders (Appendix K); and **Note** the Project Program (Appendix J) and Risks (Appendix F).	
3	**Note** the community consultation process undertaken for the 80% Design Report; **Note** the feedback provided by the community on the 80% Design Report Presentation; and **Note** the technical investigations undertaken as an outcome of feedback received from community consultation activities.	
4	**Note** the Risk Register in the 80% Design Report (Appendix F); **Note** the Existing Sheet Pile Wall Assessment Report, outlining the structural integrity issues with Kingston Pier (Appendix I); **Agree** that the construction contractor for the project would be best placed to address the structural integrity issues with Kingston Pier, based on the design solution put forward by Advisian/Consult Marine; **Agree** that the project should proceed with the proposed rectification of both Kingston Pier and Slaughter Bay Sea Walls; **Agree** that the project should proceed with developing and delivering a design solution for the erosion at the base of Flagstaff Hill (referred to as the 'cave'); and **Agree** that the project should proceed with the additional environmental and heritage investigations related to Old Cascade Quarry.	
5	**Note** the progress that has been made on the EPBC Act Referral in parallel to the 80% Design Report; **Note** the delays the project has experienced with the EPBC Act Referral due to COVID-19 and additional site investigations; **Agree** the current EPBC Act Referral be finalised following the 80% Design Report (channel augmentation and sheet pile walls); and **Agree** to proceeding with two separate EPBC Act referrals.	
6	**Accept** the 80% Design Report; and **Endorse** progression to the 100% (final) Design milestone.	

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8	**Agree** and **sign-off** of the list of Recommendations by the PSC. **Note** that a Media Release is to be prepared to thank the community for their input into the design development and advise them of the decision to progress to the 100% (final) design milestone.	

s 47F

Sarah Vandenbroek

First Assistant Secretary,

Territories Division

19 / 02 / 2021

s 47F

Nicole Pearson

Assistant Secretary,

Norfolk Island and ACT/NT Branch

18 / 02 / 2021

s 47F

Sarah-Jane Hindmarsh

A/g Assistant Secretary,

Indian Ocean Territories Branch

9 / 02 / 2021

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TERRITORIES DIVISION - Clearance Slip

☐ AS Clearance only	☒ Approval & Signature Required	**Due date for AS clearance** ASAP pls
☒ FAS Clearance	☐ For Information/Noting only	**Due date for FAS clearance**
☐ Dep Sec Clearance (through FAS)	☐ Consultation outside of Division	
☐ ROUTINE ☒ URGENT	If urgent (under 48 hrs) – give reason:	

PDMS # (if applicable):

SUBJECT KINGSTON PIER CHANNEL CONSTRUCTION SIGNIFICANT DEVELOPMENT APPLICATION AUTHORISATION

s 22(1)(a)(ii)

Action Officer: _____ **Date:** 11.2.21 **Ext:** s 22(1)(a)(ii)

Clearance	Actions	Comments
Director	☒ Approved ☐ Approved with edits ☐ Please discuss ☐ Data checked by _____ ☐ Data double checked by _____	s 22(1)(a)(ii) HAS ADVISED s 22(1)(a)(ii) IN COUNCIL IS TRYING TO PUT THIS THRU EARLY NEXT WK TO MAKE THE NEXT COUNCIL ADMINISTRATION MEETING. s 22(1)(a)(ii) s 22(1)(a)(ii) Date: 11.2.21
Assistant Secretary	☐ Approved ☐ Approved with edits ☐ Please discuss	NICOLE HAS INITIALLED HER APPROVAL Date: _____
First Assistant Secretary	☑ Approved ☐ Approved with edits ☐ Please discuss ☐ Noted	Very comprehesive + clearly set out - Thanks! Date: SV 12/2

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Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

MINUTE

File Reference: TERR19/0075

Sarah Vandenbroek
First Assistant Secretary,
Territories Division

Through: s 22(1)(a)(ii)
Director, Territ[illegible] s 47F Major Projects Sectio[illegible]

Nicole Pearson
Assistant Secretary
Norfolk Island & ACT/NT Branch

APPLICATION FOR DECLARATION IN RELATION TO SIGNIFICANT DEVELOPMENT – KINGSTON PIER CHANNEL CONSTRUCTION PROJECT

Recommendations:

That you:

1. **Note** that in accordance with the Norfolk Island Planning Act (2002) (NI), an application is required to be made to the Norfolk Island Regional Council for the Kingston Pier Channel Construction Project (the Project) to be declared 'Significant'; — Noted / Please discuss
2. **Note** that the 'Significant Development' pathway recognises that major infrastructure projects require a specific development assessment process; — Noted / Please discuss
3. **Note** that the application for 'Significant Development' will capture both sites of the project, the dredging works at Kingston Pier and the disposal of dredge spoil at Old Cascade Quarry; — Noted / Please discuss
4. **Note** that if the Project is declared 'Significant', an application for development approval will be made to the Council, which will include a further opportunity for the community to make submissions; — Noted / Please discuss
5. **Note** that you are the delegated official to sign the Significant Development Application on behalf of the Applicant; — Noted / Please discuss
6. **Note** that the Significant Development Application has already been signed by s 47F as the Landowner; and — Noted / Please discuss
7. **Agree** to **Sign** the Significant Development Application Form at Attachment A. — Agreed / Signed / Please discuss

s 47F

Sarah Vandenbroek 12 / 2 / 2021

Contact Name: s 22(1)(a)(ii)
Position: Project Director
Contact Number: s 22(1)(a)(ii)
Branch/Section: IOT / TC&MP

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Key Issues:

- In line with the 2017 amendments made to the Norfolk Island Planning Act (2002) (NI) to assist with putting important public infrastructure in place to support Norfolk Island's future growth and sustainability, an application will be made to the Norfolk Island Regional Council (NIRC) for the Kingston Pier Channel Construction Project (the Project) to be declared 'Significant'.
- The 'Significant Development' application pathway recognises that major infrastructure projects require a specific development assessment process that maintains objectives to protect environmental qualities and provides for community consultation, reduces the timeframes for assessment and determination of proposals, and delivers confidence and certainty in the development assessment process.
- NIRC will consider whether the Project will deliver a significant benefit to the community by supporting economic growth, addressing environmental concerns and prioritising community welfare on Norfolk Island.
- The Council (under the new Administration arrangements it is assumed) will then make a recommendation to the Norfolk Island Administrator, as the delegate for the Commonwealth Minister responsible for Norfolk Island, about whether the Project should be declared 'Significant'.
- If the Project is declared 'Significant', an application for Development Approval will be made to the Council, which will include a further opportunity for the community to make submissions.

Sensitivities (if any):

Nil.

Background:

Since the 1830s, Kingston Pier has been a vital link to Norfolk Island, stimulating community and economic development.

Its construction signified a major engineering and infrastructure achievement for the island and its 20th century history is rich and varied. Over the centuries, the pier has been subject to major changes to improve access and safety. Today it remains critical infrastructure for local commercial and recreational fishing activities and freight and cruise ship passengers, and holds a foundational place in the hearts of the Norfolk Island community, particularly with its cultural significance and role in annual Anniversary (Bounty) Day celebrations.

There is widespread support for further improvements to enhance the growth of tourism, as well as community and economic wellbeing on Norfolk Island, and to complement improvements made to Cascade Pier. The existing entrance and interior channel dimensions of the harbour adjacent to Kingston Pier are inadequate for safe navigation during all tides, and do not meet required navigation standards.

The Project will seek to augment the channel bed at Kingston Pier, to increase its depth and width, to improve access and safety, and ensure it meets required standards. It will also support greater usage of the pier by commercial charter and fishing vessels and emergency responders. Improved safety in all tides and all workable weather conditions would be achieved and of considerable benefit to the community.

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The development and delivery of the project will allow for:

- Extensive community and stakeholder consultation;
- Use of local knowledge and expertise;
- A design solution tailored to the specific needs of port users;
- Improved conditions around the Kingston Pier including enhanced safety for all users and the ability to respond to marine search and rescue events in a wider range of conditions;
- Reduced cargo-ship turn-around and associated delays in the offloading of freight;
- A greater number of opportunities for cruise ship passengers to visit Norfolk Island; and
- Increased sustainability of the local economy and broader community.

The Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) currently has a contract in place with Advisian Pty Ltd, as the Design Services Contractor (DSC) for the project. Supported by their sub-consultants, Consult Marine Pty Ltd and Cosmos Archaeology Pty Ltd, a series of technical investigations have been undertaken of which the resultant information has been key to the development of the design. These investigations include environmental (marine), geotechnical, hydrographic and tidal/wave modelling.

Requirement:

The Project proposes to place the construction material (dredge spoil) from the channel construction works at the Old Cascade Quarry, located behind Cascade Pier, on the northern coast of Norfolk Island. The site was inspected by Advisian Pty Ltd in the company of the landowner, s 47F on 11 November 2020. The inspection was to better understand the site in order to accommodate the material removed from the channel bed adjacent to Kingston Pier as part of the project works.

The proposed activities for the placement of the dredge spoil are:

- Augmentation of approximately 5,000 cubic metres of material removed from the channel bed;
- Establishment of a land-based contractor's working area including a temporary site compound area and temporary spoil stockpile area at Kingston Pier;
- Establishment of a screening area near Kingston Pier to dewater and screen loose sediment for any archaeological artefacts;
- Transfer of spoil from Kingston Pier to the Old Cascade Quarry for onshore disposal;
- Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier; and
- Installation of a single piled channel navigation aid located on the edge of the shallow rock shelf.

Upon inspection of the site and discussion with the landowner, it is proposed to commence filling from the southern property boundary of the site, battering up to a level above where the existing site centrally flattens out. There would be an opportunity to also raise the level of the centre and southern portions of the site. The preference is to fill the northern portion of the site, and surplus material could be placed at the central and southern portions of the site.

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The removed material is proposed to be taken onshore and hauled via trucks to the Old Cascade Quarry site where it will be screened for any potential archeological artefacts. The larger fragments of the hardest material that will be removed (calcarenite) will be sorted and stored at the Old Cascade Quarry where it will be drawn upon for various restoration projects on Norfolk Island, as required. The remainder of the material will be used as fill material to assist with the restoration of the Old Cascade Quarry.

Approvals process:

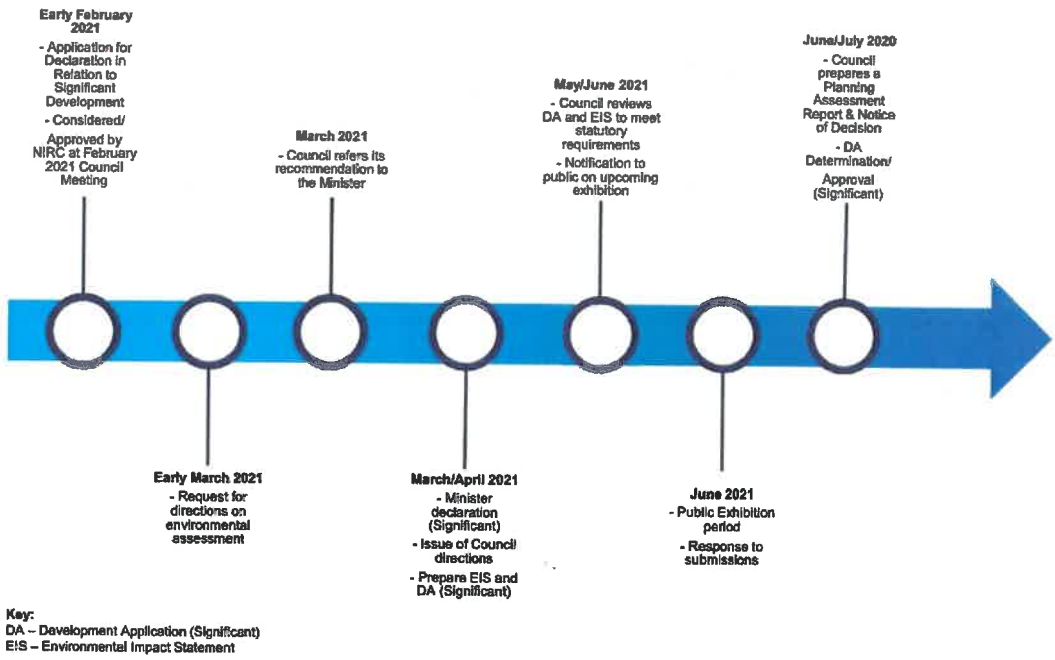
Engagement with the landowner was key to developing the strategy for placing the dredge spoil at the Old Cascade Quarry, as this is part of rehabilitation works at the site. The landowner is satisfied with the proposal, and as such, has provided his signature as approval for the project to proceed with the submission of an Application for Declaration in Relation to Significant Development.

Correspondence with NIRC has confirmed that the Application for Declaration in Relation to Significant Development can be submitted for both sites, though their main focus will be the activities at the Old Cascade Quarry site as these are land based activities. Whilst the activities at Kingston Pier (the dredging works) are water based activities below the Mean High Water Mark and are outside the Norfolk Island Plan jurisdiction, it is important to link the activities of both sites and include them in this application.

Approval is required from the Department for the application as the Old Cascade Quarry site is Crown land. This Minute seeks your approval to sign the application on behalf of the Department.

Timeframes:

The timeline below provides an overview of the upcoming activities associated with the Application for Declaration in Relation to Significant Development for the Project over the next 6 months.



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s 22(1)(a)(ii)

Project Officer
Territories Capital and Major Projects
11 February 2021

Attachments:

Attachment A: Application for Declaration in Relation to Significant Development – Kingston Pier Channel Construction Project

Attachment 1: Section 6 – Detailed Description of Proposed Development

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FOI 26-287 - Document 3 Attachment A

A

NORFOLK ISLAND REGIONAL COUNCIL

ABN 6010 3855 713

APPLICATION FOR DECLARATION IN RELATION TO SIGNIFICANT DEVELOPMENT

APPLICATION NO.		

1. APPLICANT AND CONTACT DETAILS		
Company / organisation / agency	Department of Infrastructure, Transport, Regional Development and Communications	
	Sarah	Vandenbroek
	First Name	Family Name
Postal Address	GOP Box 594, Canberra ACT 2601	
Phone No.	s 47F	Mob. No. s 47F
Email	sarah.vandenbroek@infrastructure.gov.au	
Signature of person making this application	s 47F	

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2. PROPERTY DESCRIPTION

Address	Kingston Pier, Kingston 2899, Norfolk Island						
Portion No.	182 (Crown land) 164 (Crown land)	Lot No.	-	Section No.	-	Land Area:	2.605 square metres 1.107 hectares

Zoning							
		Rural		Rural Residential		Residential	
		Mixed Use		Business		Light Industry	
		Industry		Open Space	✓	Conservation	
		Special Use		Airport		Roads	

What is the land currently used for?

Kingston Pier is a key element of the Kingston and Arthur's Vale Historic Area (KAVHA). The KAVHA is of international and national heritage significance and is a tourist attraction.

Portion 182 comprises the Kingston Pier hardstand area, paved areas and grassed areas which are currently used for activities by various vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters, and for other public users who use Kingston Pier for fishing and other recreational activities. The land includes Kingston Pier which is considered critical infrastructure for minor freight operations and transfer of cruise ship passengers to access Norfolk Island. Other heritage elements near Kingston Pier include the Pier Store (Museum), Boatsheds, Flaghouses and the Royal Engineers Office (Museum shop and information). The Boatsheds are currently used to store maritime vessels and equipment. Kingston Pier is accessed via Pier Street.

Portion 164 is located west of the Pier Store (Museum) and includes the boat ramp and grassed areas. The land is generally associated with the activities of various vessel operators and other users at Kingston Pier.

Further details on the lands at Kingston Pier subject of this Application are provided at Attachment 1.

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2. PROPERTY DESCRIPTION

Address	Old Cascade Quarry, Cascade 2899, Norfolk Island						
Portion No.	5a1 (Youngs Road)	Lot No.	-	Section No.	-	Land Area:	2.848 hectares

Zoning	✓	Rural		Rural Residential		Residential	
		Mixed Use		Business		Light Industry	
		Industry		Open Space		Conservation	
		Special Use		Airport		Roads	

What is the land currently used for?

The Old Cascade Quarry is not currently in use. It was previously used as a quarry to supply stone for various construction projects on Norfolk Island. It is proposed to be rehabilitated in the future as per the NIRC's objectives as a separate project. The land is privately owned by s 47F

3. LANDOWNER(S) PERMISSION TO SUBMIT THIS APPLICATION (if not the Applicant)

The owner(s) of the land proposed to be developed must provide permission for this Application to be submitted. If the Applicant is not the owner of the land, the land owner(s) original signature(s) must be provided.

As owner(s) of the property described above, I / we give permission for this Application to be submitted

Name	Crown land (Portion 182 and 164)
Signature	This signature provides landowner's permission to lodge this Application.
Name	s 47F
Signature	This signature provides landowner's permission to lodge this Application. s 47F

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2. PROPERTY DESCRIPTION							
Address	Old Cascade Quarry, Cascade 2899, Norfolk Island						
Portion No.	5a1 (Youngs Road)	Lot No.	-	Section No.	-	Land Area:	2.848 hectares

Zoning							
	✓	Rural		Rural Residential		Residential	
		Mixed Use		Business		Light Industry	
		Industry		Open Space		Conservation	
		Special Use		Airport		Roads	

What is the land currently used for?

The Old Cascade Quarry is not currently in use. It was previously used as a quarry to supply stone for various construction projects on Norfolk Island. It is proposed to be rehabilitated in the future as per the NIRC's objectives as a separate project. The land is privately owned by s 47F

3. LANDOWNER(S) PERMISSION TO SUBMIT THIS APPLICATION (if not the Applicant)	
The owner(s) of the land proposed to be developed must provide permission for this Application to be submitted. If the Applicant is not the owner of the land, the land owner(s) original signature(s) must be provided.	
As owner(s) of the property described above, I / we give permission for this Application to be submitted	
Name	For Kingston Pier property, refer to applicant details and Kingston Pier property details.
Signature	~~This signature provides landowner's permission to lodge this Application.~~ Refer to Applicant Details for permission to submit on behalf of Crownland.
Name	s 47F
Signature	This signature provides landowner's permission to lodge this Application.

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4. TYPE OF INFRASTRUCTURE THIS APPLICATION APPLIES TO	
Clause 15A of the Planning Regulations 2002 (NI) prescribes the types of infrastructure that may be declared significant development. Please tick which type of infrastructure this application applies to.	
Air transport facilities	
Educational establishments	
Electricity generating works or alternative energy systems	
Electricity transmission or distribution networks	
Emergency services facilities	
Extractive industries	
Hospitals and health services facilities	
Port and wharf facilities	✓
Public works-major or public works-minor, as defined in the Plan	✓
Roads and traffic facilities	
Sewerage systems	
Sport and recreation facilities	
Stormwater management systems	
Telecommunications facilities	
Warehouse and freight facilities	
Waste disposal and resource management facilities	
Water supply, storage and treatment facilities	

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5. DESCRIPTION OF PROPOSED DEVLOPMENT:

Please provide a brief description of your proposal here.

The proposal involves augmentation of the existing channel bed in the harbour adjacent to Kingston Pier to increase its depth and width, to improve vessel access and safety and ensure that it meets required navigation standards. The existing channel is inadequate for safe navigation during all tides and does not meet required navigation standards. In addition, the existing limited water depth at the channel at lower tides is a safety risk for users due to inadequate under-keel clearance which has the effect of limiting the use of Kingston Pier.

The estimated duration for the proposal is five to six months (over the summer period) including mobilisation, demobilisation and any weather delays.

The proposed activities include:

- Augmentation of approximately 5,000 cubic metres of seabed material.
- Establishment of a land-based contractor's working area including a temporary site compound area and temporary spoil stockpile area at Kingston Pier.
- Establishment of a screening area near Kingston Pier to dewater and screen loose sediment for any archaeological artefacts.
- Transfer of spoil from Kingston Pier to the Old Cascade Quarry for onshore disposal.
- Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier.
- Installation of a single piled channel navigation aid located on the edge of the shallow rock shelf.

Proposed activities below the mean high water mark (MHWM) do not fall under Norfolk Island planning controls. These water-based works for the broader project are described for information purposes. Proposed activities above the MHWM (land-based works) will be subject to Norfolk Island planning controls and therefore subject of this specific Application for declaration in relation to Significant Development.

Please refer to Attachment 1 of this Application Form for a detailed description of the proposal.

6. DETAILED DESCRIPTION OF PROPOSED DEVELOPMENT AND ELIGIBILITY FOR DECLARATION AS SIGNIFICANT DEVELOPMENT:

A detailed project description will be required to be submitted as an attachment to this Application Form. The detailed project description must address the following matters to demonstrate that the proposed development meets the criteria to be eligible for consideration to be declared significant development. Each matter must be addressed under separate headings.

Complies with the definition of significant development in section 6 of the *Planning Act 2002 (NI)*	✓
The development is of the type listed in Clause 15A – Types of significant development in the *Planning Regulations 2004 (NI)*	✓
The development has potential to provide economic or community benefits	✓
The development has, or could have, links with other developments	✓
How the development is consistent with the Norfolk Island Plan 2002	✓
How the development relates to the Norfolk Island Regional Council Council's community strategic plan, delivery program and operational plan	✓

Please refer to Attachment 1 of this Application Form for further detail in relation to Section 6.

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LODGEMENT DETAILS

You can lodge the completed application by:

Mail: Norfolk Island Regional Council
P.O. Box 95
NORFOLK ISLAND 2899

Email: planning@nirc.gov.nf

In person: **Customer Care Team**
Telecom Building
9 New Cascade Road

or

Planning and Building Office
Cell Block
New Military Barracks

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FOI 26-287 - Document 3 Attachment B

ATTACHMENT 1

SECTION 6 – DETAILED DESCRIPTION OF PROPOSED DEVELOPMENT AND ELIGIBILITY FOR DECLARATION AS SIGNIFICANT DEVELOPMENT

Detailed Project Description

The proposal involves augmentation of the existing channel bed in the harbour adjacent to Kingston Pier to increase its depth and width, to improve vessel access and safety and ensure that it meets required navigation standards. The existing channel is inadequate for safe navigation during all tides and does not meet required navigation standards. In addition, the existing limited water depth at the channel at lower tides is a safety risk for users due to inadequate under-keel clearance which has the effect of limiting the use of Kingston Pier.

Proposed activities below the mean high water mark (MHWM) do not fall under Norfolk Island planning controls. These water-based works for the broader project are described for information purposes. Proposed activities above the MHWM (land-based works) will be subject to Norfolk Island planning controls and therefore subject of this specific Application for declaration in relation to Significant Development.

The proposal would involve the following activities located above and below the MHWM:

1. The augmentation of approximately 5,000 cubic metres (m^3) of seabed material at the existing channel to enable the deepening and widening of the channel to between approximately -2.7 metres to -3.2 metres Mean Sea Level. It is expected that major plant and equipment would be mobilised from Australia or New Zealand. Local plant and equipment would be used where possible. The seabed material (including loose sediment, calcarenite rock and tuff rock) has been assumed to bulk out by 10% once onshore, resulting in a volume of up to 5,500 m^3.

   The loose sediment material would be removed by divers with hand-held suction pipes, which would be transported into an underwater sediment box and lifted onto Kingston Pier. The calcarenite and tuff rock material would be removed by a backhoe mounted on a jack-up barge, which would then lift the material into skip-bins on a floating barge, and then transport this to Kingston Pier via crane.

2. The establishment of a land-based contractor's working area including a temporary site compound area and temporary spoil stockpile area at Kingston Pier (Portion No. 182) to store land-based plant and equipment (Figure 1 and Figure 2) such as excavators, sediment and sieve boxes and skip bins. The site compound would be fenced off with access supervised. It is understood that the grassed area to the far west of the Pier Store is of archaeological potential and will not be utilised as a compound area. Additional services may be required during construction by portable means such as water tanks, portable generators or portable toilets.

3. The establishment of a screening area (Portion 164) near Kingston Pier to dewater and screen loose sediment for any potential archaeological artefacts. The sediment box would be moved from Kingston Pier to a sieve box at the screening area. A sand bag and sediment filter fence would be set up at the screening area to filter the runoff flowing down the boat ramp and into the harbour. Pumped seawater would be used to assist screening. Archaeological artefacts would seek to be securely stored within an available building near Kingston Pier such as the single Boatshed for assessment and subsequent management.

   Transfer of spoil (including loose sediment, calcarenite rock and tuff rock) via about three locally sourced trucks from Kingston Pier to the onshore disposal site at the Old Cascade Quarry where it would be placed in an appropriate sorting area to be screened (Portion No. 5a1) (Figure 3). Each truck would have about a 12 tonne maximum load carrying capacity. It is estimated that there would be approximately 150 truck movements along the proposed route to Old Cascade Quarry. The spoil would be dumped at the Old Cascade Quarry into stockpiles limited to three

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metres in height. Calcarenite rock and tuff rock would be screened at the Old Cascade Quarry for any potential archaeological artefacts. Large calcarenite fragments would be sorted and stored at the Old Cascade Quarry to be used for various restoration projects on Norfolk Island.

The spoil has been tested for acid sulfate soils and contamination and has been assessed as suitable for beneficial reuse.

The calcarenite material would be suitable to use as a general fill with good drainage properties, a capping layer to improve storage sites, or as a low-grade sub-base for light traffic roads such as the entry to the Old Cascade Quarry. Cement stabilisation could aid the bearing strength of the calcarenite, if required.

The tuff rock material, whilst being a form of rock, is easily broken down into finer particles effectively becoming a soil. The tuff could be broken down using the tracks of an excavator prior to being used as fill material.

Earthworks Design at Old Cascade Quarry

The earthworks will be planned to provide effective run-off and good cross-falls towards the concrete drain on the east of the quarry. Good surface drainage must be ensured in the long term.

It is proposed to commence filling from the northern property boundary of the site, battering up at 1V:3H to a level above where the existing site (in the centre of the site) flattens. There would be opportunity to also raise the central and southern portions of the site. The preference is to fill the northern portion of the site, and surplus material to be placed of the central and southern portions of the site.

A swale is proposed along the northern portion of the fill to capture run off and direct it towards the concrete drain. This would require the flow path to cross the access road which could be achieved by constructing one or two water diversion humps angled across the road, similar to what is used for fire trails in bushland.

The filling works at the northern portion of the site would require regrading of the site initially, with larger depression filled with free draining material available onsite rather than material from Kingston Pier.

The stockpile of topsoil onsite would be suitable to be reused over the placed fill and grassed. The landowner has also suggested that additional topsoil he owns, currently stockpiled at the school playing fields, can also be used at the quarry if required. The stockpile of larger rock would possibly be suitable to be used on other projects around the island (such as topping up the rock revetment at Kingston Pier) but would need to be screened and sorted prior.

The concrete drain along the eastern side of the site leads to a sump constructed from gabion baskets that filters flows prior to discharging to the ocean. The concrete drain, even though overgrown, appears to be in good condition. As previously mentioned, the drain does not appear to receive any significant flows, rather runoff is currently directed down the access road path. It is proposed that runoff is diverted across the road via diversion humps into the concrete drain.

Refer to the appended Old Cascade Quarry Fill Plan and Fill Sections for further information.

4. Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier. This may involve concrete plugging and welding of the existing steel sheet piles.
5. Installation of a single piled channel navigation aid located on the edge of the shallow rock shelf to provide for the safe navigation of vessels entering and exiting the harbour.

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Figure 1 Land at Kingston Pier.

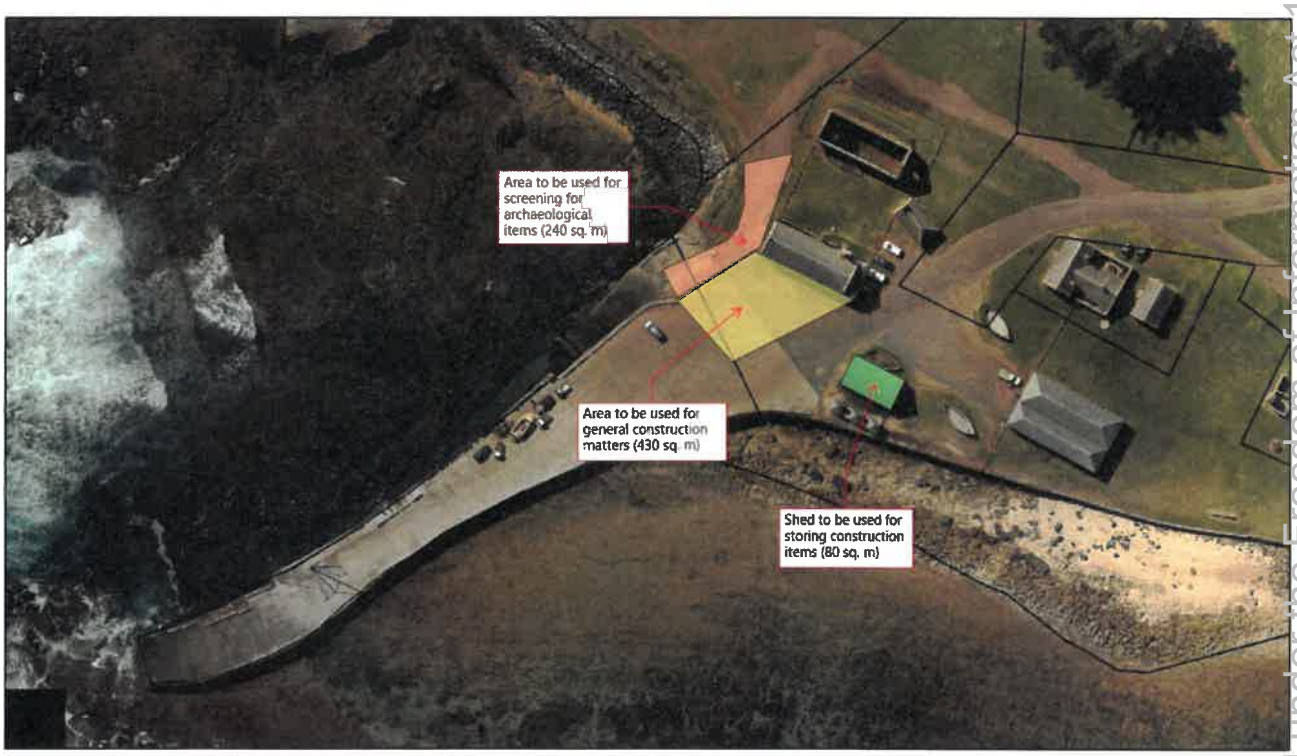


Figure 2 Temporary site compound at Kingston Pier.

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Figure 3 Land at the Old Cascade Quarry.

Site Description

Kingston Pier – is one of only two port locations on Norfolk Island. It is used by various vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters, and for other public users who use Kingston Pier for fishing and other recreational activities. It is located within the Kingston and Arthur's Vale Historic Area (KAVHA).

Old Cascade Quarry – is not currently in use. However, it is proposed to be rehabilitated in the future as per the Norfolk Island Regional Council's (NIRC) objectives as a separate project. The land is privately owned.

The Proponent

The Proponent is the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC).

Purpose of the Document

The purpose of this document is to support an Application for declaration in relation to Significant Development.

Land Ownership

Kingston Pier – Crown land (Portion Nos. 182 and 164).

Old Cascade Quarry – land privately owned by John Christian (Portion No. 5a1).

Preliminary Planning Considerations

In relation to the Significant Development declaration:

- After the proposal is declared significant development by the Commonwealth Minister, a draft Environmental Impact Statement (EIS) would be prepared addressing Schedule 2 of the *Planning Regulations 2004* and any directions from the Chief Executive Officer. The draft EIS would assess specific land-based components of the proposal and Norfolk Island planning legislation and controls.
- A Development Application form would be prepared and lodged with the NIRC with finalised EIS and supporting documentation.

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FOI 26-287 - Document 3 Attachment B

- The Applicant would respond to any submissions received from public notification, if required by the NIRC.

Environmental Issues

The environmental issues of the proposal during construction would include:

- Non-Aboriginal heritage – potential impacts on Kingston Pier and nearby historic buildings and structures which are key elements of the KAVHA. Cascade Reserve is listed on the Norfolk Island Heritage Register and contains archaeological and historically significant sites.
- Aquatic ecology and marine water quality – potential impacts such as accidental spills of harmful substances, incorrect disposal of waste and dewatering activities at Kingston Pier.
- Terrestrial ecology – potential impacts including disturbance to existing grasses, shrubs and habitat for stockpiling.
- Traffic, transport and access – potential impacts from trucks transporting spoil from Kingston Pier to the Old Cascade Quarry.
- Visual amenity – potential impacts on visual receptors in the area as well as significant views and important visual relationships at the KAVHA.
- Noise and vibration – potential impacts on nearby sensitive receivers at Kingston Pier and the Old Cascade Quarry from plant, equipment and truck movements.
- Waste management – potential impacts of waste generation on the surrounding environment including marine water quality contamination and visual amenity degradation.
- Property and land use – potential impacts on adjacent land uses and/or users at Kingston Pier and the Old Cascade Quarry.

Hours of Operation

The proposal is generally expected to be carried out during the following recommended standard hours:

- Monday to Friday: 7am to 6pm.
- Saturdays: 8am to 1pm.
- No work on Sundays or public holidays.

Socio-Economic Matters

Construction would have a positive impact on the local economy by making use of local plant and equipment such as smaller excavators and heavy vehicles and the local labour force, where possible. Following the completion of construction, there would be positive socio-economic benefits to the Norfolk Island community through the potential for greater use of Kingston Pier for minor freight operations and transfer of cruise ship passengers.

Based on an understanding of the strategic planning context, namely the *Norfolk Island Tourism Strategic Plan 2013-2023* and the *Norfolk Island Economic Development Strategy 2015*, the proposal would contribute towards improved outcomes for port facilities, and would also provide increased opportunities for tourism as well as community and economic development on Norfolk Island. Key beneficiaries of the proposal would include:

- Vessel operators – improved navigation, access and safety in the harbour encouraging greater use of Kingston Pier, thereby increasing growth opportunities in tourism and trade.
- The Proponent (DITRDC) and the NIRC – contributing to the strategic outcomes for port facilities in the context of tourism and economic development. The Old Cascade Quarry is proposed to be

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rehabilitated in the future as per the NIRC's objectives as a separate project. Therefore, the disposal of spoil at the Old Cascade Quarry for the purposes of this future project represents the beneficial reuse of spoil.

- Norfolk Island Community – benefiting from tourist and construction-related spending on Norfolk Island and cultural uses at Kingston Pier.

Conclusion

The detailed project description must also address the following matters to demonstrate that the proposed development meets the criteria to be eligible for consideration to be declared significant development. Each matter must be addressed under separate headings

Point 1. Complies with the definition of significant development in section 6 of the *Planning Act 2002 (NI)*

The definition of ""*significant development" means a development to establish or upgrade infrastructure to support economic growth or community welfare, or both, in Norfolk Island".*

The proposal is consistent with this definition as it proposes to augment the existing channel bed, increasing its depth and width to improve vessel access and safety and ensure that it meets required navigation standards.

This would in turn:

- Support the potential for greater use of Kingston Pier by various vessel operators; and
- Provide increased opportunities for tourism as well as community and economic development.

Although augmentation works would occur on land below MHWM, the following works associated with the proposal would be located on land above MHWM:

- Establishment and use of a land-based contractor's working area at Kingston Pier.
- Screening of spoil near Kingston Pier for any potential archaeological artefacts.
- Transport of spoil from Kingston Pier and placement at the Old Cascade Quarry.
- Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier.

Point 2. The development is of the type listed in Clause 15A – Types of significant development in the *Planning Regulations 2004 (NI)*

The proposal is defined as the type *"(h) port and wharf facilities"* and *"(i) public works-major or public works-minor, as defined in the Plan"*.

Point 3. The development has potential to provide economic or community benefits

The overall development has the potential to provide socio-economic benefits as follows:

- Vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters would safely enter and exit the harbour adjacent to Kingston Pier through the newly augmented channel.
- The augmented channel would support the potential for greater use of Kingston Pier by various vessel operators, particularly as critical infrastructure for minor freight operations and the transfer of cruise ship passengers to access Norfolk Island.
- It is expected that safer navigation of the harbour and potential for greater use of Kingston Pier would provide increased opportunities for tourism as well as community and economic development on Norfolk Island.

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- Onshore spoil disposal at the Old Cascade Quarry is the preferred option as it aligns with the NIRC's objective to rehabilitate the quarry in future, which the disposed material would contribute towards.

Point 4. The development has, or could have, links with other developments

The works on land above MHWM as outlined in **Point 1** are directly linked with the proposal's channel augmentation works.

In addition, as mentioned in **Point 3**, onshore spoil disposal at the Old Cascade Quarry would assist with the future rehabilitation of the former quarry site in accordance with the NIRC's objectives.

Point 5. How the development is consistent with the Norfolk Island Plan 2002

Part A – Strategic Plan

The proposal is considered to be consistent with the 'Principal Aim' and 'Objectives of the Strategic Plan' in Part A, in particular to "*provide for the effective and efficient use of facilities, infrastructure and services*" and "*protect and enhance Norfolk Island's environmental and heritage qualities*" (Clause 3.1(1) of the *Norfolk Island Plan 2002*).

Part B – Planning Requirements

B1 – Zoning Scheme

Kingston Pier is zoned 'Conservation' on the Norfolk Island Zoning Map. Development for the purpose of "Wharf" is a permissible (with consent) use or development within the zone. "Wharf" is defined as *"the Use or Development of Land in connection with water transport as a place from or at which goods are taken on or landed from vessels whether or not passengers are taken on or Landed from vessels thereat. The Use includes the Ancillary Use of an office used in connection with the wharf or the temporary storage of goods, which are to be taken on vessels thereat, or which have been landed thereat, from vessels."* The works are compatible with the zone objectives and guidelines as it would contribute towards the continuation of practices at Kingston Pier that have important cultural significance to Norfolk Island and conserve the site's heritage values.

The Old Cascade Quarry is zoned 'Rural' on the Norfolk Island Zoning Map. Development for the purpose of "Earthworks" is a permissible (with consent) use or development within the zone. "Earthworks" is defined as *"the Use or Development of Land for the cutting of natural ground ("cut") and/or the depositing of any material or substance ("fill") on Land, or the letting remain on Land of any material or substance deposited thereon."* The works are compatible with the zone objectives and guidelines as it would contribute towards future rehabilitation of the former quarry site and beneficial re-use of spoil.

B2 – Overlay Provisions

Kingston Pier is identified on the Heritage Map Overlay within the Kingston & Arthurs Vale Historic Area (KAVHA) and Old Cascade Quarry is located in the vicinity of Cascade Reserve. Pursuant to Clause 74(1) of the *Norfolk Island Plan 2002*, land-based works located on land identified on the Heritage Overlay Map may only be carried out with development approval. The provisions of Clause 77 also apply to works at the Kingston Pier hardstand area.

B3 – General Provisions

The principles of Clauses 82 to 90 have been considered during the design of the proposal. These clauses along with other relevant provisions of Part B3 will be assessed in further detail in the EIS.

Point 6. How the development relates to the Norfolk Island Regional Council's community strategic plan, delivery program and operational plan

The proposal being delivered by DITRDC is broadly consistent with the following objectives in the

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Community Strategic Plan 2016 – 2026 as contributing to the upgrade of essential public infrastructure that serves the Norfolk Island's economy:

a. *Use and manage our Resources wisely.*

b. *Cultural expression is maintained and built heritage is protected.*

c. *Our Community is a great place to live and visit.*

d. *Strong, diverse and vibrant business environment.*

The proposal is not specifically mentioned in the *Delivery Program 2016 – 2020* or the *Operational Plan 2020 – 2021* which form part of the NIRC's Integrated Planning and Reporting Framework. However, as mentioned previously, the proposal is an important contributor to the objectives for Norfolk Island and the rehabilitation and re-use of Old Cascade Quarry has been identified by the NIRC as a future project from consultation activities.

The proposal also relates to the *Norfolk Island Tourism Strategic Plan 2013-2023* and *Norfolk Island Economic Development Strategy 2015*, in particular the strategic theme: "*Port facilities, to encourage cruise ships and assist with cargo shipping, require public and private investment focused on good planning and sustainable outcomes.*"

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C	10.12.20	RE-ISSUED FOR CLIENT REVIEW								
B	08.10.20	ISSUED FOR CLIENT REVIEW								
A	06.10.20	ISSUED FOR INTERNAL REVIEW								

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A1 SHEET SCALE

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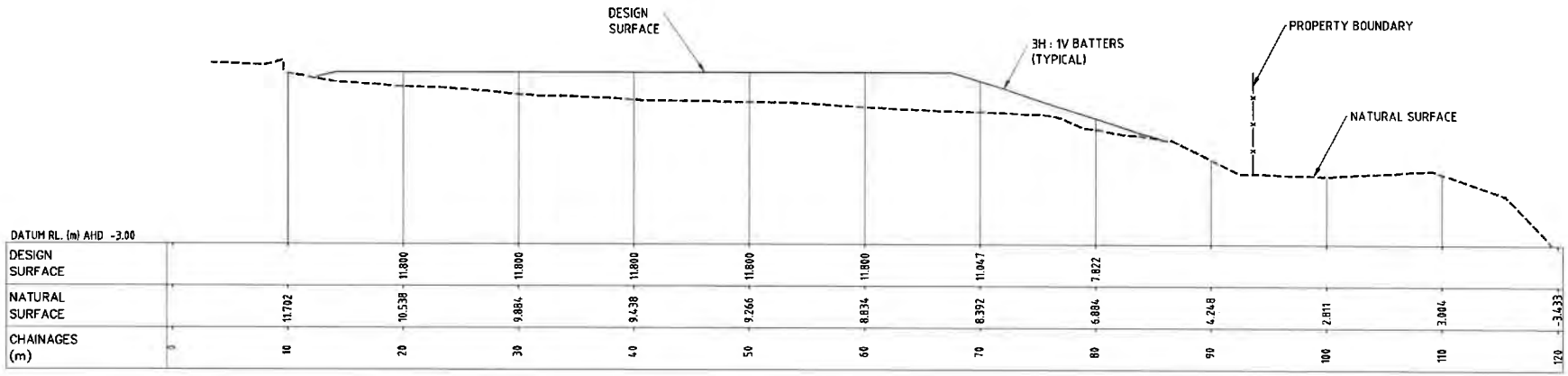
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KINGSTON PIER
CHANNEL CONSTRUCTION PROJECT
FILL PLAN (OLD CASCADE QUARRY)

DWG No 311015-00061-MA-DWG-0050 REV C

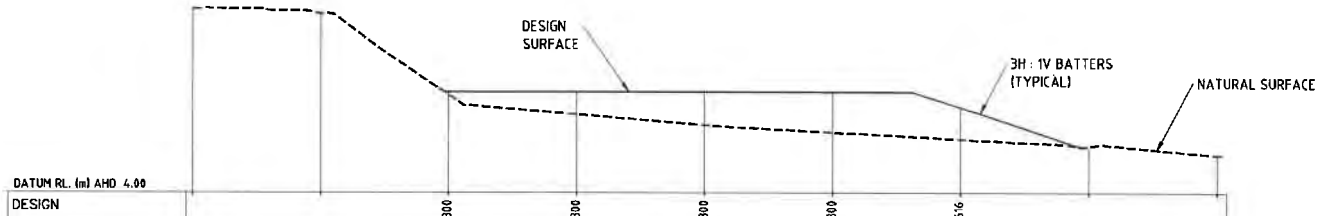
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FOI 26-287 - Document 3 Attachment B



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NATURAL SURFACE	11.702	10.538	9.884	9.438	9.266	8.834	8.392	6.884	4.248	2.811	3.004	-3.633
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SECTION A
SCALE :- 1:200H
1:200V



DATUM RL. (m) AHD 4.00								
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NATURAL SURFACE	18.209	17.640	11.598	10.072	9.236	8.684	8.152	7.591	6.911
CHAINAGES (m)	0	10	20	30	40	50	60	70	80

SECTION B
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1:200V

4 0 4 8 12 16 20m
1:200 (A1) 1:400 (A3)

REV	DATE	REVISION DESCRIPTION
C	10.12.20	RE-ISSUED FOR CLIENT REVIEW
B	08.10.20	ISSUED FOR CLIENT REVIEW
A	06.10.20	ISSUED FOR INTERNAL REVIEW

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KINGSTON PIER
CHANNEL CONSTRUCTION PROJECT
FILL SECTIONS (OLD CASCADE QUARRY)

DRG No 311015-00061-MA-DWG-0051 REV C

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Recommendations

Project Steering Committee (PSC) Meeting #3

- Kingston Pier Channel Construction Project

Agenda Item	Recommendations	Outcomes
2	**Note** the progress of the Project up to the 100% Design Report milestone; and	**Noted**
	Note the 100% Design Report provided to the Department.	**Noted**
3	**Note** the community consultation process;	**Noted**
	Note the feedback provided by the community on the 80% Design Report and the implementation of the feedback into the 100% Design Report; and	**Noted**
	Note the technical investigations undertaken as an outcome of feedback received from community consultation activities.	**Noted**
4	**Note** the Risk Register of the 100% Design Report (Appendix G);	**Noted**
	Note the additional environmental investigations undertaken to further support the EPBC Act Referral (Sediment Plume Modelling Report & Water Quality Management Plan);	**Noted**
	Note that the planned intrusive technical investigations for the Kingston Pier Remediation works have been delayed due to the COVID outbreak in NSW, and will be undertaken once travel restrictions are lifted;	**Noted**
	Note the progress of the designs for the proposed remediation works of the Kingston Pier Rock Revetment and Slaughter Bay Sea Wall;	**Noted**
	Note the risks associated with the additional environmental investigations and additional works for the Kingston Pier, Kingston Pier Rock Revetment and the Slaughter Bay Sea Wall and the impact to the program; and	**Noted**
	Agree that the remediation works associated with the Kingston Pier, Kingston Pier Rock Revetment and the Slaughter Bay Sea Wall be undertaken prior to the Kingston Pier Channel Construction works.	**Agreed**

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5	**Note** the progress that has been made on the EPBC Act Referral in parallel to the 100% Design Report; **Note** the additional environmental items requested by DAWE, the Sediment Plume Modelling Report and the Water Quality Management Plan, and the delay on the finalisation of the EPBC Act Referral; **Note** the decision made that the project has been approved as a Significant Development and the status of the documentation for the Development Application (DA); and **Agree** the current EPBC Act Referral be finalised and set aside, following approval by DAWE, and that the second EPBC Act Referral be progressed in parallel with the design development for the remediation works for the Kingston Pier, Kingston Pier Rock Revetment and the Slaughter Bay Sea Wall.	**Noted** **Noted** **Noted** **Agreed**
6	**Endorse** the 100% Design Report; and **Endorse** the proposal to undertake remediation works for the Kingston Pier, Kingston Pier Rock Revetment and the Slaughter Bay Sea Wall prior to the Kingston Pier Channel Construction works.	**Endorsed** **Endorsed**

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8	**Agree** and **sign-off** of the list of Recommendations by the PSC. **Note** that a Media Release is to be prepared to thank the community for their input into the finalisation of the design development and advise them of the decision to undertake remediation works at Kingston Pier prior to the Kingston Pier Channel Construction works. The Media Release will also advise the community that they will have an opportunity to view the completed design online and also on-island.	**Agreed** **Noted**

s 47F

Sarah Vandenbroek

First Assistant Secretary,

Territories Division

31 / 07 / 2021

s 47F

Oliver Holm

Assistant Secretary,

~~Jervis Bay Territory and Interagency Engagement and Development~~

Norfolk Island Branch

21 / 07 / 2021

s 47F

Aaron O'Neill

Assistant Secretary,

Indian Ocean Territories Branch

31 / 07 / 2021

s 22(1)(a)(ii)

A / g Director,

Territories Capital and Major Projects Branch

/ 07 / 2021

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FOI 26-287 - Document 6



Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

Recommendations

Project Steering Committee (PSC) Meeting #4

- Kingston Pier Channel Construction Project (Additional Scope Items)

Agenda Item	Recommendations	Outcomes
2	**Note** the progress of the final design for the Rock Revetment;	Noted
	Note the progress of the final design for the Slaughter Bay Sea Wall; and	Noted
	Note the progress of the three design concepts for the remediation of the Kingston Pier.	Noted
3	**Note** the project risks associated with the Additional Scope Items;	Noted
	Note the eroded section at the base of Flagstaff Hill, adjacent to the Rock Revetment (known as 'the cave') and the risk of collapse of two Norfolk Island Pines;	Noted
	Note the data acquired from the recent technical investigations at Kingston Pier and the three design concepts for the remediation of the Kingston Pier;	Noted
	Note the recent deterioration of sections of the Slaughter Bay Sea Wall, and the associated risks with community safety and further deterioration of the wall's structure;	Noted
	Note the risks associated with not bringing forward and progressing the delivery of the Slaughter Bay Sea Wall works;	Noted
	Note the risks associated with not bringing forward and progressing the delivery of the Rock Revetment works; and	Noted
	Note the risks associated with not progressing a design concept to final design stage for the remediation of Kingston Pier.	Noted
4	**Note** the proposals to bring forward the Rock Revetment and Slaughter Bay Sea Wall works, and transfer the delivery of these items to the Norfolk Island team;	Noted
	Note the program implications in relation to the three concept designs developed for the remediation works for Kingston Pier and the channel augmentation (dredging) works;	Noted
	Agree that the Rock Revetment and Slaughter Bay Sea Wall works be brought forward and transferred to the Norfolk Island team for their delivery; and	Agreed
	Agree that Design Option 6 be progressed to the final design stage, noting that this option meets the Department's requirements for cost effectiveness, program efficiency ahead of the planned dredging works and support for the island's economy.	Agreed

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5	**Note** the benefits of reverting back to one EPBC Act Referral, with the Rock Revetment and Slaughter Bay Sea Wall scope being transferred to the Norfolk Island team for delivery; **Note** the advice from DAWE outlining that there are no significant heritage impacts in relation to the Slaughter Bay Sea Wall and Rock Revetment works; **Agree** the project revert back to one EPBC Act Referral, which will focus on the remediation of Kingston Pier and the channel augmentation (dredging) works and **Agree** with the advice from DAWE outlining that there are no significant heritage impacts in relation to the Slaughter Bay Sea Wall and Rock Revetment works.	Noted Noted Agreed Agreed
6	**Endorse** the proposal to bring forward and transfer the Slaughter Bay Sea Wall and Rock Revetment scope of works to the Norfolk Island team; **Endorse** the proposal to revert back to a single EPBC Act Referral, which will focus on the remediation of Kingston Pier and the channel augmentation (dredging) works); and **Endorse** the progression of Option 6 for the remediation of Kingston Pier.	Endorsed Endorsed Endorsed

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8	**Agree** and **sign-off** of the list of Recommendations by the PSC. **Note** that a Media Release is to be prepared and issued in the Norfolk Islander to advise the community that the Project will seek to engage with them on Option 6 once it has been finalised.	**Agreed** ~~Noted~~ but not agreed

No media release until option 6 has actually been tested & confirmed as viable.

s 47F [redacted] Sarah Vandenbroek First Assistant Secretary, Territories Division 6 / 12 / 2021	s 47F [redacted] Oliver Holm Assistant Secretary, Norfolk Island Branch 6 / 12 / 2021

s 47F [redacted] Jane Christie Assistant Secretary, Mainland Territories Branch 6 / 12 / 2021	s 22(1)(a)(ii) [redacted] A / g Director, Territories Capital and Major Projects Section 6 / 12 / 2021

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Australian Government

Department of Infrastructure, Regional Development and Cities

MINUTE

s 22(1)(a)(ii)
Director
Territories Capital and Major Projects

Through

s 22(1)(a)(ii)
Project Director
Territories Capital and Major Projects

s 22(1)(a)(ii)
A/g Director, Business Management Unit
- *For funds availability*

Subject: Procurement Plan and AAD Approval to engage a contractor to deliver the Kingston Pier Channel Construction Detailed Design Project

Recommendations

1. **Note** that the *Accountable Authority Delegations* 2018, No. 2 (AAD) provide you with authorisation to approve Administered funds up the limit available to the Branch; — Noted / Please discuss
2. **Approve** under the AAD, an amount of $362,000 (GST incl.) from the 2019-20 Administered Capital Budget for the procurement of a suitably qualified contractor to deliver the Detailed Design for the Kingston Pier Channel Construction Project (the Required Works); — Approved / Not Approved
3. **Approve** and **Sign** the Procurement Plan for the Required Works (Attachment A); and — Approved / Signed / Not Approved
4. **Note** that the current projected cost to deliver the Channel Construction Project is $3,025,000 (GST incl.). — Noted / Please discuss

Noting subject to FY19/20 ACB Approval by GB

s 22(1)(a)(ii)

Director
Territories Capital and Major Projects
.....15..May 2019

Key Issues

- There is a requirement for a channel to be constructed in the harbour adjacent to Kingston Pier at Norfolk Island.
- The existing entrance and interior channel dimensions are considered to be inadequate for safe navigation during all tides, and do not conform to the National Standard for Commercial Vessels. Dredging of the entrance and interior channel will restore safe navigation throughout a broader spectrum of wave and tidal conditions. The construction

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works will also support the local economy by permitting a greater number of vessel movements.

- As such, a robust detailed design is required, including risk management, contingency and implementation planning. A detailed design was previously recommended in a Feasibility Study commissioned by the Department of Infrastructure, Regional Development and Cities (the Department) and undertaken by Worley Parsons in 2016 (see Attachment B).

- An Approach to Market process will be undertaken to procure the services of a suitably qualified contractor to undertake the Required Services.

- The Procurement Plan recommends approaching the following suppliers from the Department's Infrastructure Advisory Services Panel with demonstrated experience in successfully delivering similar projects:

Supplier	Relevant experience
Advisian Pty Ltd	In 2017, Caltex contracted Advisian for the Liquids Berth Dredging and Jetty Upgrade. Advisian provided initial approvals advice, concept design and dredging equipment selection recommendations based on geochemical and other studies. As the project developed, Advisian provided geochemical assessment services, detailed design, permitting assistance, procurement functions, contract supervision and environmental monitoring.
Arcadis Australia Pacific Pty Limited	Arcadis was the lead designer on the $A1 billion Port Botany Expansion. As lead designer, Arcadis oversaw the creation of five new shipping berths, 2,000 metres of new wharf face, additional shipping channels, tug berths and facilities, and dedicated road access to the new terminal area. The complex works involved dredging 7.8 million cubic metres of fill material and reclaiming 60 hectares of reclaimed land, and also calling for Arcadis to undertake specialist environmental management and ecological works to protect salt marsh/ sea grass and bird communities.
Broadleaf Capital International Pty Ltd	Broadleaf participated in the Tender Review Panel for the selection of a delivery consortium for the Port Botany Expansion project.
Close Encounter Dredging	s 47F from Close encounter Dredging, is a qualified Dredge Master with over 17 years of experience operating vessels on the water. s 47F has been dredging Gold Coast Canals as part of The Gold Coast City Councils Maintenance Program and has a Master Class 5 and Marine Engine Driver II.
GHD Pty Ltd	GHD was engaged by Newcastle Port Corporation to undertake an Environmental Assessment and associated engineering studies for the capital dredging of ten berth box sites and ancillary channel widening in the South Arm in Hunter River, Port of Newcastle.

s 47E(d)

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- The detailed design phase would need to commence as soon as possible in the 2019/20 Financial Year.

s 47E(d)

[redacted]

Background:

Kingston Pier is one of two piers on Norfolk Island and is located on the southern side of the island. The alternative pier is located on the north-eastern side of the island. Kingston Pier is frequently the only pier operational for unloading of freight and cruise ships (or any other operations) due to wind and sea conditions. If conditions at both piers are unfavourable, cargo operations are unable to occur.

The existing entrance and interior channel dimensions of the harbour adjacent to Kingston Pier are considered to be inadequate for safe navigation during all tides and do not conform to Australian Standards. Specific issues include:

- inadequate under-keel clearance for most operations to occur at all during low tides, particularly once the water level is at or below around 0.6m CD-Chart Datum;
- insufficient width of the channel adjacent to the reef-head to support safe navigation and does not conform to Australian Standards;
- insufficient depth and width of the channel adjacent to the Pier to safely accommodate a range of vessels (including cruise ship passenger transfer vessels/tenders, lighters and other cargo transfer vessels, and charter and fishing boats) during all tides and workable weather; and
- hidden reefs during high tide and/or under the cover of darkness pose a threat to safe navigation.

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The result of these inadequacies is that even where weather and sea conditions would be otherwise favourable, a range of operations cannot be conducted. Frequently delays are experienced in offloading freight from freighters and cruise ship passengers cannot be transferred from cruise ships. Delays are frequently such that freighters have to depart Norfolk Island without commencing or completing cargo transfer causing a great deal of impact including economic hardship to the community of Norfolk Island.

The new Passenger Transfer Vessels to be commissioned in 2019 are also affected by the current state of the harbour. Inaction also significantly reduces the efficiency of any passenger or cargo transfer operation (where in conditions other than low tide when operations cannot occur at all, vessels must carry far less than their maximum capacity). If work to address these inadequacies does not occur, the loss of benefits of the economy from cruise ships alone is considered to be large.

The Administrator of Norfolk Island has had numerous meetings and discussions with the Norfolk Island Fishing Club, lighterage, fishing tour and charter operators, and commercial and recreational fishers, who have all expressed their concerns about the need to address the issues relating to Kingston Pier and the harbour. In addition, the Administrator has had conversations with P&O Cruises in relation to the difficulties of disembarking cruise ship passengers using their tenders in Kingston at low tide. The Office of the Administrator considers the issue as a priority.

As recently as October 2018, these inadequacies, particularly the current channel dimensions, resulted in the Captain of the Pacific Explorer deciding not to disembark a cruise ship with some 2200 passengers on board. In response, Assistant Minister the Hon Susan Ley MP wrote the Norfolk Islander (newspaper) making an undertaking to address the matter and stated:

- "I am disappointed to hear that the Pacific Explorer was not able to disembark passengers onto the Island last week. Cruise ship visits are a huge economic opportunity for the community and a fantastic time to showcase the local heritage and culture. I hope the new passenger transport vessels may assist with more frequent visits from cruise ship passengers."

There appears to be wide support for the "dredging" of Kingston Pier with many stakeholders considering this work a priority. Improved conditions in the Kingston Pier would support of the local economy by reducing cargo-ship turn-around and associated significant delays to the offloading of freight and permitting a greater number of cruise ship passengers to visit the community. Further, it enables greater usage of the Pier by commercial charter and fishing vessels and emergency responders. This would increase the sustainability of Norfolk Island's shops, tourism businesses and wider residential community. Improved safety in all tides and all workable weather would be achieved of a considerable benefit to the community.

Previous efforts to address limitations of the operation of the Pier:

In November 2009 the Administration of Norfolk Island put in a referral of a proposed action to the Department of the Environment, Water, Heritage and the Arts for consideration under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) to undertake seabed dredging in an area adjacent to Kingston Pier. The referral also covered the construction of temporary associated infrastructure along the working side of Kingston Pier.

The Administration of Norfolk Island received a controlled action decision notification in 2009 ('Seabed Dredging Adjacent to Kingston Pier, Norfolk Island (2009/5183)'). This notification stipulated that the project required assessment and approval under the EPBC Act before it could proceed. The proposed action was 'to undertake seabed dredging works as

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well as the construction of associated temporary infrastructure along the working side of Kingston Pier, Kingston, Norfolk Island as described in the referral accepted by the Department on 10 November 2009'.

The assessment approach was for the project to be assessed by public environment report (PER). The Norfolk Island Administration decided not to go ahead with the works due to the costs and the length of time involved to comply with the PER guidelines.

In 2014, the Department of the Environment s 47F issued ANI with a declaration of lapsed proposal of action. Stakeholders including the NI Fishing Association continued to contact ANI regularly and as recently as 2016 to ask what was happening with the dredging project and progress against the EPBC Act process.

Proposed Scope of Work

Once engaged, the Design Services Contractor will be responsible for:

- developing a Project Plan in close consultation with the Department's Project Manager. This will include preparing a timeline for the project and mapping and managing dependencies, such as planning, heritage and environmental approval processes;
- liaising closely with the Department's Project Manager, and keep the Department informed of progress and issues;
- leveraging available technical detail, including the 2016 Feasibility Study by Worley Parsons. Refining scope of a channel construction project and testing assumptions;
- identifying applicable legislation and Australian Standards;
- identifying a site for stock piling or placement of spoil, working with relevant stakeholders on any required re-zoning and any associated development applications or other planning approvals or modification of existing approvals including for land use, noise permits or permits for use of equipment;
- identifying and completing other applicable planning and environmental approval processes regarding a channel construction project and associated activities. This will likely include working with relevant stakeholders on an *EPBC Act* referral process and may also require an Environmental Impact Assessment (EIS) or Heritage Impact Assessment under local legislation. This may also include approvals for the transportation of equipment to and within Norfolk Island; transportation of dredge spoil to site; de-watering and decontamination of spoil; placement and stock-piling of spoil; and remediation works;
- identifying and undertaking any required studies, engaging expertise as and where necessary. This will likely include wave action impacts and/or environmental or heritage impact studies;
- conducting implementation planning for any measures to mitigate impacts on the environment, heritage values and wave action, including those required under Commonwealth and local legislation and planning processes;
- adapting the detailed design to meet any requirements imposed by Commonwealth and local approval processes, including any prescribed or recommended impact mitigation measures;
- undertaking stakeholder consultation - stakeholder identification and engagement on all aspects of project including location and use of dredge spoil;

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- developing a detailed risk management plan including risk mitigation measures; and
- developing a contingency plan outlining any alternative arrangements that may need to be invoked, including emergency arrangements.

The following activities and deliverables are in not in scope for the project:

- A project to carry out works in the harbour adjacent to Kingston Pier (this work is for the next project, the 'Channel Construction Project').

DISCUSS is not this the PJT?

This project contributes directly to the Department's strategic objective of ensuring that Norfolk Island has services and infrastructure, which is comparable to those available in similar, regional communities on mainland Australia.

s 22(1)(a)(ii)

Project Officer
Territories Capital and Major Projects

8 May 2019

Attachments

Attachment A: Procurement Plan for the Kingston Pier Channel Construction Project.

Attachment B: Worley Parsons Kingston Dredging Feasibility Study 1 September 2016.

Attachment C: Capital Project Funding Bid – Kingston Pier Channel Construction Project.

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FOI 26-287 - Document 12

Complex Procurement Plan

Engage a contractor to undertake the Kingston Pier Channel Construction Detailed Design Project

Date Lodged			
Contact Name	s 22(1)(a)(ii)	**Contact Phone**	s 22(1)(a)(ii)

1. Procurement Description/Outcome

The purpose of the procurement is for the Territories Capital and Major Projects Section of the Department of Infrastructure, Regional Development and Cities (the Department) to engage a suitably qualified contractor to undertake the detailed design for the construction of a channel in the harbour adjacent to the Kingston Pier (the Required Works). The contractor will work with the Department, the Norfolk Island Regional Council (Council) and other relevant stakeholders to deliver the Required Works. The design must meet operational requirements, current Australian Standards including the National Standard for Commercial Vessels July 2018, address stakeholder needs, manage risks and plan for contingencies.

The Required Works will include consideration of risk management, contingency and implementation planning, to deliver a design that:

- addresses the limitations of the operation of the Pier during low tide and enable safe navigation through the harbour during all tides in accordance with the National Standard for Commercial Vessels July 2018;
- provides workable and approved solutions for dredge spoil;
- follows all associated Commonwealth and local Norfolk Island approval processes and adheres to all applicable legislation; and
- delivers a budget cost estimate for the construction works.

2. Specifications

Context

Before a project to construct a channel in the harbour adjacent to Kingston Pier can be progressed, a detailed design needs to be developed. A detailed design will also allow the Department to more confidently scope and budget the channel construction project, and to better guide the work to be carried out in such a project so that it meets needs, specifications and requirements. A detailed design was also recommended in a Feasibility Study commissioned by the Department and undertaken by Worley Parsons in 2016.

The following activities and deliverables are **in** scope for the project:

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FOI 26-287 - Document 12

Scope of Work

A tender process will be undertaken to procure the services of a suitably qualified contractor to undertake the Required Works (Design Project Manager).

Once engaged, the Design Services Contractor will be responsible for:

- developing a Project Plan in close consultation with the Department's Project Manager. This will include preparing a timeline for the project and mapping and managing dependencies, such as planning, heritage and environmental approval processes;
- liaising closely with the Department's Project Manager, and keeping the Department informed of progress and issues;
- leveraging available technical detail, including the 2016 Feasibility Study by Worley Parson, refining the scope of a channel construction project and testing assumptions;
- identifying applicable legislation and relevant information;
- identifying a site for stock piling or placement of spoil, including working with relevant stakeholders on any required re-zoning and any associated development applications or other planning approvals or modification of existing approvals including for land use, noise permits or permits for use of equipment;
- identifying and completing other applicable planning and environmental approval processes regarding a channel construction project and associated activities. This will likely include working with relevant stakeholders on an EPBC Act referral process and may also require an Environmental Impact Assessment (EIS) or Heritage Impact Assessment under local legislation. This may also include approvals for the transportation of equipment to and within Norfolk Island; transportation of dredge spoil to site; de-watering and decontamination of spoil; placement and stock-piling of spoil; and remediation works;
- identifying and undertaking relevant or required studies, engaging expertise as and where necessary. This will likely include wave action impacts and/or environmental or heritage impact studies;
- conducting implementation planning for any measures to mitigate impacts on the environment, heritage values and wave action, including those required under Commonwealth and local legislation and planning processes;
- adapting the detailed design to meet any requirements imposed by Commonwealth and local approval processes including any prescribed or recommended impact mitigation measures;
- undertaking stakeholder consultation as required all aspects of project including location and use of dredge spoil;
- developing a detailed risk management plan including risk mitigation measures; and
- developing a contingency plan outlining any alternative arrangements that may need to be invoked, including emergency arrangements.

The following activities and deliverables are in **not in** scope for the project:

- Channel construction works in the harbour adjacent to Kingston Pier (this work is for the next project, the 'Channel Construction Project').

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3. Market Research

This Procurement Plan recommends a Panel/Standing Offer procurement method.

The following suppliers have been identified from the Department's Infrastructure Advisory Services Panel (the Panel) in consultation with on-island stakeholders, as having demonstrated experience in delivering similar services. Suppliers on the Panel have been sourced through an open Approach to Market, and have already been through a rigorous value for money assessment process

Supplier	Relevant experience
Advisian Pty Ltd	In 2017, Caltex Contracted Advisian for the Liquids Berth Dredging and Jetty Upgrade. Advisian provided initial approvals advice, concept design and dredging equipment selection recommendations based on geochemical and other studies. As the project developed, Advisian provided geochemical assessment services, detailed design, permitting assistance, procurement functions, contract supervision and environmental monitoring.
Arcadis Australia Pacific Pty Limited	Arcadis was the lead designer on the $A1 billion Port Botany Expansion. As lead designer, Arcadis oversaw the creation of five new shipping berths, 2,000 metres of new wharf face, additional shipping channels, tug berths and facilities, and dedicated road access to the new terminal area. The complex works involved dredging 7.8 million cubic metres of fill material and reclaiming 60 hectares of reclaimed land, and also calling for Arcadis to undertake specialist environmental management and ecological works to protect salt marsh/ sea grass and bird communities.
Broadleaf Capital International Pty Ltd	Broadleaf participated in the Tender Review Panel for the selection of a delivery consortium for the Port Botany Expansion project.
GHD Pty Ltd	GHD was engaged by Newcastle Port Corporation to undertake an Environmental Assessment and associated engineering studies for the capital dredging of ten berth box sites and ancillary channel widening in the South Arm in Hunter River, Port of Newcastle.

The other procurement option considered was an open Approach to Market. This procurement method was not selected as it would significantly delay progress and is unlikely to provide a better value for money outcome. Such a delay would be ill advised as stakeholder feedback has highlighted safety concerns regarding inadequate under-keel clearance during low tides in particular, once the water level is at (or below) around 0.6m CD-Chart Datum. There are no Norfolk Island-based companies with relevant experience and performance history capable of delivering the Required Works.

Norfolk Island is classified under the Indigenous Procurement Policy as a remote area of Australia. On this basis a thorough search of the https://supplynation.org.au/ was conducted, but a suitable supplier for the design phase of the project could not be found. There were, however, two suppliers

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FOI 26-287 - Document 12

identified that will be recommended to be approached for the delivery of the channel construction work.

The procurement also complies with Division 1 of the Commonwealth Procurement Rules (CPR) for achieving a value for money outcome as it:

a) encourages competition and is non-discriminatory;
b) uses public resources in an efficient, effective, economical and ethical manner that is not inconsistent with the policies of the Commonwealth;
c) facilitates accountable and transparent decision making;
d) engages appropriately with risk; and
e) is commensurate with the scale and scope of the business requirement.

4. Existing Arrangements and Coordinated Procurement

There is no existing arrangement in place for the goods and/or services.

5. Estimated Total Value

The estimated value of the proposed procurement is $362,000 inclusive of GST.

6. Procurement Method and Reason

The procurement of a Detailed Design Services contractor via the Department's Infrastructure Advisory Services Panel, which ensures compliance with the requirements of Division 1 and 2 of the Commonwealth Procurement Guidelines.

Procurement via an established panel is the most efficient procurement process to make sure the Department engages a company with proven skills and experience to undertake the project and deliver a value for money outcome.

7. Time-line

Project delivery will be achieved in the following timeframes:

Activity	Target commencement date	Target completion date
Procurement Plan	9 April 2019	26 April 2019
Procurement Process: • drafting Request for Quote document (RfQ); • distributing RfQ to potential suppliers; • evaluating responses to ATM from suppliers; and • selecting a supplier.	18 May 2019	20 July 2019
Project Management Plan	18 May 2019	25 June 2019
Draft Contract	18 May 2019	24 June 2019
Contract approval	3 June 2019	20 July 2019
Contract initiation	1 July 2019	20 July 2019
Contract Management	1 July 2019	1 January 2020
Project closure activities	1 December 2019	31 January 2020

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8. Contract Term

The contract term will be 18 months.

9. Procurement Type

General goods or services.

10. Other details

The funding will be appropriated from the 2019/20 Territories Administered Capital Budget.

11. Stakeholders

Key stakeholders and groups with immediate interest in the Kingston Pier Channel Construction Detailed Design Project:

- Department of Infrastructure, Regional Development and Cities;
- Norfolk Island Regional Council;
- Australian Government Department of Environment and Energy;
- Australian Government Department of Agriculture and Water Resources;
- Australian Government Department of Immigration and Border Protection;
- Norfolk Island Police Force (Australian Federal Police);
- Norfolk Island Fishing Association;
- Burnt Pine Travel;
- The soon to be appointed operators of the PTVs
- Norfolk Island Museum.

12. Risks

A summary of possible risks associated with this procurement is outlined below:

Risk Event	Treatment	Residual Risk Rating
Suitably qualified and experienced consultants may not be available at the time required, or there may be similar issues with any experts or sub-contractors engaged by consultants.	By approaching a number of potential suppliers from the Department's Infrastructure Advisory Services Panel, with demonstrated experience in successfully delivering similar projects, the Department is reducing the risk of being unable to procure these services due to lack of availability.	Minor risk
Project uncovers unacceptable environmental impacts or other issues that may prevent a project to construct a channel in the Harbour adjacent to Kingston Pier (e.g. project identified structural issues with Kingston Pier).	The area in question has been dredged previously. Therefore it is unlikely to have high heritage or environmental value.	Insignificant risk

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FOI 26-287 - Document 12

Delays or challenges in planning, heritage and environmental approval processes.	Specify in the contract that weekly meetings and updates, as to the progress of the project, are required.	Minor risk
Requirements uncovered by planning, heritage and environmental approval processes cannot be met.	Specify that the supplier is to adapt the detailed design to meet any requirements imposed by Commonwealth and local approval processes including any prescribed or recommended impact mitigation measures.	Insignificant risk
Logistical constraints or conditions that significantly delay the project or aspects thereof;.	Specify that the supplier is to develop a detailed risk management plan including risk mitigation measures.	Minor risk
Delays in completion of Detailed Design Project.	Specify in the contract that weekly progress meetings and updates are required.	Minor risk
Stakeholder engagement inadequate leading to dissatisfaction.	Specify that the supplier is to undertake stakeholder consultation - stakeholder identification and engagement on all aspects of project.	Minor risk
Detailed design that does not meet objectives.	Specify that the supplier is to develop the Project Plan in close consultation with the Department's Project Manager. This will include preparing a timeline for the project and mapping and managing dependencies, such as planning, heritage and environmental approval processes as well as identifying how project outcomes align with Department objectives.	Minor risk
Work health and safety risks associated with obtaining the information necessary to inform a detailed design.	Specify that the supplier is to meet applicable Work Health and Safety legislation and Australian Standards.	Insignificant risk
Project exceeds completion date.	Specify in the contract that weekly progress meetings and updates are required.	Minor risk

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13. Cost-Benefit Analysis

A detailed design will allow the Department to more confidently scope and budget for the channel construction project, and to better guide the work to be carried out on such a project so that it meets needs, specifications and requirements. As a result, costs of for such a Project are able to be better estimated and appropriate project and risk management plans can be put in place.

Any costs associated with this design project will be offset by said project allowing the Department to conduct effective and efficient project planning and management of a Channel Construction Project.

14. Probity

A Probity Plan is not necessary for this procurement and has not been developed for the following reasons:

- the procurement value is less than $500,000;
- the procurement is not considered a high risk; and
- the procurement is not particularly sensitive.

ANNEX A – Approval to Proceed

Approval

	Position	Signature	Date
s 22(1)(a)(ii)	Director Territories Capital an Major Projects	s 22(1)(a)(ii)	15.5.19

Conditions/Comments

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FOI 26-287 - Document 13

Australian Government

Department of Infrastructure, Transport, Cities and Regional Development

Kingston Pier Channel Construction - Detailed Design Project

Project Plan

Version number: 0.2

Version Date: 31 July 2019

Document Type:

Owner of this document:

Draft document authorised by:

Document approved for use by:

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FOI 26-287 - Document 13

Document Control

Version	Date	Author/Reviewer	Revision Comments
0.1	*22 May 2019*	s 22(1)(a)(ii)	
0.2	*31 July 2019*	s 22(1)(a)(ii)	

Document Approval

Certification	The details contained in this Project Plan are correct as at the date of signature. The Project Plan describes the proposed management methodology for the development and delivery of the project and will be updated accordingly.		
Name	**Organisation Title**	**Signature**	**Date**
s 22(1)(a)(ii)	Director - Territories		...../...../.....

Glossary

Acronym	Description
DITCRD	Department of Infrastructure, Transport, Cities and Regional Development.
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999
KAVHA	Kingston and Arthur's Vale Heritage Area
PTV	Passenger Transfer Vessels

Related Documentation/Site

Document/Site name	Version

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FOI 26-287 - Document 13

Table of Contents

1 Plan Description **5**

2 Plan Prerequisites **6**

3 External Dependencies **6**

4 Planning Assumptions **7**

5 Lessons Incorporated **7**

6 Monitoring and Control **8**

7 Budgets **9**

8 Tolerances **9**

9 Schedule **11**

Tables

1 Table 1 **9**
2 Table 2 **11**

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Overview

Purpose

Kingston Pier is one of two piers on Norfolk Island and is located on the southern side of the island. The alternative pier is located on the north-eastern side of the island at Cascade Bay. Kingston Pier is currently the primary operational pier that is used for the unloading of freight and cruise ships (or any other operations) due to the impact of wind and sea conditions. If conditions at both piers are unfavourable, cargo operations are unable to occur.

The existing entrance and interior channel dimensions of the harbour adjacent to Kingston Pier are considered to be inadequate for safe navigation during all tides and do not conform to Australian Standards. Specific issues include:

- inadequate under-keel clearance for most operations to occur at all during low tides, particularly once the water level is at or below around 0.6m CD-Chart Datum;
- insufficient width of the channel adjacent to the reef-head to support safe navigation and does not conform to Australian Standards;
- insufficient depth and width of the channel adjacent to the Pier to safely accommodate a range of vessels (including cruise ship passenger transfer vessels/tenders, lighters and other cargo transfer vessels, and charter and fishing boats) during all tides and workable weather; and
- hidden reefs, during high tide and/or under the cover of darkness, pose a threat to safe navigation.

The result of these inadequacies is that even where weather and sea conditions would be otherwise favourable, a range of operations cannot be conducted. Frequent delays are experienced in the offloading of freight from freighters, and cruise ship passengers cannot be transferred successfully. Furthermore, the delays result in freighters having to depart Norfolk Island without commencing or completing cargo transfer, causing a great deal of impact including economic hardship to the community of Norfolk Island.

The new Passenger Transfer Vessels to be commissioned in 2019 are also affected by the current state of the harbour. Inaction also significantly reduces the efficiency of any passenger or cargo transfer operation (where in conditions other than low tide when operations cannot occur at all, vessels must carry far less than their maximum capacity). If work to address these inadequacies does not occur, the loss of benefits of the economy from cruise ships alone is considered to be large.

The Administrator of Norfolk Island has had numerous meetings and discussions with the Norfolk Island Fishing Club, lighterage, fishing tour and charter operators, and commercial and recreational fishers, who have all expressed their concerns about the need to address the issues relating to Kingston Pier and the harbour. In addition, the Administrator has had conversations with P&O Cruises in relation to the difficulties of disembarking cruise ship passengers using their tenders in Kingston at low tide. The Office of the Administrator considers the issue as a priority.

Advice

As recently as October 2018, these inadequacies, particularly the current channel dimensions, resulted in the Captain of the Pacific Explorer deciding not to disembark a cruise ship with some 2200 passengers on board. In

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FOI 26-287 - Document 13

response, Assistant Minister the Hon Susan Ley MP wrote the Norfolk Islander (newspaper) making an undertaking to address the matter and stated:

- "I am disappointed to hear that the Pacific Explorer was not able to disembark passengers onto the Island last week. Cruise ship visits are a huge economic opportunity for the community and a fantastic time to showcase the local heritage and culture. I hope the new passenger transport vessels may assist with more frequent visits from cruise ship passengers."

There appears to be wide support for the augmentation of Kingston Pier with many stakeholders considering this work a priority. Improved conditions in the Kingston Pier would support the local economy by reducing cargo-ship turn-around time and associated significant delays to the offloading of freight and permitting a greater number of cruise ship passengers to visit the community. Further, it enables greater usage of the pier by commercial charter and fishing vessels and emergency responders. This would increase the sustainability of Norfolk Island's shops, tourism businesses and wider residential community. Improved safety in all tides and all workable weather would be achieved of a considerable benefit to the community.

1 Plan Description

Once engaged, the Design Services Contractor will be responsible for:

- developing a Project Plan in close consultation with the Department's Project Manager. This is to include a timeline for the project including mapping and managing dependencies, such as planning, heritage and environmental approval processes;
- liaising closely with the Department's Project Manager throughout all activities, and keeping the Department informed of progress and issues;
- leveraging available technical detail from previous investigations (including the 2016 Feasibility Study by Worley Parsons), refining scope of a channel construction project and testing assumptions;
- identifying and implementing applicable legislation, such as Australian Standards and Maritime Standards;
- identifying a site for stock piling or placement of spoil during the works, including working with relevant stakeholders on any required re-zoning and any associated development applications or other planning approvals or modification of existing approvals including for land use, noise permits or permits for use of equipment;
- identifying and completing other applicable planning and environmental approval processes regarding a channel construction project and associated activities. This will likely include working with relevant stakeholders on an *EPBC Act* referral process and may also require an Environmental Impact Assessment (EIS) and/or Heritage Impact Assessment under local legislation. This may also include approvals for the transportation of equipment to and within Norfolk Island; transportation of dredge spoil to site; de-watering and decontamination of spoil; placement and stock-piling of spoil; and remediation works;
- identifying and undertaking any required studies, engaging expertise as and where necessary. This will likely include wave action impacts and/or environmental or heritage impact studies;
- conducting a review of the existing KAVHA Heritage Management Plan and develop a design to be cognisant of and sympathetic to it, noting the endearing value of the area;
- conducting implementation planning for any measures to mitigate impacts on the environment, heritage values and wave action, including those required under Commonwealth and local legislation and planning processes;

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FOI 26-287 - Document 13

- adapting the detailed design to meet any requirements imposed by Commonwealth and local approval processes, including any prescribed or recommended impact mitigation measures;
- undertaking stakeholder identification and consultation, and their engagement on all aspects of project including (but not limited to) location and use of dredge spoil;
- developing a detailed Risk Management Plan including risk mitigation measures; and
- developing a Contingency Plan outlining any alternative arrangements (proposals) that may need to be invoked, should it be identified that the project cannot proceed, including emergency arrangements.

The following activities and deliverables are in **not** in scope for the project:

- A project to carry out construction works in the harbour adjacent to Kingston Pier (this work is for the next project, the 'Channel Construction Project').

This project contributes directly to the Department's strategic objective of ensuring that Norfolk Island has services and infrastructure, which is comparable to those available in similar, regional communities on mainland Australia.

2 Plan Prerequisites

The Project Plan outlines the following fundamental aspects of the project:

- ensure all required approvals are to be sought and achieved prior to undertaking procurement activities;
- ensure the project deliverables are clearly stated and that they align with organisational goals;
- ensure all relevant project stakeholders are captured in the plan and project support is established;
- ensure project scope is thoroughly outlined and agreed to by all project stakeholders; and
- ensure the project risks are thoroughly outlined, with mitigation strategies provided.

3 External Dependencies

The External Dependencies that may influence the plan are as follows:

- A new EPBC Referral, in accordance with the *Environmental Protection and Biodiversity Conservation Act 1999*, will be required to be submitted to the Department of the Environment and Energy.
- Commercial users of the pier are heavily invested in the outcome(s) of the project as it impacts on their livelihood(s).
- The Island's economy relies heavily on commercial activities conducted via use of the Pier, primarily fishing and tourism, and therefore the project will be regarded as a high profile investment.
- Life safety and preservation is also a key requirement for the project to proceed, as the channel adjacent to the reef head and adjacent to the Pier is not of an adequate width for safe navigation and therefore does not conform to Australian Standards. This is likely to be scrutinised by other agencies, such as the Australian Maritime Safety Authority (safe navigation) and Home Affairs (maritime security).

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FOI 26-287 - Document 13

- The newly commissioned Passenger Transfer Vessels (PTVs) can be successfully introduced following implementation of this project. It should be noted that the PTVs will be ready for the next cruise ship season which will commence in October 2019.
- This project will also have direct benefits to the Cascade Pier Extension project and the Port Management Strategy. Other benefits likely to be realised are non-tangible, for example the Department's work to meet First Point of Entry (FPOE) requirements under the *Biosecurity Act 2015*.

4 Planning Assumptions

This Project Plan is based on the following assumptions:

- The Department intends to undertake a Channel Construction Project to construct a channel in the harbour adjacent to Kingston Pier.
- The Department will go to tender for a suitably qualified consultant to undertake a Detailed Design Project.
- Some funding will be sourced in 18/19 to commence a Detailed Design Project.
- Funding will be available in 19/20 to complete the Detailed Design Project.
- The Norfolk Island Regional Council (NIRC) has the capacity to assist with and process any development applications or other approvals or similar.
- The Department of the Environment and Energy's Parks Australia Division has the capacity to assist with and process any referral under the *EPBC Act.*
- Approval processes can be navigated to a satisfactory point within timeframes.
- Works at Cascade Pier, on the northern side of the island, have been completed and will be able to accommodate an increase in vessel activity during the works period at Kingston.

5 Lessons Incorporated

Relevant lessons from previous similar projects to be incorporated into this plan:

- In September 2016, the Department of Infrastructure, Transport, Cities and Regional Development (DITCRD) engaged Worley Parsons Pty Ltd to undertake a Kingston Pier Dredging Feasibility Study.
- The study noted a project that was undertaken in the early 1980's to dredge the harbor adjacent to Kingston Pier.
- The drag line operation was reportedly difficult to control and resulted in an uneven seabed depth and the creation of channels in the harbor bed.
- The drag line was only able to dredge successfully adjacent to the pier and left a poorly maintained section of channel at the entrance to the harbor, opposite the reef head.

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FOI 26-287 - Document 13

- Consultation undertaken with stakeholders, a review of aerial photographs (taken at the time the report was prepared) and a review of a hydrographic survey report (prepared in December 2009) also support the hypothesis.
- It is not known to what depth the dredging was undertaken. Any future proposal to dredge would need to be thoroughly investigated within an updated geotechnical report and form part of the EPBC Act referral.
- It is not known if this activity had any adverse impacts on the nearby wreck of the HMS Sirius. As the wreck is heritage listed and of outstanding national significance, the proposal should also thoroughly investigate any potential adverse impacts (if any) and form part of the EPBC Act referral.

6 Monitoring and Control

The following outlines how the Project Plan will be monitored and controlled:

Procurement Management

- Due to the nature of the required works, a panel approach to the Department's Infrastructure Advisory Services has been recommended in a separate Procurement Plan, approved on 15 May 2019 for the services of a Design Services Consultant. The recommendations are based on a requirement for a timely development and delivery of the required services and value for money.
- The procurement approach also complies with Division 1 on the Commonwealth Procurement Rules (CPRs).
- The approved Procurement Plan is included at Attachment A.

Project Management/Governance

- Progress of the deliverables for the Design Services Consultant will be based on and monitored by the agreed schedule at project commencement and Progress Reports. The Project Management Team will meet fortnightly to discuss project progress and identify issues to be raised and brought to the attention of the Project Control Group.
- The Project Management Team and Prophet Control Group will meet once a month with the Project Steering Committee to raise high level issues and provide updates on topics such as finances, program, risk and quality.
- An overview of the project team structure is included at Attachment B.

Quality Management

- To ensure the project meets its objectives for the design phase, the deliverables of the Design Services Consultant will be managed by the Project Officer and Project Director.
- The Project Officer will regularly report to the Project Director as a continuous process of reviews and audits.

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Records Management

- This project will comply with the relevant departmental record keeping policy and Commonwealth Guidelines.
- Documentation will be held at TERR19/0075 – Kingston Pier Channel Design and Construction.

Risk Management

- An initial Risk Management Assessment (Risk Register) has been prepared and it at Attachment C.

Stakeholder Management

- The stakeholders for the project will be managed by the Project Team and is included at Attachment D.

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8 Tolerances

The environmental impact of the project is high risk, and as such, a large portion of the budget in Year One will be required to ensure that the following assessments are undertaken to formulate mitigation measures:

- A geotechnical investigation is undertaken to assess the current depth of the channel and the required augmented depth for the safe navigation of the channel by commercial vessels (particularly in low tide).
- An environmental assessment is undertaken to determine potential impact on marine flora and fauna, transportation of equipment to and within Norfolk Island, dewatering and decontamination of dredge spoil, location and placement of dredge spoil generated from project activities and remediation works.

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- A hydrographic study to determine any changes to the channel bed since the previous hydrographic study and calculate volume to be dredged.
- A tidal/wave impact study.

As the project has dependencies from related projects, such as the soon-to-be commissioned PTVs, the project is required to be delivered in an efficient time frame.

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9 Schedule

Table 2 provides the relevant design phase activities and indicative completion dates:

Table 2

Milestone	Description	Indicative Completion Date
Approved Procurement Plan	Plan outlining the procurement method for the design services required	April 2019
Release of Request for Quote (RFQ) for Design Services Consultant (DSC)	Approach to service providers on the Department of Infrastructure's Advisory Services Panel.	August 2019
Evaluation of RFQ submissions	Evaluation Board to assess all submissions	September 2019
Approval of Evaluation Board Report	Recommendation put forward for approval	October 2019
Contract Initiation	Contractual commencement of nominated DSC	October 2019
Community Consultation	One week of on-island consultation	October 2019
Geotechnical/Environmental/Hydrographic Investigations & Tidal/Wave Impact Study	DSC/Subject Matter Experts (SMEs) to undertake relevant investigations for information required for EPBC Act Referral	November 2019
EPBC Act Referral	Submission of EPBC Act Referral, using previous submission as basis.	December 2019
Draft Detailed Design (50%) and distribution to project stakeholders for review/comment	Initial draft of the Detailed Design for the proposed Channel Construction works	February 2020
Final Detailed Design (90%) and finalisation of RFQ documentation	Final Detailed Design for the proposed Channel Construction works	March 2020

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Approval of EPBC Act Referral	Based on previous submission, likely to be a Controlled Action	March 2020
For Construction Design (100%) completed	Documentation for construction works completed, ready for Contractor to begin works	April 2020
Release of Request for Tender (RFT) for Construction Contractor	Issue of RFT to Panel for Construction works in Channel	April 2020
Evaluation of RFT submissions for Contractor	Evaluation Board to assess all submissions	May 2019
Nomination of Preferred Tenderer and Negotiations	Preferred Tenderer nominated, and negotiations undertaken (if required)	June 2020
Contract award for Construction Contractor	Contract signed with nominated Construction Contractor	June 2020
Construction works begin	Contractor mobilizes to site and begins works	June 2020
Construction completion	Contractor completes construction works and defects liability period (DLP) commences	October 2020
End of DLP	DLP finishes and Contractor has met contractual obligations	October 2021
Lessons Learnt Workshop	Lessons Learnt Workshop with project stakeholders (identify want worked/didn't work throughout the project)	October 2021

Attachments:

A. Approved Procurement Plan
B. Project Governance Structure
C. Project Risk Assessment
D. Project Stakeholder List

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Complex Procurement Plan

Engage a contractor to undertake the Kingston Pier Channel Construction Detailed Design Project

Date Lodged			
Contact Name	s 22(1)(a)(ii)	**Contact Phone**	s 22(1)(a)(ii)

1. Procurement Description/Outcome

The purpose of the procurement is for the Territories Capital and Major Projects Section of the Department of Infrastructure, Regional Development and Cities (the Department) to engage a suitably qualified contractor to undertake the detailed design for the construction of a channel in the harbour adjacent to the Kingston Pier (the Required Works). The contractor will work with the Department, the Norfolk Island Regional Council (Council) and other relevant stakeholders to deliver the Required Works. The design must meet operational requirements, current Australian Standards including the National Standard for Commercial Vessels July 2018, address stakeholder needs, manage risks and plan for contingencies.

The Required Works will include consideration of risk management, contingency and implementation planning, to deliver a design that:

- addresses the limitations of the operation of the Pier during low tide and enable safe navigation through the harbour during all tides in accordance with the National Standard for Commercial Vessels July 2018;
- provides workable and approved solutions for dredge spoil;
- follows all associated Commonwealth and local Norfolk Island approval processes and adheres to all applicable legislation; and
- delivers a budget cost estimate for the construction works.

2. Specifications

Context

Before a project to construct a channel in the harbour adjacent to Kingston Pier can be progressed, a detailed design needs to be developed. A detailed design will also allow the Department to more confidently scope and budget the channel construction project, and to better guide the work to be carried out in such a project so that it meets needs, specifications and requirements. A detailed design was also recommended in a Feasibility Study commissioned by the Department and undertaken by Worley Parsons in 2016.

The following activities and deliverables are **in** scope for the project:

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Scope of Work

A tender process will be undertaken to procure the services of a suitably qualified contractor to undertake the Required Works (Design Project Manager).

Once engaged, the Design Services Contractor will be responsible for:

- developing a Project Plan in close consultation with the Department's Project Manager. This will include preparing a timeline for the project and mapping and managing dependencies, such as planning, heritage and environmental approval processes;
- liaising closely with the Department's Project Manager, and keeping the Department informed of progress and issues;
- leveraging available technical detail, including the 2016 Feasibility Study by Worley Parson, refining the scope of a channel construction project and testing assumptions;
- identifying applicable legislation and relevant information;
- identifying a site for stock piling or placement of spoil, including working with relevant stakeholders on any required re-zoning and any associated development applications or other planning approvals or modification of existing approvals including for land use, noise permits or permits for use of equipment;
- identifying and completing other applicable planning and environmental approval processes regarding a channel construction project and associated activities. This will likely include working with relevant stakeholders on an EPBC Act referral process and may also require an Environmental Impact Assessment (EIS) or Heritage Impact Assessment under local legislation. This may also include approvals for the transportation of equipment to and within Norfolk Island; transportation of dredge spoil to site; de-watering and decontamination of spoil; placement and stock-piling of spoil; and remediation works;
- identifying and undertaking relevant or required studies, engaging expertise as and where necessary. This will likely include wave action impacts and/or environmental or heritage impact studies;
- conducting implementation planning for any measures to mitigate impacts on the environment, heritage values and wave action, including those required under Commonwealth and local legislation and planning processes;
- adapting the detailed design to meet any requirements imposed by Commonwealth and local approval processes including any prescribed or recommended impact mitigation measures;
- undertaking stakeholder consultation as required all aspects of project including location and use of dredge spoil;
- developing a detailed risk management plan including risk mitigation measures; and
- developing a contingency plan outlining any alternative arrangements that may need to be invoked, including emergency arrangements.

The following activities and deliverables are in **not in** scope for the project:

- Channel construction works in the harbour adjacent to Kingston Pier (this work is for the next project, the 'Channel Construction Project').

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3. Market Research

This Procurement Plan recommends a Panel/Standing Offer procurement method.

The following suppliers have been identified from the Department's Infrastructure Advisory Services Panel (the Panel) in consultation with on-island stakeholders, as having demonstrated experience in delivering similar services. Suppliers on the Panel have been sourced through an open Approach to Market, and have already been through a rigorous value for money assessment process

Supplier	Relevant experience
Advisian Pty Ltd	In 2017, Caltex Contracted Advisian for the Liquids Berth Dredging and Jetty Upgrade. Advisian provided initial approvals advice, concept design and dredging equipment selection recommendations based on geochemical and other studies. As the project developed, Advisian provided geochemical assessment services, detailed design, permitting assistance, procurement functions, contract supervision and environmental monitoring.
Arcadis Australia Pacific Pty Limited	Arcadis was the lead designer on the $A1 billion Port Botany Expansion. As lead designer, Arcadis oversaw the creation of five new shipping berths, 2,000 metres of new wharf face, additional shipping channels, tug berths and facilities, and dedicated road access to the new terminal area. The complex works involved dredging 7.8 million cubic metres of fill material and reclaiming 60 hectares of reclaimed land, and also calling for Arcadis to undertake specialist environmental management and ecological works to protect salt marsh/ sea grass and bird communities.
Broadleaf Capital International Pty Ltd	Broadleaf participated in the Tender Review Panel for the selection of a delivery consortium for the Port Botany Expansion project.
GHD Pty Ltd	GHD was engaged by Newcastle Port Corporation to undertake an Environmental Assessment and associated engineering studies for the capital dredging of ten berth box sites and ancillary channel widening in the South Arm in Hunter River, Port of Newcastle.

The other procurement option considered was an open Approach to Market. This procurement method was not selected as it would significantly delay progress and is unlikely to provide a better value for money outcome. Such a delay would be ill advised as stakeholder feedback has highlighted safety concerns regarding inadequate under-keel clearance during low tides in particular, once the water level is at (or below) around 0.6m CD-Chart Datum. There are no Norfolk Island-based companies with relevant experience and performance history capable of delivering the Required Works.

Norfolk Island is classified under the Indigenous Procurement Policy as a remote area of Australia. On this basis a thorough search of the https://supplynation.org.au/ was conducted, but a suitable supplier for the design phase of the project could not be found. There were, however, two suppliers

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identified that will be recommended to be approached for the delivery of the channel construction work.

The procurement also complies with Division 1 of the Commonwealth Procurement Rules (CPR) for achieving a value for money outcome as it:

a) encourages competition and is non-discriminatory;
b) uses public resources in an efficient, effective, economical and ethical manner that is not inconsistent with the policies of the Commonwealth;
c) facilitates accountable and transparent decision making;
d) engages appropriately with risk; and
e) is commensurate with the scale and scope of the business requirement.

4. Existing Arrangements and Coordinated Procurement

There is no existing arrangement in place for the goods and/or services.

5. Estimated Total Value

The estimated value of the proposed procurement is $362,000 inclusive of GST.

6. Procurement Method and Reason

The procurement of a Detailed Design Services contractor via the Department's Infrastructure Advisory Services Panel, which ensures compliance with the requirements of Division 1 and 2 of the Commonwealth Procurement Guidelines.

Procurement via an established panel is the most efficient procurement process to make sure the Department engages a company with proven skills and experience to undertake the project and deliver a value for money outcome.

7. Time-line

Project delivery will be achieved in the following timeframes:

Activity	Target commencement date	Target completion date
Procurement Plan	9 April 2019	26 April 2019
Procurement Process: • drafting Request for Quote document (RfQ); • distributing RfQ to potential suppliers; • evaluating responses to ATM from suppliers; and • selecting a supplier.	18 May 2019	20 July 2019
Project Management Plan	18 May 2019	25 June 2019
Draft Contract	18 May 2019	24 June 2019
Contract approval	3 June 2019	20 July 2019
Contract initiation	1 July 2019	20 July 2019
Contract Management	1 July 2019	1 January 2020
Project closure activities	1 December 2019	31 January 2020

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8. Contract Term

The contract term will be 18 months.

9. Procurement Type

General goods or services.

10. Other details

The funding will be appropriated from the 2019/20 Territories Administered Capital Budget.

11. Stakeholders

Key stakeholders and groups with immediate interest in the Kingston Pier Channel Construction Detailed Design Project:

- Department of Infrastructure, Regional Development and Cities;
- Norfolk Island Regional Council;
- Australian Government Department of Environment and Energy;
- Australian Government Department of Agriculture and Water Resources;
- Australian Government Department of Immigration and Border Protection;
- Norfolk Island Police Force (Australian Federal Police);
- Norfolk Island Fishing Association;
- Burnt Pine Travel;
- The soon to be appointed operators of the PTVs
- Norfolk Island Museum.

12. Risks

A summary of possible risks associated with this procurement is outlined below:

Risk Event	Treatment	Residual Risk Rating
Suitably qualified and experienced consultants may not be available at the time required, or there may be similar issues with any experts or sub-contractors engaged by consultants.	By approaching a number of potential suppliers from the Department's Infrastructure Advisory Services Panel, with demonstrated experience in successfully delivering similar projects, the Department is reducing the risk of being unable to procure these services due to lack of availability.	Minor risk
Project uncovers unacceptable environmental impacts or other issues that may prevent a project to construct a channel in the Harbour adjacent to Kingston Pier (e.g. project identified structural issues with Kingston Pier).	The area in question has been dredged previously. Therefore it is unlikely to have high heritage or environmental value.	Insignificant risk

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Delays or challenges in planning, heritage and environmental approval processes.	Specify in the contract that weekly meetings and updates, as to the progress of the project, are required.	Minor risk
Requirements uncovered by planning, heritage and environmental approval processes cannot be met.	Specify that the supplier is to adapt the detailed design to meet any requirements imposed by Commonwealth and local approval processes including any prescribed or recommended impact mitigation measures.	Insignificant risk
Logistical constraints or conditions that significantly delay the project or aspects thereof;.	Specify that the supplier is to develop a detailed risk management plan including risk mitigation measures.	Minor risk
Delays in completion of Detailed Design Project.	Specify in the contract that weekly progress meetings and updates are required.	Minor risk
Stakeholder engagement inadequate leading to dissatisfaction.	Specify that the supplier is to undertake stakeholder consultation - stakeholder identification and engagement on all aspects of project.	Minor risk
Detailed design that does not meet objectives.	Specify that the supplier is to develop the Project Plan in close consultation with the Department's Project Manager. This will include preparing a timeline for the project and mapping and managing dependencies, such as planning, heritage and environmental approval processes as well as identifying how project outcomes align with Department objectives.	Minor risk
Work health and safety risks associated with obtaining the information necessary to inform a detailed design.	Specify that the supplier is to meet applicable Work Health and Safety legislation and Australian Standards.	Insignificant risk
Project exceeds completion date.	Specify in the contract that weekly progress meetings and updates are required.	Minor risk

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13. Cost-Benefit Analysis

A detailed design will allow the Department to more confidently scope and budget for the channel construction project, and to better guide the work to be carried out on such a project so that it meets needs, specifications and requirements. As a result, costs of for such a Project are able to be better estimated and appropriate project and risk management plans can be put in place.

Any costs associated with this design project will be offset by said project allowing the Department to conduct effective and efficient project planning and management of a Channel Construction Project.

14. Probity

A Probity Plan is not necessary for this procurement and has not been developed for the following reasons:

- the procurement value is less than $500,000;
- the procurement is not considered a high risk; and
- the procurement is not particularly sensitive.

ANNEX A – Approval to Proceed

Approval

	Position	Signature	Date
s 22(1)(a)(ii)	Director Territories Capital an Major Projects	s 22(1)(a)(ii)	15.5.19

Conditions/Comments

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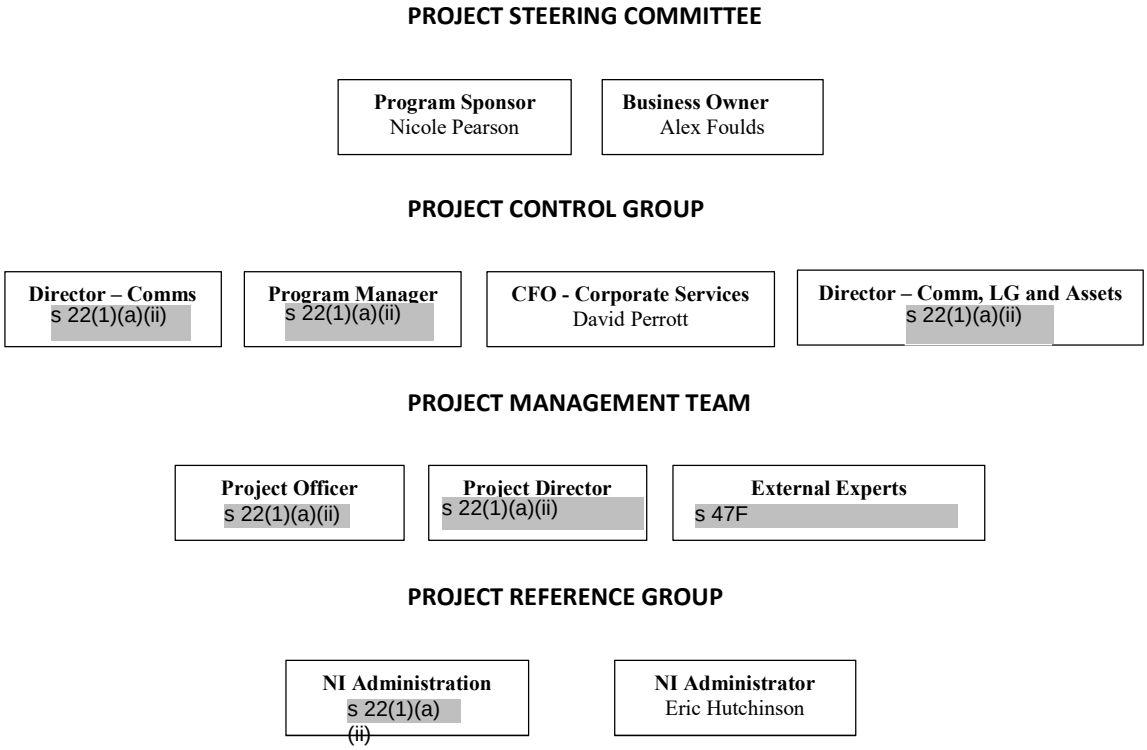


Figure 2: Project Governance Structure

Project Steering Committee

The Project Steering Committee (PSC) is the highest authority on the project. Its role is to ensure that the business objectives are met by the project, and that the project is adequately resourced in terms of financial, human and other physical resources.

The PSC's responsibilities are to:

- endorse the project plan;
- approve funding for the project;
- approve changes to the project scope that exceed allocated tolerance;
- ensure that the project achieves the objectives and delivers the benefits for which it was originally commissioned;
- endorse any changes to the planned project objectives; and
- endorse the Post Implementation Review outcomes.

The PSC membership is:

- Executive Director, Local Government and Territories Division
- General Manager, Norfolk Island Reform Taskforce Branch
- General Manager, Norfolk Island and Reconstruction Programmes Branch

The PSC will meet on as needed basis with reporting on the Project

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190075 Kingston Pier Channel Construction Project - Risk Assessment

Risk ID	Item	Likelihood	Consequence	Rating	Notes on Likelihood and Mitigation
1.0 APPROVALS					
R1	Internal Approval - Delay in achieving delegate approval for the Project Plan. Insufficient detail leads to delay in approval and delay in approach to market for Design Services Consultant (DSC).	Unlikely	Major	Medium	Ensure thorough research is undertaken of all existing documentation when authoring the Project Plan.
R2	Internal Approval - Delay in achieving delegate approval for the Procurement Plan. Insufficient detail regarding procurement method delays approval and approach to market for DSC.	Possible	Minor	Low	Ensure thorough justification is provided for the recommended procurement method.
R3	Internal Approval - Delay in achieving delegate approval for the Evaluation Plan. Delegate does not agree with method of evaluating RFQ submissions and/or composition of Evaluation Board, leading to delays in securing the DSC.	Unlikely	Minor	Low	Ensure prior consultation is undertaken with Delegate to appraise them of method of RFQ evaluation and composition of Evaluation Board.
R4	Internal Approval - Delay in achieving delegate approval for the Evaluation Board Report. Delegate does not agree with Evaluation Board's recommendation of the preferred tenderer for the DSC.	Unlikely	Minor	Low	Ensure Evaluation Board Report is clear and transparent in its evaluation of RFQ responses, and the recommendation is clear in its justification.
R5	EPBC Act Referral has conditions on environment that effect construction or additional approvals required to proceed.	Possible	Minor	Low	Ensure a thorough and detailed EIS is prepared by the DSC (and its sub-Consultants) as part of the EPBC Act Referral. EIS to address all potential impacts - e.g marine flora/fauna, HMS Sirius etc
R6	Statutory Codes and Standards - Legislative change.	Possible	Moderate	Medium	Possible State and Local Government Changes - e.g transition from NSW codes and legislation to ACT could impact NI projects.
R7	Local Planning considerations - development approval and environmental.	Possible	Moderate	Medium	Project team working closely with NI Council Planning department. Ensure there are minimal to no impacts on KAVHA Heritage Plan.
2.0 FINANCIAL					
R8	Internal Approval - Delay in achieving of aproval of the ACB for the design phase. Insufficient detail leads to delay in approval and delay in approach to market for Design Services Consultant (DSC).	Possible	Moderate	Medium	ACB Bid Form to clearly outline the scope, program and need for project to proceed. Bid Form to also outline forecasted/projected costs over FYs.
R9	Budget - Insufficient budget for approved scope of works (design).	Possible	Moderate	Medium	Estimated costs in ACB Bid Form fall short of what is required for the design phase of the project. Ensure estimated costs are justified with sufficient rigour.
R10	Budget - Insufficient budget for approved scope of works (construction).	Possible	Major	Medium	Estimated costs from DSC fall short of what is required for the construction phase of the project. Ensure estimated costs from generated design are justified with sufficient rigour.

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3.0 SCOPE OF WORKS AND DESIGN					
R11	Geotechnical surveys undertaken without reviewing previous investigations.	Unlikely	Minor	Low	Design based on assumptions for geotechnical conditions. Potential for incorrect data to be included in EPBC Referral and leads to poor design.Geotechnical investigation to be undertaken prior to DBC Stage.
R12	Environmental surveys undertaken without reviewing previous investigations.	Unlikely	Minor	Low	Design based on assumptions for environmental conditions. Potential for incorrect data to be included in EPBC Referral and leads to poor design. Environmental investigation to be undertaken prior to DBC Stage.
R13	Heritage surveys undertaken without reviewing previous investigations.	Unlikely	Minor	Low	Design based on assumptions for heritage conditions. Potential for incorrect data to be included in EPBC Referral and leads to poor design. Heritage investigation to be undertaken prior to DBC Stage, in particluar the HMS Sirius site (national significance).
R14	Hydrographic surveys undertaken without reviewing previous investigations.	Unlikely	Minor	Low	Design based on assumptions for hydrograhic conditions. Potential for incorrect data to be included in EPBC Referral and leads to poor design. Hydrographic investigation to be undertaken prior to DBC Stage.
R15	Other required surveys overlooked while undertaking key investigations (Geotechnical, Environmental etc).	Unlikely	Minor	Low	Other investigations, such as tidal/wave impacts from the dredging works, not considered by DSC. Ensure all required investigations are included and described within the RFQ documentation.
R16	DSC develops draft Detailed Design based on incorrect scope.	Possible	Major	Medium	Design proceeds with no review of previous investigations and sub-consultants deliver poor results from investigations, impacting on design. Ensure DSC is furnished with all relevant reports from previous investigations and provides a Return Brief to demonstrate their full understanding of the project. Ensure sub-consultants are scrutinised in RFQ stage.
R17	Site contamination occurs due to incorrect location for dredge spoil.	Unlikely	Major	Medium	Ensure thorough Community Consultation is undertaken, and that all relevant project stakeholders are included. Location for dredge spoil to be thoroughly investigated and included in EPBC Act Referral. Ensure DSC provides a Site Selection Report with options for the depositing of dredge spoil.
R18	Site contamination occurs due to incorrect treatment of dredge spoil.	Unlikely	Major	Medium	Spoil from dredging is transported and desposited at identified location without treatment. Ensure DSC reviews previous reports from investigations and works with sub-consultant (Environmental) to propose a suitable solution for the dredge spoil. Solution to be included in the EPBC Act Referral, and undertake testing during treatment. Results to be provided to DITCRD.
R19	Knowledge loss/transfer during design phase (in DSC team and in NI Project Team).	Unlikely	Minor	Low	Unlikely to change in NI Project Team. Can be managed with good documentation of key decisions, good contract administration and handovers between staff (should it occur). Could potentially occur in DSC team - ensure DSC provides commitment levels of nominated resources within their RFQ submision, and also provide details of back-up staff (should it occur).

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4.0 PROCUREMENT AND DESIGN/CONSTRUCTION DELIVERY					
R20	Limited number of competitive tenders for the services of the DSC.	Possible	Moderate	Medium	Ensure a sufficient number of tenderers are approached, and that they have relevant experience they can bring to the project. Ensure the most appropriate procurement method is utilised (Panel Approach, Open Tender etc).
R21	Limited number of competitive tenders for the services of the Construction Contractor.	Possible	Moderate	Medium	Ensure a sufficient number of tenderers are approached, and that they have relevant experience they can bring to the project. Ensure the most appropriate procurement method is utilised (Panel Approach, Open Tender etc).
R22	Design Program - Program allowance for construction is insufficient.	Possible	Moderate	Medium	Site constraints and required specialist investigations may impact the proposed design program put forward by the RFQ respondent. Ensure a realistic program is submitted by the RFQ respondent, and that the successful DSC provides an updated program following nomination. Ensure Evaluation period does not delay the nomination of the successful tenderer.
R23	Construction Program - Program allowance for construction is insufficient.	Possible	Moderate	Medium	Site constraints and poor design/SME reports may impact the proposed construction program put forward by the successful Contractor. Ensure a realistic program is submitted by the RFT respondent, and that the successful Contractor provides an updated program following nomination. Ensure Evaluation period does not delay the nomination of the successful tenderer.
R24	Inclement weather at Norfolk Island may impact proposed design and construction programs.	Possible	Moderate	Medium	Ensure known weather events (monsoon, tropical cyclpones etc) are considered when planning commencement of construction period. Ensure successful DSC provides sufficient 'float' within their prgram to undertake specialist investigations. Ensure sucessful Contractor provides sufficient 'float' within their program for key/critical construction periods.
R25	Transport/logistics can be impacted by inclement weather. Also, there is only 1 ship which services the island currently. It runs on a 6 week rotation from NZ. A risk for external materials, plant and equipment supply if ship breaks down or is delayed.	Possible	Severe	High	Potential delays may occur due to the Norfolk Island climate, in which Cascade Pier could be utilised. Then transport materials etc via road to Kingston Pier. It is also noted that shipments are made 1-2 times a month (subject to availability of ships). Contractor can arrange own logistics - calculated costs to be based on transport of labour, materials, plant and equipment via freighter / cargo ship. Consideration also of air freight (if possible).
R26	High level of environmental sensitivity could cause undue delivery cost increase, time increase or threaten project viability.	Possible	Major	Medium	Environmental Consultant, under DSC, to thoroughly investigate all relevant/potential environmental impacts in their assessment. Outcomes to be outlined in EPBC Referral and DBC Stage, along with implications if project was to not proceed.
R27	Change of recommended procurement strategy for Contractor. Current preferred contracting methodology is HC due to size and low complexity level of project. (e.g. change to Managing Contractor)	Unlikely	Minor	Low	All potential contracting methodologies to be outlined and explored in the DBC, with the preferred method to be thoroughly justified.

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R28	Knowledge loss/transfer during design phase (in DSC team and in NI Project Team).	Unlikely	Minor	Low	Unlikely to change in NI Project Team. Can be managed with good documentation of key decisions, good contract administration and handovers between staff (should it occur). Could potentially occur in DSC team - ensure DSC provides commitment levels of nominated resources within their RFQ submision, and also provide details of back-up staff (should it occur).
R29	Contractor (HC) goes into liquidation during works.	Possible	Moderate	Medium	Ensure RFT requests that respondents provide full financial disclosure within submissions. Bank Guarantees to be provided. Ensure Contractor not overly committed with other projects. In the event of high level issues, work to resolve with Contractor (can cause delay to program, delays with disputes, delays and costs of new Contractor etc).
R30	Skilled labour shortage/(un)availability on island.	Unlikely	Moderate	Low	Whilst Contractor (HC) will be sourced from mainland Australia, ensure sub-contracted works are sourced on island. Work with nominated HC, NI Chamber of Commerce and NIRC to ensure local contrators are provided with opportunities. Provide details of upcoming works well in advance so local contractors are aware the project will be coming.
R31	Materials shortage/(un)availability on island.	Unlikely	Moderate	Low	All materials to be sourced locally and stated as such in RFT. HC to make all efforts to source local materials for the project (where possible). Remaining/hard to source materials to be brought in from mainland Australia. Unlikely additional materials will required for dredging works.
R32	Plant (machinery) shortage/(un)availability on island.	Unlikely	Moderate	Low	All plant to be sourced locally and stated as such in RFT. HC to make all efforts to source local plant for the project (where possible). Remaining/hard to source plant to be brought in from mainland Australia. Costs and difficulty in logistics to be clearly outlined in RFT submissions. Unlikely that specialised plant will be required for the dredging works.
5.0 HEALTH AND SAFETY					
R33	Safety in Design - Documentation of unsafe design which promotes unsafe working/construction practices and/or impacts on the environment.	Unlikely	Minor	Low	Safety in Design to be reviewed regularly as a key KPI for the DSC. Safety in Design to be addressed in RFT for HC. RFT respondents to clearly outline their commitment to Safety in Design in their RFT submission and provide examples from previous projects.
R34	Safety in Testing/Commissioning - HC completes construction works and hands over to DITCRD and NIRD with no testing of channel conditions.	Unlikely	Minor	Low	Safety in Testing to be addressed by RFT respondents. HC to work with DITCRD and NIRC to source a local vessel for 'testing/commissioning' activities at low and high tide following completion of construction works, to ensure a safe solution has been delivered.
6.0 REPUTATION					
R35	Lack of community buy-in to the project.	Unlikely	Minor	Low	Close community engagement and consultation to ensure that User Requirements are met. NI Administrator has provided commitment to this to ensure community ownership and buy-in. Community may scrutinise works, particularly impact on the environment (in partuclar the nearby HMS Sirius site).

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190075 Kingston Pier Channel Construction Project - Stakeholder Management List

Name	Position	Organisation	Phone	Email	Governance Group
External - Govt					
s 22(1)(a)(ii)	Director - Community, Local Government and Assets	DITCRD	s 22(1)(a)(ii)		Project Control Group
	Team Member - Community, Local Government and Assets	DITCRD			Project Management Team
	Administrator - Norfolk Island	DITCRD			Project Reference Group
	Executive Officer - Norfolk Island	DITCRD			Project Reference Group
s 47F	General Manager	Norfolk Island Regional Council	s 47F		Project Reference Group
	Group Manager - Services	Norfolk Island Regional Council			Project Reference Group
	Senior Strategic Planner	Norfolk Island Regional Council			Project Reference Group
	Manager - Port Management	Norfolk Island Regional Council			Project Reference Group
	Team Leader - Heritage Management	Norfolk Island Regional Council			Project Reference Group
	A/g Assistant Director – Assessments & Authorisations	Parks Australia			Project Reference Group
	Manager - Marine Protected Areas Management South	Parks Australia			Project Reference Group
	Park Manager	Norfolk Island National Park & Botanic Garden			Project Reference Group
	Manager	Department of the Environment			Project Reference Group
	Manager	Department of the Environment			Project Reference Group
	Operations Manager - Biosecurity Operations Division	Dept of Agriculture & Water Resources (DAWR)			Project Reference Group
	District Manager - Port Operations Command (Norfolk Island)	Australian Border Force (ABF)			Project Reference Group
	Detective Sergeant	Norfolk Island Police Force			Project Reference Group
	Manager	Kingston & Arthur's Vale Heritage Association (KAVHA)			Project Reference Group
	Manager - Heritage Manager	Kingston & Arthur's Vale Heritage Association (KAVHA)	s 47F		Project Reference Group
External - Non-Govt					
s 47F	Manager	Transam Argosy	s 47F		Project Reference Group
	Manager	Cruise Ship Security			Project Reference Group
	Manager	Burnt Pine Travel			Project Reference Group
	Manager	Pinetree Tours			Project Reference Group
	Museum & Research Officer	Norfolk Island Museum			Project Reference Group
	President	Norfolk Island Fishing Association (NIFA)			Project Reference Group
	President	Norfolk Island Council of Elders			Project Reference Group
	Agent	Norfolk Island Forwarding Services (NFIS)			Project Reference Group
	Agent	Norfolk Island Forwarding Services (NFIS)			Project Reference Group
	Agent	Celtic Shipping Services			Project Reference Group
	President	Norfolk Island Chamber of Commerce			Project Reference Group
	Committee Member	Norfolk Island Chamber of Commerce			Project Reference Group
	General Manager Commercial	Neptune Pacific Line (Brisbane Ofice)			Project Reference Group
Internal					
s 22(1)(a)(ii)	Executive Director - Territories Division	DITCRD	s 22(1)(a)(ii)		roject Steering Committee
Nicole Pearson	General Manager - Norfolk Island & Jervis Bay Territories Branch	DITCRD	s 47F		roject Steering Committee
Cheryl Anne-Navarro	Chief Financial Officer - Corporate Services	DITCRD			roject Steering Committee
David Perrott	Chief Financial Accountant - Corporate Services	DITCRD			roject Control Group
s 22(1)(a)(ii)	Director - Communications - Territories Division	DITCRD	s 22(1)(a)(ii)		Project Control Group
	Communications Officer - Communications - Territories Division	DITCRD			Project Management Team
	Director - Territories Capital & Major Projects	DITCRD			Project Control Group
	Project Manager - Territories Capital & Major Projects	DITCRD			Project Management Team
	Project Officer - Territories Capital & Major Projects	DITCRD			Project Management Team
	Director - NI Heritage & Economic Development - Territories Division	DITCRD			Project Reference Group
	Team Member - NI Heritage & Economic Development - Territories Division	DITCRD			Project Reference Group
	Team Member - NI Heritage & Economic Development - Territories Division	DITCRD			Project Reference Group

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FOI 26-287 - Document 15

Australian Government

Department of Infrastructure, Regional Development and Cities

MINUTE

File Reference: TERR s 47F

Nicole Pearson
General Manag
Territories Division

Through: s 22(1)(a)(ii)
A/g Business Manager
Territories Division

REQUEST FOR QUOTE – APPROVAL OF WORK ORDER

DESIGN SERVICES CONTRACTOR FOR STAGE ONE (DETAILED DESIGN) FOR THE KINGSTON PIER CHANNEL CONSTRUCTION PROJECT

Recommendations:

That you:

1. **Note** the approval of the RFQ Evaluation Board Report on 28 November 2019 (Attachment A); — Note / Please discuss

2. **Note** the Items for Clarification and Negotiation that were approved on 16 December 2019 (Attachment B); — Note / Please discuss

3. **Sign** the Work Order for Advisian Pty Ltd as the nominated Design Services Contractor (DSC) for Stage One (Detailed Design) for the Kingston Pier Channel Construction Project (the 'Project') (Attachment C); — Signed / Please discuss

s 47F

.....

Nicole Pearson ..8../..1..../2020

Key Issues:

- A Design Services Contractor (DSC) is required to be engaged to develop and deliver a design for the Kingston Pier Channel Construction Project (the 'Project').
- The Department of Infrastructure, Transport, Cities and Regional Development (the 'Department') approached the *Infrastructure Advisory Services Panel* to issue a Request for Quote (RFQ) for the provision of services of a Design Services Contractor (DSC) to undertake technical investigations and design proposals (the 'Services')
- The RFQ Evaluation Board Report was approved on 28 November 2019, nominating Advisian Pty Ltd as the preferred tenderer (Attachment A).

Contact Name: s 22(1)(a)(ii) **Contact Number:** s 22(1)(a)(ii)
Position: Project Director **Branch/Section:** IOT / TC&MP

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- The Department undertook negotiations with Advisian Pty Ltd, to clarify items raised form their RFQ submission. These items were clarified and approved on 16 December 2019 (Attachment B).
- Following successful negotiations with Advisian Pty Ltd, the Work Order has been prepared for your approval (Attachment C)
- Approval of the Work Order will enable Advisian Pty Ltd to begin work on developing and delivering the design for the Project.

s 22(1)(a)(ii)

Project Officer
Territories Capital and Major Projects

19 December 2019

Attachments:

Attachment A:	Request for Quote (RFQ) Evaluation Board Report – Design Contractor Services (DSC) for the Kingston Pier Channel Construction Project
Attachment B:	Items for Clarification and Negotiation with Preferred Tenderer
Attachment C:	Work Order for Advisian Pty Ltd

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Official

Australian Government

Department of Infrastructure, Transport, Cities and Regional Development

MINUTE

Reference No: TERR19/0075

s 22(1)(a)(ii)
Director
Territories Capital and Major Projects

Subject: **Approval of the Evaluation Board Report for the Procurement of a Design Services Contractor – Kingston Pier Channel Construction project ('the Project')**

Purpose: To seek your approval of the Evaluation Board Report for the Design Services Contractor for the Project

Key Issues:

1. The Territories Capital and Major Projects team is seeking the services of a Design Services Contractor (DSC) for the Kingston Pier Channel Construction project.
2. On 30 September, the Department of Infrastructure, Transport, Cities and Regional Development (the 'Department') issued Request for Quote (RFQ) documentation to four entities from the Department's *Infrastructure Advisory Services Panel*. Panellists were selected on their relevant previous experience they would be able to bring to the project.
3. On 18 October, the RFQ period closed and the Territories Capital and Major Projects team assessed the submissions.
4. On 6 November, the Evaluation Committee (EC) evaluated the RFQ submissions. The Evaluation Board Report is at Attachment A.
5. Whilst Advisian Pty Ltd has been identified as the Preferred Tenderer, there are items within their RFQ submission that the EC identified for the purposes of clarification and negotiation to ensure the Department achieves a value for money solution. The list of clarification and negotiation points is at Annex H of the Evaluation Board Report.
6. This Minute seeks your approval of the Evaluation Board Report for the purposes of nominating Advisian Pty Ltd as the Preferred RFQ Respondent and to enter into discussions to address the items for clarification and negotiation.

Recommended By:

s 22(1)(a)(ii)

s 22(1)(a)(ii) 22 / 11 / 2019

Contact Name: s 22(1)(a)(ii)
Position: Project Officer

Contact Number: s 22(1)(a)(ii)
Branch/Section: Territories Capital and Major Projects

Unclassified

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Recommended Action:

1. **Approve** the attached Evaluation Board Report, nominating Advisian Pty Ltd as the Preferred RFQ Respondent for the purposes of entering into discussion to address items for clarification and negotiation.	Approved / Not Approved / Please Discuss
2. **Agree** that the nine (9) clarification items and seven (7) negotiation items be discussed with Advisian Pty Ltd to achieve a value for money outcome for the Department.	Agree / Not Agree / Please Discuss s 22(1)(a)(ii) [redacted] s 22(1)(a)(ii) [redacted] 28 / 11 / 2019

Attachments:

1. Evaluation Board Report – Request for Quote for Design Services Contractor (RFQ No. 10018361)

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Australian Government

Department of Infrastructure, Transport, Cities and Regional Development

MINUTE

Reference No: TERR19/0075

s 22(1)(a)(ii)
Director
Territories Capital and Major Projects

Subject: **Approval to engage with the Preferred Tenderer – Kingston Pier Channel Construction project ('the Project')**

Purpose: To seek your approval to proceed with the Preferred Tenderer following Items for Clarification and Negotiation

Key Issues:

1. The Territories Capital and Major Projects team has concluded negotiations with the Preferred Tenderer for the Kingston Pier Channel Construction project.
2. On 28 November, you approved the Request for Quote (RFQ) Evaluation Board Report for the project, nominating Advisian Pty Ltd (Advisian) as the Preferred Tenderer. You also agreed to the nine (9) clarification points and seven (7) negotiation points to be discussed with Advisian as part of the negotiation process.
3. On 28 November, the Territories Capital and Major Projects team advised Advisian in writing that they had been set aside as the Preferred Tenderer. They were also provided with the Items for Clarification and Negotiation to respond to in writing, and requested to respond by close of business (COB) local time on 2 December 2019.
4. On 2 December, Advisian submitted their response to the Items for Clarification and Negotiation. The response is at Attachment A.
5. On 13 December, the Department responded to Advisian following review of their response to the Items for Clarification and Negotiation. The Department identified some items where Advisian were requested to provide additional information.
6. On 16 December, Advisian submitted their follow up response to the Department with the requested information.
7. The Territories Capital and Major Projects team has reviewed Advisian's responses and determined that they are 'Acceptable'.
8. This Minute seeks your note of Advisian's response to the Items for Clarification and Negotiation.
9. Approval of these items will allow a contract to be signed with Advisian Pty Ltd as the Design Services Contractor (DSC) for the project.

Contact Name: s 22(1)(a)(ii)
Position: Project Officer
Contact Number: s 22(1)(a)(ii)
Branch/Section: Territories Capital and Major Projects

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Recommended By:

s 22(1)(a)(ii)

s 22(1)(a)(ii) .....

16. / 12. / 2019

Recommended Action:

1. **Note** Advisian Pty Ltd's response to the Department's Items for Clarification.	Noted / Please Discuss
2. **Agree** to enter into a Contract with Advisian Pty Ltd.	Agreed / Not Agreed / Please Discuss
3. **Note** that AAD approval was granted on 15 May 2019.	Noted / Please Discuss
4. **Note** that you will be executing a Work Order.	Noted / Please Discuss

s 22(1)(a)(ii)

s 22(1)(a)(ii) .....

16. / 12. / 2019

Attachments:

1. Items for Clarification and Negotiation (Response from Advisian Pty Ltd).

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s 22(1)(a)(ii)

From: s 47F @awe.gov.au>
Sent: Monday, 7 February 2022 10:53 AM
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii); s 47F; s 47F; s 47F
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

Categories: Green Category

Hi s 22(1)(a)(ii)

Thank you for providing the updated self-assessment documentation your Department has prepared for the proposed Slaughter Bay Seawall remediation works.

The Cultural Heritage Section of DAWE have reviewed the Minute and both attachments and consider that they are sufficiently detailed to support the conclusion that the proposed urgent remediation works are unlikely to have a major adverse impact on the World, National or Commonwealth Heritage values of KAVHA.

The project Archaeologist's report on the seawall structure and previous periods of repairs, including a current condition assessment is extremely thorough and should serve as an important fabric-history tool to assist in documenting any new remediation works. Additionally, it is our understanding that remediation will be undertaken/supervised by people with experience appropriate to the conservation of heritage fabric. The department is satisfied that the remediation activities should, therefore, be in line with the policies outlined in the KAVHA Conservation Management Plan.

I hope this is of assistance. Please don't hesitate to contact both s 47F and myself should you have any further questions.

Kind regards,

s 47F

s 47F
Department of Agriculture, Water and the Environment
Cultural Heritage Section|Heritage Branch|Heritage, Reef and Oceans Division

GPO Box 858 CANBERRA, ACT 2601
s 47F
s 47F @awe.gov.au

From: s 22(1)(a)(ii) @infrastructure.gov.au>
Sent: Tuesday, 25 January 2022 9:50 AM
To: s 47F @awe.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 47F @environment.gov.au>; s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

OFFICIAL

Good Morning s 47F,

Many thanks for getting back to me.

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My break was great, but like most people probably not long enough haha hope yours was enjoyable!
That would be fantastic if we could get the feedback mid next week on the HIA.
I'm sensing already that there is even more urgency from the island to get the works on the Slaughter Bay Sea Wall done asap, particularly after the Tonga earthquake/tsunami.
Whilst there was no damage to infrastructure on Norfolk Island, there were quite high waves that affected low lying coastlines.
Which makes these works even more urgent and vital.
I have been made aware of waves coming over the top of Kingston Pier so no doubt there would have been high waves coming up to the Slaughter Bay Sea Wall.
Cheers,

s 22(1)

OFFICIAL

From: s 47F @awe.gov.au>
Sent: Tuesday, 25 January 2022 9:03 AM
To: s 22(1)(a)(ii) @infrastructure.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 47F @environment.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

Hi s 22(1),

Thank you for your email and I hope you had a great break too! 😊

My apologies for the delay in getting back to you. We should be in a position this week to have a look through the Heritage Impact Assessment and put together any advice/feedback. Our director will be back from some leave next week and we'll get it cleared before sending it back to you, hopefully by mid next week.

Cheers,

s 47F
A/g Assistant Director
Department of Agriculture, Water and the Environment
Cultural Heritage Section | Heritage Branch | Heritage, Reef and Ocean

GPO Box 858 CANBERRA, ACT 2601
s 47F
s 47F @awe.gov.au
Please note that I do not work on Mondays.

From: s 22(1)(a)(ii) @infrastructure.gov.au>
Sent: Monday, 24 January 2022 4:17 PM
To: s 47F @awe.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

OFFICIAL

Good Afternoon s 47F,

Trust you had an enjoyable Christmas and Happy New Year break ☺

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Just wanted to ask if you have managed to look at the Heritage Impact Assessment draft? I'm not sure whether you're on leave.

Cheers,

s 22(1)(a)(ii)

OFFICIAL

From: s 22(1)(a)(ii) @infrastructure.gov.au>
Sent: Thursday, 23 December 2021 3:06 PM
To: s 47F @awe.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]
Importance: High

OFFICIAL

Good Afternoon s 47F,

Please see attached the Slaughter Bay Sea Wall Heritage Impact Assessment Brief, with Advisian's *Heritage Impact Statement* as Attachment A and s 47F *Sea Wall Damage and Repair Overview* as Attachment B.
Thank you for your patience through this process, look forward to hearing from you in the New Year.
Wishing you a Merry Christmas and a Happy New year ☺
I will be on leave til 24 January but please feel free to send your feedback to s 22(1)(a)(ii) once your back from your break.
Many thanks.
Cheers,

s 22(1)(a)(ii)

OFFICIAL

From: s 22(1)(a)(ii) @infrastructure.gov.au>
Sent: Tuesday, 21 December 2021 9:55 AM
To: s 47F @awe.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

OFFICIAL

Good Morning s 47F,

Many thanks for getting back to me.
I'll definitely look to have something to you before Thursday afternoon.
Cheers,

s 22(1)(a)(ii)

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OFFICIAL

From: s 47F @awe.gov.au>
Sent: Tuesday, 21 December 2021 9:46 AM
To: s 22(1)(a)(ii) @infrastructure.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]

Good morning s 22(1),

Sounds like things are progressing well with the HIA.

I'm around until COB Thursday 23 December and I come back from leave on 4 January 2022.

Kind regards,

s 47F
A/g Assistant Director
Department of Agriculture, Water and the Environment
Cultural Heritage Section | Heritage Branch | Heritage, Reef and Oceans

GPO Box 858 CANBERRA, ACT 2601
s 47F
s 47F @awe.gov.au
Please note that I do not work on Mondays.

From: s 22(1)(a)(ii) @infrastructure.gov.au>
Sent: Monday, 20 December 2021 3:34 PM
To: s 47F @awe.gov.au>
Cc: s 22(1)(a)(ii) @infrastructure.gov.au>; s 22(1)(a)(ii) @infrastructure.gov.au>
Subject: Kingston Pier Channel Construction - Heritage Impact Assessment draft [SEC=OFFICIAL]
Importance: High

OFFICIAL

Good Afternoon s 47F,

Just wondering what your leave arrangements are to get the Heritage Impact Assessment in to you.
I have a draft I'm working on, and I am intending to attach s 47F assessment of SBSW and Advisian's Heritage Statement from the EPBC Act Referral.
Cheers,

s
22(1)

s 22(1)(a)(ii)
Project Officer • Territories Capital and Major Projects • Indian Ocean Territories
s 22(1)(a)(ii) @infrastructure.gov.au
s
22
GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development and Communications
CONNECTING AUSTRALIANS • ENRICHING COMMUNITIES • EMPOWERING REGIONS

infrastructure.gov.au

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The Department proudly acknowledges the Traditional Owners and Custodians of Australia, and their continuing connections to the land, waters and communities. We pay our respects to them and to their Elders past, present and emerging.

OFFICIAL

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or entities other than the intended recipient is prohibited and may result in severe penalties.
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and delete all copies of this transmission together with any attachments.

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FOI 26-287 - Document 20 Attachment A



Australian Government

Department of Climate Change, Energy, the Environment and Water

EPBC 2021/9124

Ms Kim Forbes
First Assistant Secretary
Department of Infrastructure, Regional Development,
Communications and the Arts
111 Alinga Street
CANBERRA ACT 2601

Decision to approve Kingston Pier Channel Construction Project, Norfolk Island

Dear Ms Forbes

I am writing to you about a proposal to augment the existing channel bed in the harbour adjacent to Kingston Pier, Norfolk Island.

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The details of my decision are attached. The proposal must be undertaken in accordance with the conditions specified in the approval.

Any plans required to be implemented under the conditions of approval will be regarded as public documents unless the approval holder provides sufficient justification to warrant a commercial-in-confidence status.

Although an approval has been granted under Part 9 of the EPBC Act, in some cases a permit may be also required under Part 13 of the EPBC Act in relation to protected species and communities.

Approval under the EPBC Act does not affect obligations to comply with any other laws of the Commonwealth, state or territory that are applicable to the action. Neither does this approval confer any right, title or interest that may be required to access land or waters to take the action.

Section 142 of the EPBC Act requires an approval holder to comply with conditions attached to an approval. Penalties may apply to approval holders who contravene conditions.

The department actively monitors and audits proposals referred or approved under the EPBC Act. The audit program aims to ensure approval holders comply with conditions of approval and implement any commitments made in management plans. Your project may be selected for audit by the department at any time and all related records and documents may be examined. Please refer to the department's Compliance and enforcement page for further information on the compliance monitoring and auditing program.

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FOI 26-287 - Document 20 Attachment A

I have also written to the following parties to advise them of this decision:

Commonwealth ministers	The Hon Katy Gallagher, Minister for Finance, via Ms Suzanne Hinchcliffe, Assistant Secretary. The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government. The Hon Kristy McBain MP, Minister for Regional Development, Local Government and Territories

Please advise the department when you commence the action and ensure you keep the details of the person responsible for administration of the approval decision up to date throughout the life of the approval via email to epbcmonitoring@dcceew.gov.au.

You will soon receive a letter regarding the requirements of the approval conditions. For general enquiries regarding post approval matters, e.g. approval of management plans, please contact PostApproval@dcceew.gov.au.

If you have any questions about this decision, please contact the project manager, s 47F, by email to s 47F @dcceew.gov.au, or telephone s 47F and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Kate Gowland
Branch Head
Environment Assessments (NSW, ACT)

7 April 2025

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FOI 26-287 - Document 21

Heritage Impact Assessment of Rock Revetment Remediation

s 47F

1 August 2025

1. Background

Worley Consulting is undertaking remediation of the rock revetment west of Kingston Pier on behalf of the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts. This heritage assessment is in support of pre-works documentation being prepared for Norfolk Island Regional Council (NIRC) by Worley Consulting; the documentation describes additional works that were not previously part of development planning. Those works comprise:

- Extending and raising the rock revetment towards the pier, to conceal exposed sheet piling
- Expansion of the contractors' working area
- Formalisation of the repairs of the upper wall west of the pier

Figure 1 shows a plan of the proposed additional works areas.

Several mitigations are suggested to avoid negative impacts from some works; those mitigations are discussed in more detail in sections **6.2.1** and **6.5.1**. The suggested mitigations are:

- Creating a photographic record of ruin H10 – Coxswain's Hut.
- Erecting an obvious temporary fence to barricade H10 from project machinery and materials.
- Creating a photographic record of the Civil Hospital before, after and at regular intervals during the project.

2. Heritage listings and heritage values

The entirety of KAVHA is listed on four heritage registers, as detailed below.

Name	Listing ID	Listing date	Notes
UNESCO World Heritage List	106209	31 July 2010	KAVHA is listed together with 10 other sites that together comprise the Australian Convict Sites serial listing.
National Heritage List	105962	1 August 2007	
Commonwealth Heritage List	105606	22 June 2004	This listing applies only to Commonwealth-owned land within KAVHA.
Norfolk Island Heritage Register	*(Register has no identification codes)*	2003	

All works are to occur in land zoned in KAVHA as Precinct H.

The following heritage values are those that are in the vicinity of the proposed works, and which may potentially be impacted by the proposed works.

- Civil Hospital ruins
- Ruins
- Archaeological remains
- Kingston Pier
- Working waterfront at Kingston Pier

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FOI 26-287 - Document 21

- Crankmill (H28)
- Pier Store (H23)

There are also specific heritage features in the KAVHA heritage inventory that have the potential to be impacted by the proposed works (see **Figure 1** and **Figure 2**). These features are not identified as specific heritage values in any KAVHA listings, but impacts to any such features should still be avoided. The features are primarily identified through their alphanumeric codes, which comprise a letter followed by a number (e.g., H52).

3. Archaeological zoning and management

Per KAVHA's zrchaeological zoning and management plan (AZMP; Extent Heritage 2020), the pier area is almost entirely zoned as having high archaeological potential (**Figure 3**). In these areas, the AZMP specifies that:

> *"The management process for [high potential areas] emphasises retention in situ and avoidance of ground disturbance works whenever possible. Archaeological interventions may include test excavation, monitoring, or full salvage with conservation. Impacts with potential to damage and/or remove fabric would be tolerated only in situations involving public safety or where loss is imminent due to environmental factors."* (page 41)

The proposed works will not involve any earthworks with the potential to impact fabric or archaeological remains, and as a result no archaeological mitigations are proposed here.

4. KAVHA Development Control Plan (DCP)

The proposed works are designed in support of the Wharf, and as such comprise a development that is permissible with consent in Precinct H.

The proposed works directly support several of the DCP Objectives for Precinct H:

- Objective 36: To conserve and protect the elements that contribute to the heritage significance of [Precinct H].
- Objective 37: To protect heritage elements/archaeological elements that are fragile and susceptible to impact from visitors to the site.
- Objective 40: Ensure that … foreshore stability in the coastal protection zone is maintained.

The proposed works do not contravene any of the Controls for Precinct H, but do directly support several of the Controls:

- Control 57: Development shall conserve and maintain the Landing Place and associated elements that contribute to the Precinct's heritage significance.
- Control 59: Development shall prioritise conservation and protection of heritage elements and archaeological features that are fragile, unstable and susceptible to visitor impact.
- Development shall include methods to stabilise soil and reduce erosion.

The proposed works directly support several of the Objectives for the KAVHA site (DCP section 6.0 General Provisions):

- Objective 92: Conservation of the cultural and natural significance of the KAVHA site and its setting.
- Objective 100: To protect archaeological resources from damage.

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FOI 26-287 - Document 21

- Objective 108: To ensure alterations and additions do not have an adverse impact on KAVHA's setting.

The proposed works do not contravene any of the Controls for the KAVHA site (DCP section 6.0 General Provision), but do directly support several of the Controls:

- Control 200: Proposals will ensure that no parking or driving will occur over areas of potential archaeological sensitivity and over known archaeological resources [and ruins].
- Control 228: Alterations and additions shall be located and designed with no adverse impact to key vistas and views identified in KAVHA shown on Figure 5 (see **Section 4.1** below).
- Control 230: Proposed design, materials and finishes shall comply with controls set out in Section 6.8.
- Control 276: When relevant development proposals must (d) provide adequate protection to archaeological and heritage assets where necessary to avoid damage, compaction, erosion.

4.1. Views and Vistas

The proposed works are intersected by an axis identified in DCP Figure 5 as a Visual Focus (**Figure 4**); this axis is the view from Flagstaff Hill across the Pier Precinct and out to Nepean Island.

However, because of the hillside topography and vegetation, the proposed works areas are not visible from either of the Flagstaff Hill lookouts (**Figure 5** and **Figure 6**). As such, they present no threat to the defined key visual areas of KAVHA.

5. KAVHA Cultural Landscape Management Plan (CLMP)

The proposed works conform to the CLMP, and directly support some of the key policies in the CLMP:

- Policy 1: Conserve and manage all identified heritage values and key attributes which contribute to the significance of the cultural landscape of the KAVHA site.
- Policy 32: Maintain and encourage the continuing uses of specific areas within KAVHA.
- Policy 36: Recognise and manage for the archaeological sensitivity of the cultural landscape.

6. Potential impacts and mitigations

The following section discusses the specific impacts that may occur as a result of the proposed works and any additional mitigations that might be required to prevent detrimental impacts from those works.

6.1. Extension and raising of rock revetment towards the pier

Impact assessment: beneficial

These works pose no threat to KAVHA's heritage values and require no mitigations. The implementation of these works will help support and protect several of the heritage values (Kingston Pier, the working waterfront at Kingston Pier, archaeological remains, Crankmill, Pier Store).

As proposed, the works will better protect the pier from storm surges. The works will deflect large waves back into the sea, and away from the Crankmill and Pier Store. The works will also reduce the potential for further erosion on the eastern side of the landing place, eliminating the major potential risk to the subsurface archaeological remains in the area.

The proposed works will occur over the locations at which former historic structures and features once stood, but no risk is posed to these features. The following describes the features in question, and why they are not at risk from the proposed works:

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H17 – Landing place / slipway: this is the location of the original First Settlement landing place and slipways built early in the Second Settlement era. If any portions of these features still exist, they would be covered by the contemporary Kingston Pier. There is no risk of these being affected by the proposed works.

H19 – Sea wall: this feature no longer exists; it was washed away in the massive erosional occurrences that the mid-20th century works at the landing place were built to address. There is no risk of this being affected by the proposed works.

6.2. Expansion of contractors' works area

Impact assessment (without mitigation): potentially negative
Impact assessment (with mitigation(s)): nil to beneficial

The proposed expansion of the contractors' works area covers a large area. Although many historic features occupy the same areas, only one feature has the potential to be at risk from works activities: H10 – Coxswain's duplex.

H10 was built late in the Second Settlement era (c1849), and historic photographs indicate that it had fallen into disrepair by the early 20th century. It was likely quarried for stone during this period, and by the 1940s no traces of the structure remained above ground. Today, the structure exists only as archaeological remains and the ruins of footings, which are easily seen as they are eroding from the ground at the landing place.

The KAVHA Cultural Landscape Management Plan (GML and Context 2019) has policies specifically regarding the prevention of vehicular damage to ruins (Policy 36: Recognise and manage for the archaeological sensitivity of the cultural landscape, Policy 40: Ensure adverse visual and physical impacts from vehicles within KAVHA are avoided). However, the Coxswain's duplex has been unofficially excluded from these policies because the location is of local cultural importance as a place to view the sea, or watch cargo or fishing operations. In essence, the Department has tacitly decided to contravene the policies of the CLMP at this location for cultural considerations.

Despite that, further damage should be avoided, particularly as a result of construction activities. Any damage to the ruins would be a negative impact, and could trigger a requirement to report the damage to DCCEEW as an unpermitted action. Recommended mitigations are provided in section **6.2.1**.

The other heritage items in the proposed contractors' works area are at no risk from the proposed expansion, for reasons provided below:

Item ID	Name	Notes
H14A, H14B, H14C, H14D	Lt Borough's quarters (main house, kitchen, fowl house, privy)	No trace of these Second Settlement structures has ever been seen, although archaeological surveys have previous tried to locate them. If any evidence of these remains, it is likely several centimetres under the modern ground surface.
H16	Boat shed	Most archaeological traces of this feature eroded into the sea in the first half of the 20th century. If any traces remain, they are several centimetres under the modern unpaved roadway.
H17	Landing place/slipway	If any portions of these features still exist, they would be covered by the contemporary Kingston Pier.
H18	Pier	The concrete surface of the pier will not be impacted by the proposed works.
H20	Beach guard stockade	If any trace of this feature still exists, it is under the concrete surface of the contemporary pier

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Item ID	Name	Notes
H22A	Flagstaff (III)	If any trace of this feature still exists, it is under the concrete surface of the contemporary pier
H52	Road behind the crankmill	The western extent of this road has eroded into the sea; the area in the works area, if still extant, is under several centimetres of dirt and soil and will not be impacted.

6.2.1. Suggested mitigations

Mitigating damage to the exposed portions of the ruins should include two approaches.

First, prior to the use of the area as a works compound, the state of the ruined footings should be documented, using extensive photography. These photographs will serve as a record against which the state of the ruins can be compared following the end of the project. The Department would be best placed to undertake such documentation, but there is no reason that the contractor could not undertake the same sort of documentation. GPS should also be used to record the location of the corners and edges of footings.

Second, the footings should be isolated from the works area through the use of orange flexible barricade fencing, which will serve to clearly demarcate the areas to be avoided by project machinery and materials. This fencing can be mounted on star pickets, but the placement of the star pickets and their installation must occur only following discussion with the KAVHA archaeologist.

An explanation of the need to avoid the footings and obey the barricade fencing should form part of the contractor's induction to work on site.

6.3. Formalisation of the repairs of the upper wall west of the pier

Impact assessment: beneficial

These works pose no threat to KAVHA's heritage values and require no mitigations. The implementation of these works will help support and protect several of the heritage values (Kingston Pier, the working waterfront at Kingston Pier, archaeological remains, Crankmill, Pier Store).

As proposed, the works will better protect the pier from storm surges. The works will deflect large waves back into the sea, and away from the Crankmill and Pier Store. The works will also reduce the potential for further erosion on the eastern side of the landing place, eliminating the major potential risk to the subsurface archaeological remains in the area.

The proposed works will occur over the locations at which former historic structures and features once stood, but no risk is posed to these features. The following describes the features in question, and why they are not at risk from the proposed works:

> **H16 – Boat shed**: most of the evidence for this feature eroded into the sea in the first half of the 20th century. Any remaining traces would already be under the wall in the area as it currently exists, and also under the unpaved road west of the Pier Store. The proposed works do not include earthmoving or excavation in the area of H16, and so there is no risk of any archaeological remains being disturbed.
>
> **H52 – Road behind the crankmill**: the portion of this feature in the vicinity of the works eroded into the sea in the first half of the 20th century, and thus it is not possible for the works to pose a risk to it.

6.4. Machinery access to western wall extents

Impact assessment: nil

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FOI 26-287 - Document 21

In order to allow the works to proceed west of the pier, it will also be necessary to provide access to heavy machinery from the road level down to the level of the rock revetment. This access will be constructed in the area shaded red in **Figure 2**.

The machinery access will be provided through a temporary ramp made from fill placed on top of the stones and concrete already in the area. The fill will be removed once there is no longer a need for heavy machinery to drive down to the level of the rock revetment.

Although First Settlement archaeological remains have been documented in this area, there should be no chance of impacts to heritage or archaeological materials because they are already capped by modern construction (concrete sea wall and large stones placed). However, should earthworks be required in this area as part of machinery access, such works should comprise nothing more than turf removal.

6.5. Potential impacts at Civil Hospital

Impact assessment (without mitigation): potentially negative
Impact assessment (with mitigations): nil

Another potential impact occurring as a result of this project is due to the movement of massive quantities of heavy stone over the cattle grid immediately east of the Civil Hospital (**Figure 2**). There is evidence to suggest that vehicular movement over the cattle grid is causing vibrations that shake the Civil Hospital ruins.

Works are already underway to implement mitigations for any potential impacts caused by vibrations from large and heavy vehicles. These works include mounting crack tell-tales to the structure, installing vibration monitors near the structure, modifying the cattle grid with heavy rubber to dampen vibrations, and careful planning of the movement of heavy vehicles into the area.

These mitigations will be regularly monitored over the course of the project. Should any damage to the Civil Hospital become visible, or the tell-tales indicate the cracks are widening, works will need to cease so that other mitigations can be investigated.

6.5.1. Other mitigation recommendations

It is recommended that project officers undertake a detailed photographic recording of the Civil Hospital walls in advance of the project's commencement, and a second detailed photographic recording following projection completion. Depending on the length of the project, it would also be valuable to do additional photographic records of the structure's condition at a semi-regular interval.

These photos will serve as a form of insurance to protect the project against claims that the works caused damage to the Civil Hospital. Any damage brought to the attention of the project could be quickly compared against the photos, with the hope of demonstrating that the damage pre-dated the commencement of the project.

7. Conclusions

The works at the rock revetment are essential to protecting the landing place and pier area, and the results of these works will be significant improvements to the infrastructure that protects highly significant heritage features and archaeological remains. When complete, the repairs to the rock revetment will be highly beneficial to many of the heritage values for which KAVHA was listed.

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Despite that, there are several areas in which the works have the potential to negatively impact the site's heritage values, so mitigations should be put in place to counter these impacts. Potential mitigations are suggested in sections **6.2.1** and **6.5.1**.

8. Bibliography

Extent Heritage. 2020. Kingston and Arthur's Vale Historic Area (KAVHA) Archaeological Zoning and Management Plan. Two volumes. Report prepared for the Department of Infrastructure, Transport, Regional Development and Communications.

GML and Context. 2019. Kingston and Arthur's Vale Historic Area Cultural Landscape Management Plan. Report prepared for the Department of Infrastructure, Regional Development and Cities.

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FOI 26-287 - Document 21

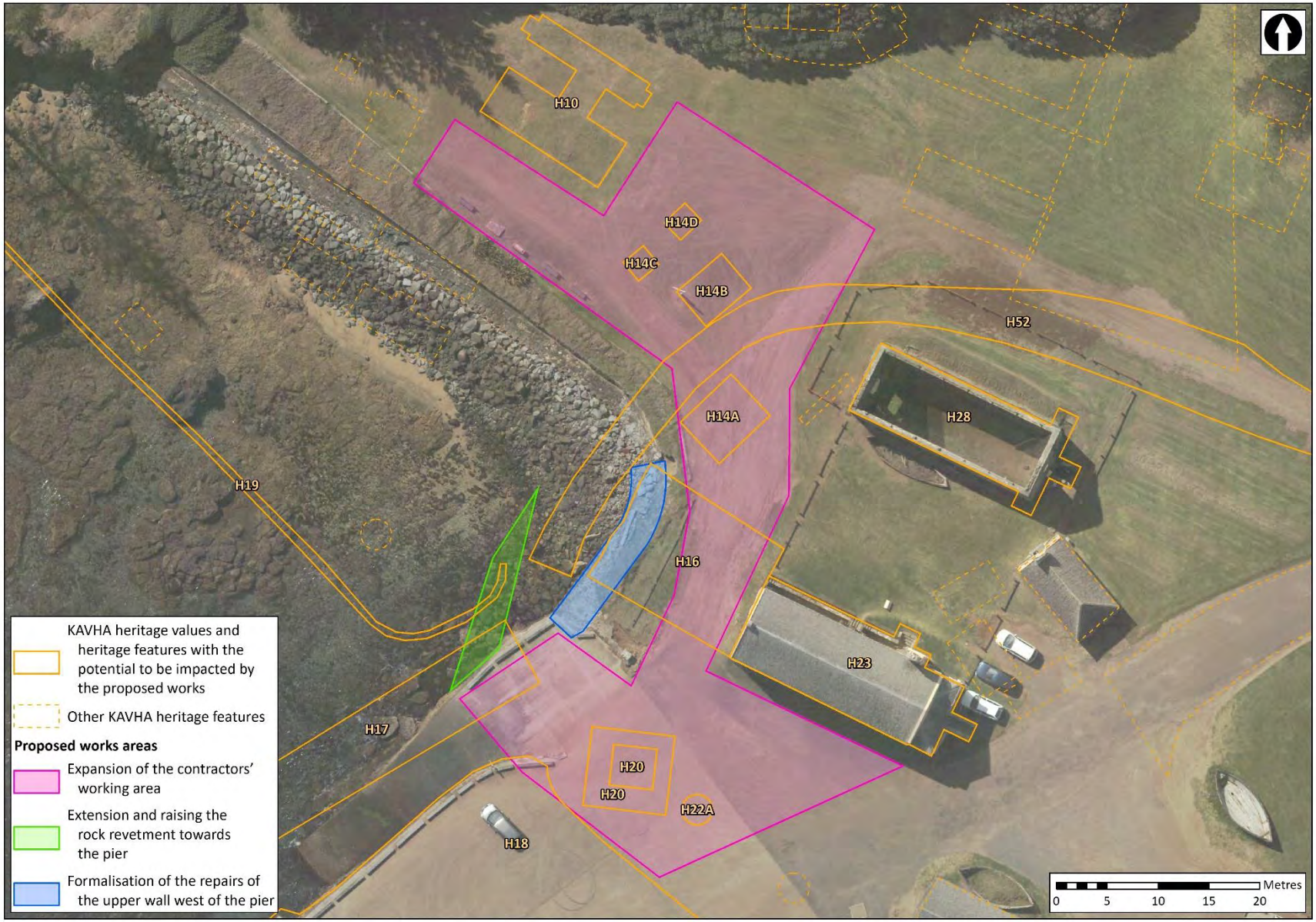


Figure 1. Proposed works areas and the heritage features that have the potential to be impacted.

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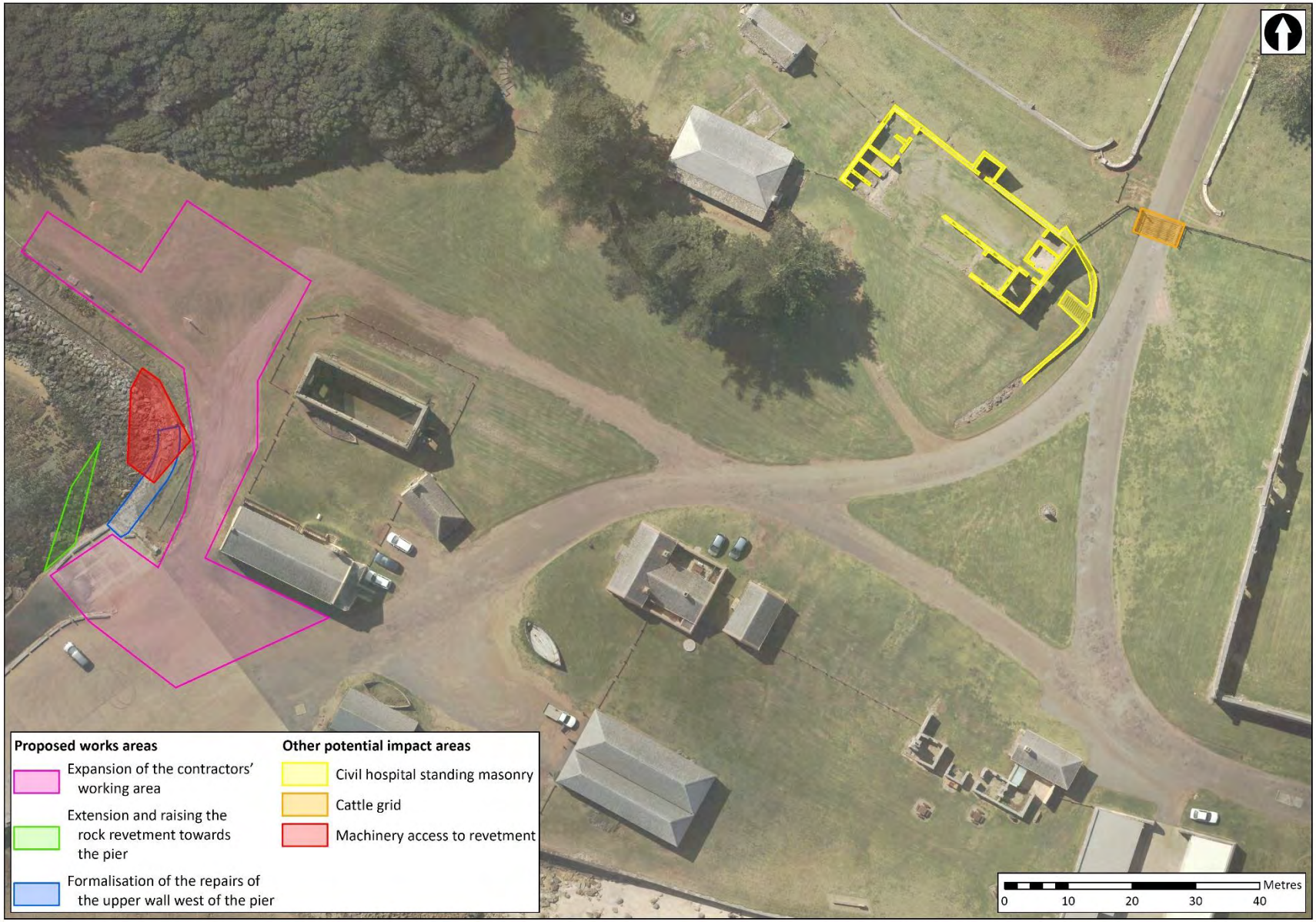


Figure 2. Other areas potentially impacted by project.

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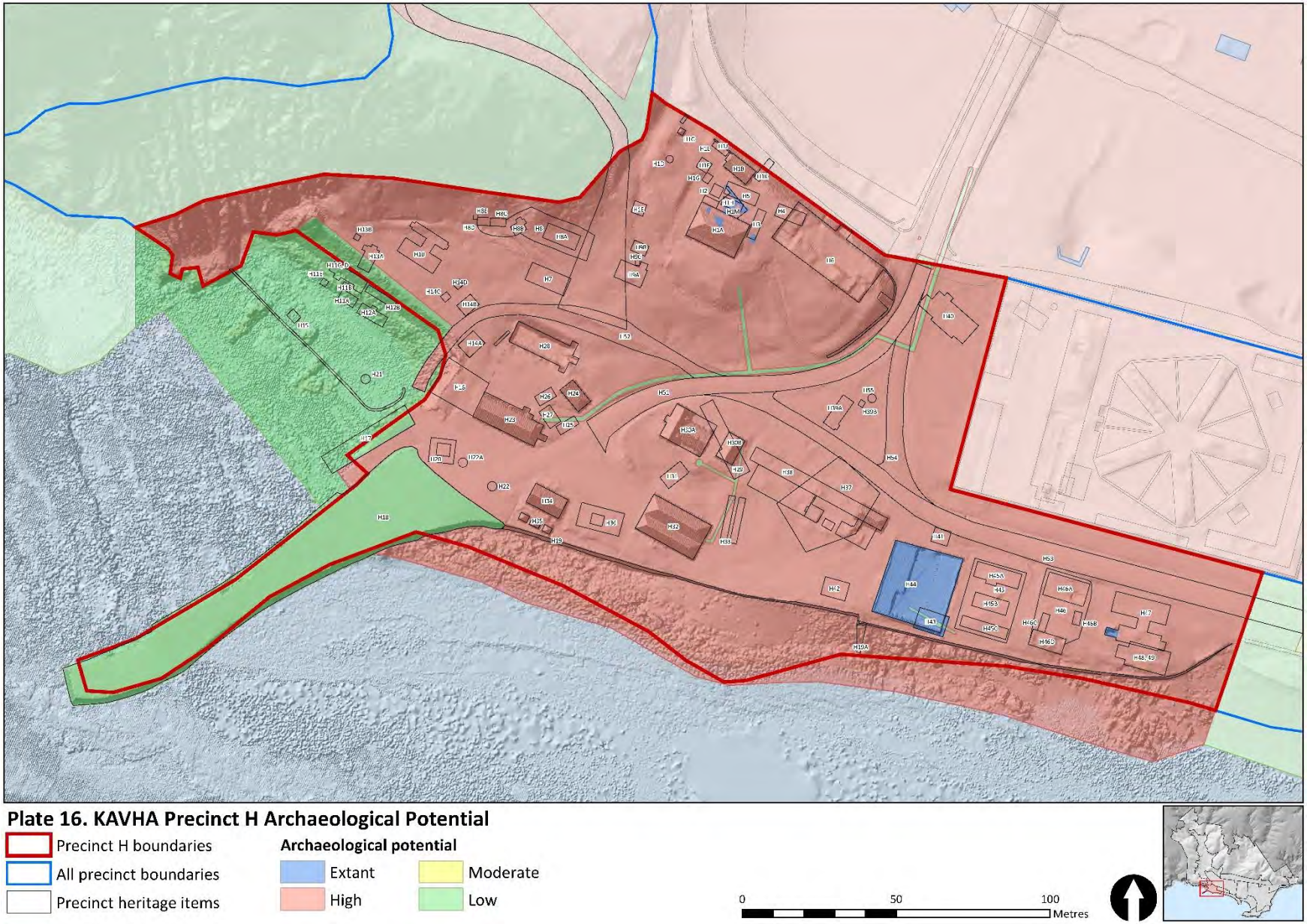


Figure 3. Plate 16 from AZMP, showing archaeological potential zoning of pier area.

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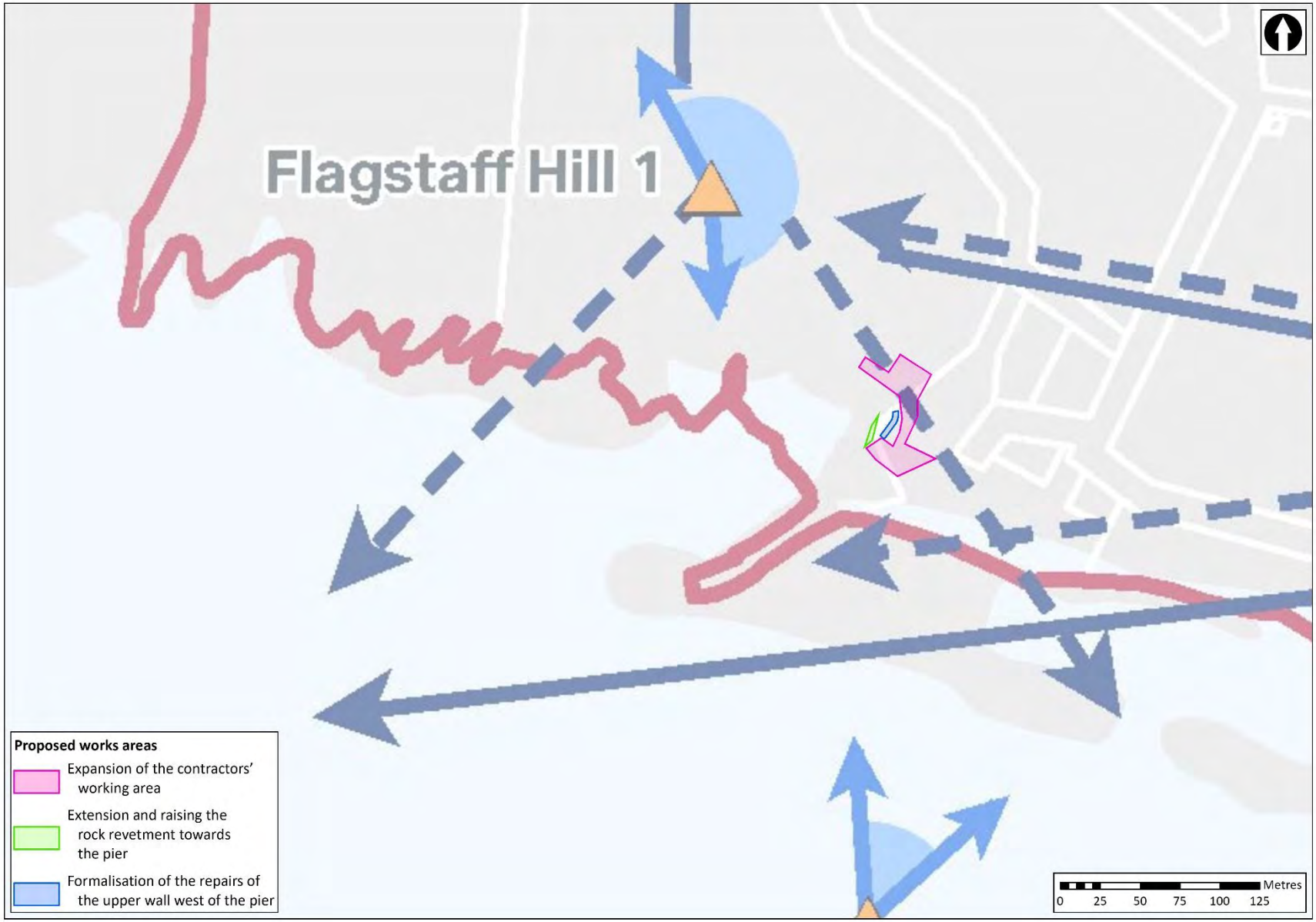


Figure 4. Proposed works areas over KAVHA DCP Figure 5 (Views and Vistas).

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Figure 5. Photo taken from lower Flagstaff Hill lookout showing pier area.

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Figure 6. Photo taken from upper Flagstaff Hill lookout showing pier area.

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DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, CITIES & REGIONAL DEVELOPMENT - RISK REGISTER

KINGSTON PIER CHANNEL CONSTRUCTION PROJECT | Register Creation Date: 29/04/2020 | Approved by: s 22(1)(a)(ii) | Last review date 14/07/2022 | This review date 31/08/2022 | Review approved by: Ben Morgan | Revision 11

Construction Related?	Category	Risk no.	Risk description	Risk Owner	Risk causes and Impacts /Consequences (if risk eventuated)	Existing Controls (and Owner & Effectiveness)	Shared risk?	Current (Initial) Risk Rating (post controls)			Consequence Category	Accept? Yes/No	Risk Treatment, Owner & Target date	Target Risk Rating (post treatments)			Mitigation Measures Impelemented	Risk Review / Status update			
								Likelihood (L)	Consequence (C)	Initial Risk Rating				Likelihood (L)	Consequence	Residual Risk Rating		Risk Description	Change Comments	Risk Category	Ranking Change
YES	Sheet-pile Wall	R1	There is a risk for the sheetpile wall to be destabilised or derated as a result of deepening in front of the wall.	Ben Morgan / Simon Batt	**CAUSES** - Early refusal of some sheetpiles (potentially clashing with the old sheetpile wall) resulting in reduced passive resistance/embedment and subject to undermining in some areas. - Deeper seabed levels than as shown on the WAE drawings **IMPACTS** - Structural stability and rating of the sheet-pile wall and pier is adversely impacted. - Gravel fill between the 1953 and 2006 sheet pile walls appears to have been released into the harbour from between the sheet pile walls, reducing the lateral capacity of the sheet pile wall system and potentially adversely impacting on the environment. - Potentially limits opportunity for future larger cranes to operate on the pier (100t +)		If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Operations and Stakeholders		**T1**: A structural stability assessment has been undertaken for the 80% Design Report with recommended remedial actions. **T2**: Investigations to be undertaken on site to determine the depth of the 1953 sheet pile wall which is important information to confirm the structural capacity of the sheet pile wall system. **T3:** Depending on the outcome of T2, design works to prevent further loss of gravel from between sheet pile walls, and design works to strength the sheet pile wall system. **T4:** Advise Norfolk Island Department team of current usage restrictions for the pier. **T5**: Construction will be undertaken carefully next to sheet piles - excavating near sheetpiles with hand-tools. **T6**: Recommend that seabed is not deepened at the toe of existing stone walls (which are located on either side of the sheet-pile wall). **T7**: Concrete scour protection may need to be provided against sheet pile wall where current seabed levels are deeper than design dredge level	Possible (26-50%)	Moderate	Medium - 13	Complete	There is a risk for the sheetpile wall to be destabilised or derated as a result of deepening in front of the wall.	A preliminary sheetpile structural stability assessment has been undertaken. Preparation for sheet-pile investigation works is currently underway. Closed Out	Design	Lower
NO	Dredging	R2	Permanently increasing the wave climate at the berth that impacts on the pier operations due to deepening of the channel.	Ben Morgan / Chris Adamantidis	**CAUSES** - Widening of the channel increases the significant wave height at the berth, evidenced by the Wave Modelling Report. **IMPACTS** - Damage to the pier and rock revetment due to increased wave energy at those locations. - Reduced use of the pier for normal operations. - Community backlash. - Impacts to Norfolk Island economy due to reduced use of the pier. - Legal action due to vessel damage, as a result of the Project (increased wave energy)	**C1**: No existing controls	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Operations and Stakeholders		**T1:** A wave modelling assessment was undertaken to assess the impacts of Options 1, 1a, 2, 3, 3a and 4. The selection of the channel will be dependent on the impact on wave behaviour at the berth. **T2:** The chosen channel option, Option 3a has a minimal impact on the wave climate relative to Options 2 and 4.	Possible (26-50%)	Moderate	Medium - 13	Complete	Permanently increasing the wave climate at the berth that impacts on the pier operations due to deepening of the channel.	Wave modelling has been undertaken. Channel option 3a has been selected. Closed Out	Design	Lower
YES	Dredging	R3	Challenging sea-state conditions and weather delays making construction work more difficult, resulting in downtime periods where construction is too unsafe to carry out.	Ben Morgan	**CAUSES** - Natural sea-state conditions. - Poor scheduling of work during months when swells are more prevalent. **IMPACTS** - Cost implications of enforcing downtime periods. - Safety of workers. - Safety/damage to equipment.	**C1**: Protection by the pier and rock-shelf from waves at lower tides.	If yes, shared with whom? or NA	Almost Certain (>75%)	Moderate	High - 20	Financial and resources		**T1**: Use of jack-up barge to allow for safe operation of the barge during rough sea conditions. **T2:** Scheduling the work during summer periods where swells are less prevalent. **T3:** Procurement process will need to identify tenderers with the smartest approach to reducing down-time on the project. **T4:** Market sounding activity proposed to be undertaken by Project Team to gain insight on different contractors' strategies to work in challenging sea-state conditions.	Likely (51-75%)	Moderate	Medium - 17	Complete	Challenging sea-state conditions and weather delays making construction work more difficult, resulting in downtime periods where construction is too unsafe to carry out.	Closed Out	Construction	Lower
YES	General	R4	Remoteness of the site makes it difficult for construction plant and equipment to be brought to the island, resulting in variation costs.	Ben Morgan	**CAUSES** - Unavailability of local plant and equipment suitable for the work. **IMPACTS** - Costs to mobilise equipment and plant will be very expensive compared to a typical project.	**C1:** Some local plant and equipment is available.	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Financial and resources		**T1**: Consultants hired with industry knowledge of the dredging contractor market, to provide advice on most cost-effective procurement approach. **T2**: Procurement process to identify tenderers with the smartest and most cost-effective approach for mobilisation and demobilisation to reduce costs. **T3**: Contract with contractor must cover the potential risks of transporting equipment to the island. **T4:** Market sounding activity proposed to be undertaken by Project Team to gain insight on different contractors' strategies to minimise mobilisation trips and logistical risks.	Possible (26-50%)	Minor	Low - 8	Complete	Remoteness of the site makes it difficult for construction plant and equipment to be brought to the island, resulting in variation costs.	Closed Out	Construction	Lower
YES	General	R5	Mobilisation and demobilisation of plant/equipment to Norfolk Island being delayed due to weather issues.		**CAUSES** - Natural weather events. **IMPACTS** - Getting to island late will delay the project. Project is time sensitive as it needs to be done during summer months. - Costs associated with increased mobilisation time.		If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Tenderers to provide methodology in tender on efficient and safe mobilisation.demobilisation. **T2:** Tenderers must demonstrate proven experience in mobilising in rough weather conditions. T3: Financial risk of any issues encountered during mobilisation / demobilisation to be understood prior. **T4:** Market sounding activity proposed to be undertaken by Project Team to gain insight on different contractors' strategies to minimise mobilisation trips and logistical risks.	Likely (51-75%)	Moderate	Medium - 17	Complete		Closed Out	Construction	Lower
YES	Dredging	R6	Kingston Pier operations interrupted during construction/deepening works.		**CAUSES** - Scheduling dredging works during usual hours of operation. - The best time to undertake work from a sea-state perspective coincides with period of the Pier's highest demand. - Fishing vessels will use the pier to launch vessels in morning (6am-8am) and retrieve in the afternoon/evening. **IMPACTS** - Interruptions to high priority activities such as sea-rescue. - Community backlash. - Interruptions to Norfolk Island activities such as cruise ship arrivals, cargo vessel unloading, fishing boat - causing economic losses.	**C1**: Cascade Pier to be used as an alternative to Kingston Pier.	If yes, shared with whom? or NA	Almost Certain (>75%)	Minor	Medium - 16	Stakeholders		**T1**: Consultation with the community prior to construction programming to schedule work periods to balance cost vs interruptions to pier operations. **T2**: A contingency plan has been developed to manage access for various users of the pier including fisherman, emergency rescue etc. **T3**: Consultation with community to be included in tender methodology for construction contractors. This would form part of tender evaluation. **T4**: Contractor will develop a schedule to provide visibility to the community for use of the pier.	Likely (51-75%)	Minor	Low - 12	Complete	Kingston Pier operations interrupted during construction/deepening works.	Closed Out	Construction	
YES	Dredging	R7	Potential for maritime archaeological artefacts in the sediment layer, calcarenite layer or tuff to be unknowingly removed during construction/deepening works.		**CAUSES** - Unmanaged dredging of the seabed without archaeological mitigation measures in place. **IMPACTS** - Potential damage to valuable maritime archaeological artefacts, including shipwreck artefacts from the HMS Sirius, Friendship and Mary Hamilton. - Enforcement from regulator/department due to damage to nationally significant artefacts, leading to project delays and cost blow-out		If yes, shared with whom? or NA	Almost Certain (>75%)	Moderate	High - 20	Regulatory and Operations		**T1:** Maritime archaeologist is on the project providing advice on how to manage the dredging works to reduce impacts. **T2:** Test excavations will take place prior to construction to identify the frequency and significance of artefacts in the channel. **T3:** The Kingston Pier Underwater Archaeological Management Plan (KPUAMP) will be developed to manage archaeological investigation during construction.	Unlikely (6-25%)	Moderate	Low - 9	In Progress	Potential for maritime archaeological artefacts in the sediment layer, calcarenite layer or tuff to be unknowingly removed during construction/deepening works.	Test excavations have been completed and have identified the areas of heritage significance - this will inform the management plan. Test excavations have reduced the potential screening area significantly. KUAMP	Environment	Lower

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Construction Related?	Category	Risk no.	Risk description	Risk Owner	Risk causes and Impacts /Consequences (if risk eventuated)	Existing Controls (and Owner & Effectiveness)	Shared risk?	Current (Initial) Risk Rating (post controls)			Consequence Category	Accept? Yes/No	Risk Treatment, Owner & Target date	Target Risk Rating (post treatments)			Mitigation Measures Impelemented	Risk Review / Status update			
								Likelihood (L)	Consequence (C)	Initial Risk Rating				Likelihood (L)	Consequence	Residual Risk Rating		Risk Description	Change Comments	Risk Category	Ranking Change
YES	Dredging	R8	Uncontained sediment plume resulting in harm to marine environment due to deepening works.		**CAUSES** - Unmanaged dredging of the seabed without sediment plume mitigation measures in place. **IMPACTS** - Visible plume created by the dredging, causing community backlash. - Sediment plume causing harm to the marine environment (i.e. smothering coral reef). - Regulator enforcement.	**C1:** Rock shelf acts as a barrier **C2:** Wave action assisting with dispersion and carrying sediment away from the bay.	If yes, shared with whom?	Likely (51-75%)	Major	High - 21	Regulatory and Operations		**T1:** Sediment mitigation measures that can include a bubble curtain, fixed sediment boom **T2:** Procurement process to identify tenderers with the smartest methodology to preventing sediment plume. **T3**: Reduced dredge volume from selecting Option 3a, and therefore reduces sediment disturbance. **T4**: Sediment Plume Modelling Report has been completed by Project Team to document the potential sediment plume impacts from the project. **T5**: Water Quality Monitoring Plan has been prepared by Project team to be form part of the Environmental Assessment and to be implemented during construction to manage sediment plumes.	Possible (26-50%)	Moderate	Medium - 13	Complete	Uncontained sediment plume resulting in harm to marine environment due to deepening works. Closed Out	Draft Sediment Plume Modelling Report Completed.	Environment	Lower
YES	Dredging	R9	Deepening of the channel at the toe of the Pier may result in damaging the foundation if by chance a large rock is lodged underneath and removed recklessly.		CAUSES - Using a backhoe without managing pier. IMPACTS - Permanent damage to the pier and associated costs to repair the pier. - Operations at the pier would potentially be shut down temporarily - community backlash. - Reputational damage.	**C1**: Limited geotechnical information exists.	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Operations and Stakeholders		**T1:** During channel deepening, it is recommended to use hand-tools such as an underwater handsaw (operated by divers) to carefully and manually remove rocks at the toe of the pier.	Unlikely (6-25%)	Moderate	Low - 9	Complete	Deepening of the channel at the toe of the Pier may result in damaging the foundation if by chance a large rock is lodged underneath and removed recklessly.	Closed Out	Construction	Lower
NO	Dredging	R10	Non future-proofed channel does not meet the expectations of community in the long term.		**CAUSES** - Undertaking the non-future proofed channel design. **IMPACTS** - Unable to take in vessels with larger drafts - causing community backlash.	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Stakeholders		**T1:** Stakeholder consultation with the community will establish their position on whether the channel should be future-proofed or not. **T2:** Project team has selected Option 3a as the preferred channel option, which provides the opportunity to future-proof the berth at a later time. **T3:** The Project Steering Committee (PSC) endorsed Option 3A on the basis that it would deliver a future-proofed solution. **T4:** Potential structural repairs to the pier to support the dredging of the channel and extend lifespan of the pier for future use.	Unlikely (6-25%)	Minor	Low - 5	Complete	Non future-proofed channel does not meet the expectations of community in the long term.	Option 3A has been developed through 80% design and continue to 100% design. Closed Out	Design	
NO	Dredging	R11	Channel is not wide enough to allow for safe navigation of vessels, resulting in restricted navigation and/or incidents.		**CAUSES** - Undertaking the narrowest channel design. - Design parameters incorrect. **IMPACTS** - Project does not meet its objectives. - The Channel will require another deepening project in future.	**C1**: Frequent users' familiarity and experience with the pier and channel. **C2**: Operation of the current channel is limited to entering/leaving of one vessel at a time in the berthing area.	If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17	Stakeholders		T1: Input from consultants, stakeholders, and community resulting in development of a suitable channel design. **T2:** Review from senior coastal engineers and experts will contribute to selecting a preferred design channel. **T3:** Consultation has been held with the fishing and lighterage group, whom are the primary users of the channel, and they have recommended a 22m wide interior channel to accomodate multiple vessels in the channel. **T4:** The endorsed option, Option 3A has a wider channel as recommended by the fishing and lighterage group.	Possible (26-50%)	Minor	Low - 8	Complete	Channel is not wide enough to allow for safe navigation of vessels, resulting in restricted navigation and/or incidents.	Option 3A has been developed through 80% design and continue to 100% design.	Design	Lower
NO	General	R12	Inadequate environmental assessment submitted to the Department, leading to additional rework.		CAUSES - Inadequate information included in the EPBC referral and environmental assessment. IMPACTS - Project delays. - Cost implications for re-work	**C1:** Internal Quality assurance and review process. **C2:** Existing studies and literature available.	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Business outcomes		T1: Ongoing consultation with the Department of Agriculture, Water and Environment (DAWE) Referral Department to bring them along the process. This will reduce risk of the EPBC referral being refused. **T2:** Site investigations undertaken by marine ecologist and maritime archaeologist. **T3:** Consultation with relevant stakeholders (including the flora and fauna group). **T4:** Outcomes from meeting with DAWE include requiring Sediment Plume Modelling being undertaken and Heritage Impact Assessment.	Possible (26-50%)	Moderate	Medium - 13	Complete	Inadequate environmental assessment submitted to the Department, leading to additional rework.	Sediment Plume Modelling Report has been completed. Currently awaiting approval for Heritage Impact Assessment. Additional work being undertaken. Closed out.	Environment	Lower
YES	Dredging	R13	Injury to workers during the channel construction works due to low-medium risk weather events (storms, swells, high winds).		**CAUSES** - Rough weather and sea climate. - Inadequate safety controls **IMPACTS** - Major injury to workers.	C1: Protection by the pier and rock-shelf from waves at lower tides.	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13			**T1:** Ensure that safety vehicles such as ambulance or helicopter is available to move injured workers to a Hospital off Norfolk Island if required. **T2:** A Construction Safety Plan or HSE Plan to be prepared by Contractor and approved by Department. **T3:** Work should be rescheduled during days where storms are forecasted. **T4:** Tender evaluation to include HSE Records. **T5**: Contractors to refer to tidal charts and relevant meteorology information when working.	Unlikely (6-25%)	Minor	Low - 5	Complete	Injury to workers during the channel construction works due to low-medium risk weather events (storms, swells, high winds).	Specification. SWMS etc.	Construction	Lower
YES	Dredging	R14	Injury to workers during the channel construction due to high/disaster severity weather events (cyclones, flooding, strong storms, fires).		**CAUSES:** - Natural weather event. **IMPACTS** - Major/Catastrophic injury to workers - Irreversible damage to equipment - Damage to Kingston infrastructure and KAVHA area.		If yes, shared with whom? or NA	Unlikely (6-25%)	Extreme	High - 19			**T1:** Construction to be planned in the summer months (November to March) during times of lower wind speeds and swell waves. **T2:** An Emergency Safety Plan to be prepared by Contractor and approved by Department to manage high severity weather events. **T3:** Weather systems to be researched by contractor and by project team ahead of construction to predict any potential cyclone events. **T4:** Consideration of El Nina / La Nina conditions and impact on weather.	Unlikely (6-25%)	Major	Medium - 14	Complete	Injury to workers during the channel construction due to high/disaster severity weather events (cyclones, flooding, strong storms, fires).	Specification. SWMS etc.	Construction	Lower
YES	Dredging	R15	Construction equipment could damage the pier, environment or reef during a storm.		**CAUSES** - Rough weather and sea climate. - Poor equipment placement. **IMPACTS** - Poor equipment placement		If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13			**T1:** Days should be forecasted to ensure work can take place safety. Work should be rescheduled during days of storms. **T2:** The jack-up barge should be moved to a safe harboured area away from the pier during storms. **T3:** Construction contractor will ensure that proper due diligence is undertaken in terms of placement of equipment on the channel.	Unlikely (6-25%)	Minor	Low - 5	Complete	Construction equipment could damage the pier, environment or reef during a storm.	Specification. SWMS etc.	Construction	Lower
YES	General	R16	Client or Contingency budget is exceeded during construction.		**CAUSES** - Unforeseen circumstances such as longer than expected stand-down periods. - Large quantity of Maritime archaeological artefacts found. - COVID risks such as travel restrictions. **IMPACTS** - Budget may be exceeded during construction and would require additional funding.		If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Ensure the cost estimation of the project is accurate, including the contingency costs which are likely to occur. **T2:** Budget to be discussed internally in department to meet the cost estimate. **T3:** Once the contracting methodology and scope of works is confirmed, have an independent QS to review the costs.	Possible (26-50%)	Moderate	Medium - 13	In Progress	Client or Contingency budget is exceeded during construction.		Economic	Lower

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								Likelihood (L)	Consequence (C)	Initial Risk Rating				Likelihood (L)	Consequence	Residual Risk Rating		Risk Description	Change Comments	Risk Category	Ranking Change
NO	Quarry Rehabilitation	R17	Approval for spoil disposal takes too long and delays project.		**CAUSES** - Council disapproving of the disposal methods. **IMPACTS** - If land disposal does not line up with the construction timelines, a temporary stockpile location would need to be found.		If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Business outcomes		**T1:** A discussion with s 22(1)(a)(ii) (NIRC General Manager) has been held. AR has endorsed the disposal of spoil at the old quarry. **T2:** Soil Memo has been sent NIRC to confirm suitability of the soil to be disposed and contribute to rehabilitaiton of the old quarry. **T3:** Early discussion with the NIRC to be undertaken to ensure the land disposal options are suitable and the appropriate approvals are identified and obtained early on. **T4:** Project is looking to obtain Significant Development status to speed up approval process. **T5:** Consultation has been undertaken with the landowner (John Christian). **T6:** Coordination with Council on their Cascade Quarry Project to ensure the projects are aligned in schedule and outcomes with each other. Cascade Quarry EIS will inform the Kingston Pier EIS - once it is on display.	Possible (26-50%)	Moderate	Medium - 13	In Progress	Approval for spoil disposal takes too long and delays project.	Approval has been sought from landowner. Project will undergo Significant Development Application Review in April. Ongoing	Environment/approvals	Lower
NO	Dredging	R18	Selection of a subpar dredging contractor, leading to poor construction quality and contractor behaviour on site.		**CAUSES** - Choosing a less reputable construction company due to saving costs. **IMPACTS** - Construction rework would required to do job properly. - Adverse impacts to environment and disregard to other aspects such as marine archaeology. - Poor engagement with the community.	**C1:** No existing controls.	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21			**T1:** Hiring of an experienced construction manager (recommended by Advisian) to stay on-island to manage works. **T2:** Robust tender evaluation process with experienced dredging project managers. **T3**: Robust procurement processes including detailed state of requirements.	Unlikely (6-25%)	Moderate	Low - 9	Not Started	Selection of a subpar dredging contractor, leading to poor construction quality and contractor behaviour on site.	Tender Evaluation	Procurement	Lower
NO	General	R19	Putting too many restrictions on tender can limit the amount of contractors bidding for the job.		**CAUSES** - Restrictions placed on the tender to filter out unqualified contractors and to attract quality tenders. **IMPACTS** - limited selection of contractors, so less competition.	**C1:** Existing government procurement processes.	If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Make sure it was fairly open to tenderers, by reducing standards/certifications required by contractors. (Federal safety accreditation) **T2:** Foreign contractors/NZ contractors should be treated fairly. This should be communicated effectively in the procurement documentation. **T3:** Market sounding activity proposed to be undertaken by Project Team to their views on what type of contract would be considered acceptable.	Possible (26-50%)	Moderate	Medium - 13	Not Started	Putting too many restrictions on tender can limit the amount of contractors bidding for the job.		Procurement	Lower
YES	Dredging	R20	Vessel damage during construction due to larger construction vessels operating in a tight environment		**CAUSES** - No channel markers for the rock shelfs and channel extents. **IMPACTS** - Salvage activities required to retrieve the sunk vessel. - Becomes an obstacle in the channel for the work to be undertaken. Therefore delaying construction. - Sunk vessels would be extremely expendsive financial burden.	**C1:** Temporary buoy markers are used to demarcate navigable waters within the project site.	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21			**T1:** Construction guidelines and procedures around minimising vessels in the channel. **T2:** Appropriate use of plant and equipment **T3:** Relocation of plant and equipment prior to storm events. **T4:** A safe access and navigation plan may be developed by the contractor with the fishermen / lighterage group to ensure the channel can be used whilst the works are being done, ensure construction contractor familiarises themselves with the vessels that are used in the channel on a regular basis.	Unlikely (6-25%)	Major	Medium - 14	Not Started	Vessel damage during construction due to larger construction vessels operating in a tight environment		Construction	Lower
NO	General	R21	Not using local labour where possible, resulting in community backlash.		**CAUSES** - Local hiring is poorly advertised/communicated to Norfolk Island. - Norfolk Islanders not having the appropriate qualifications for the work. **IMPACTS** - Community backlash	C1: No existing controls.	If yes, shared with whom? or NA	Likely (51-75%)	Minor	Low - 12			**T1:** Locals will be made aware of the opportunities to participate in the project through press release and industry briefing. **T2:** **T3:**	Unlikely (6-25%)	Minor	Low - 5	Not Started	Not using local labour where possible, resulting in community backlash.	To date we have been used local labour where possible (test excavation sievers and upcoming sheetpile investigation works)	Community	Lower
NO	General	R22	Some of the community's preferred option is not chosen.		**CAUSES** - Community has differing opinions on which options they preferred. **IMPACTS** - Community backlash		If yes, shared with whom? or NA	Almost Certain (>75%)	Minor	Medium - 16			**T1:** Managing expectations and informing the community of the design process through effective communication and stakeholder/community consultation sessions. **T2:** The Project Steering Committee (PSC) endorsed Option 3A on the basis that it would deliver a future-proofed solution.	Likely (51-75%)	Minor	Low - 12	Complete	Some of the community's preferred option is not chosen.		Community	Lower
YES	General	R23	The risk of local plant equipment is not fit for purposes or not maintained properly or is not available, resulting in additional freighted equipment.		**CAUSES** - Local equipment being not fit for purposes. **IMPACT** - Local plant equipment not available and therefore cannot proceed with the works. - Additional mobilisation costs to bring in contingency equipment.		If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Mandatory industry briefing to alert the island of the required plant and equipment needed for the work. **T2:** Tendering process will evaluate the condition and availability of equipment for the work. **T3:** Department's local office to discuss with local tradesmen and suppliers on island of current condition of equipment. **T4:** Market sounding activity proposed to be undertaken by Project Team to gain contractors' views on what local equipment may be required.	Likely (51-75%)	Moderate	Medium - 17	In Progress	The risk of local plant equipment is not fit for purposes or not maintained properly or is not available, resulting in additional freighted equipment.	Tender Evaluation	Construction	No change
YES	General	R24	The current port facilities is not adequate to unload construction equipment from the mainland.		**CAUSES** - Inadequate strength of the pier or inadequate strength of the crane. **IMPACTS** - Current port facilities cannot unload construction equipment from the mainland.	C1: Pier has a 25kPa load **C2:** Use Cascade Pier as an alternative. **C3:** Ball Bay unlikely to be available.	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13			**T1:** Make site conditions clear to tenderers during procurement process, and request work method statements with tender submission. **T2:** Selection of a contractor with confidence/strong methodology.	Unlikely (6-25%)	Major	Medium - 14	In Progress	The current port facilities is not adequate to unload construction equipment from the mainland.		Construction	No change
YES	General	R25	Security measures potentially causing restrictions in bringing in equipment from offshore. (i.e. biosecurity reasons)		**CAUSES** - Norfolk Island security restrictions. - Equipment being brought in from a country with biosecurity risks. **IMPACTS** - Equipment turning up to island and being refused to be used. - Financial impacts due to requiring extra cleaning.	**C1:** Existing biosecurity protocols.	If yes, shared with whom? or NA	Possible (26-50%)	Major	Medium - 18			**T1:** Investigate the security measures of Norfolk Island and ensure all contractors meet the security standards prior to mobilisation of equipment. **T2:** Include biosecurity requirements in the procurement documentation.	Unlikely (6-25%)	Moderate	Low - 9	In Progress	Security measures potentially causing restrictions in bringing in equipment from offshore. (i.e. biosecurity reasons)		Construction	Lower
YES	Dredging	R26	Contractor claims they needed to excavate extra material - contractual issue.		**CAUSES** - Poorly written contract. - Contractor behaviour. **IMPACTS** - Increase in costs to the contractor.	C1: Don Taylor Survey 2006	If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Ensure the contract captures any of these issues (i.e. providing a maximum dredge tolerance). **T2:** Effective project management of the contractor. **T3:** Choose contractors that have good reputation. **T4:** A revised survey was undertaken to measure seabed level.	Unlikely (6-25%)	Moderate	Low - 9	In Progress	Contractor claims they needed to excavate extra material - contractual issue.		Construction	No change
YES	General	R27	Project timing is affected by COVID-19		**CAUSES** - COVID-19 travel restrictions. **IMPACTS** - Project delays will be inevitable due to the delay of site activities such as archaeological test excavations and hydrographic surveys.		If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Activities that can be completed early will be prioritised, such as the Environmental Assessment and Design Report. **T2: E**arly planning to be done for the Archaeological excavations and hydrographic surveys so that they can commence straight away. **T3:** Close monitoring of the travel restriction on Norfolk Island. T4: Program is regularly updated.	Likely (51-75%)	Moderate	Medium - 17	In Progress	Project timing is affected by COVID-19		Misc	No change

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								Likelihood (L)	Consequence (C)	Initial Risk Rating				Likelihood (L)	Consequence	Residual Risk Rating		Risk Description	Change Comments	Risk Category	Ranking Change
NO	General	R28	Not putting enough certifications / limitations / restrictions on contractors tenders resulting in poor tender submissions or insufficient contractors		**CAUSES** - Not attracting enough tenderers/filtering too many out due to tough standards. **IMPACTS** - Regulator enforcement due to laws being broken - or contractual issues - Poor performance of contractors due to inadequate certification and training for staff.		If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17			**T1:** Ensure all the high priority/essential certifications and limitations are placed on tenders, while the extra "value-add" limitations as recommended but non-mandatory. **T2:** Make the criteria scaling rather than an outright refusal if certain certifications are not met.	Possible (26-50%)	Minor	Low - 8	Not Started	Not putting enough certifications / limitations / restrictions on contractors tenders resulting in poor tender submissions or insufficient contractors		Procurement	No change
YES	General	R29	Pier Street Bridge Project may interrupt movement of construction vehicles to and from Kingston Pier.		**CAUSES** - The Pier St Bridge is in poor condition and may undergo remedial works in near future. **IMPACTS** - Unable to bring vehicles and construction equipment to and from the Kingston Pier area. - Causes project delays.	**C1:** Ensure the Pier St Bridge Project does not overlap with the Kingston Pier Channel Construction Project. Do this by liaising with NIRC.	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13			**T1:** The Pier Street Bridge project is just a remediation project, not structural. Martin Purslow is managing this one, so need to liaise with him. The bridge does not need to be closed for this project. Bridge Street bridge does however at some point need to be closed for the structural works that need to be done. **T2:** Approximate timing for the remediation of Pier Street Bridge to be obtained.	Unlikely (6-25%)	Moderate	Low - 9	In Progress	Pier Street Bridge Project may interrupt movement of construction vehicles to and from Kingston Pier.		Construction	Lower
NO	Dredging	R30	Increased erosion of the decomposed basalt cliff under Flagstaff hill as a result of wave action, and the resuling erosion material having a detrimental impact on marine environment.		**CAUSES** - Increased wave action as a result of the channel construction. **IMPACTS** - Irreversible damage to the landscape of Norfolk Island. - Damage to the marine environment.		If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13			**T1:** Further investigation of the basalt cliff to be undertaken to understand slope stability of the cliff and whether it is at risk of failure. **T2:** Channel option selection will consider the impact on the cliff. All options have some degree of impact on the basalt cliff (Point H in the wave report), approximately 5%-10% increase in significance wave height). **T3:** Consider rock protection around base of the cliff. **T4:** Project team has put forward a proposal to fix the rock revetment at the pier and extend the rock revetment to protect the eroded section of the cliff. **T5:** Proposal prepared for undertaking a geotechnical and WHS assessment of Flagstaff Hil	Possible (26-50%)	Moderate	Medium - 13	In Progress	Increased erosion of the decomposed basalt cliff under Flagstaff hill as a result of wave action, and the resuling erosion material having a detrimental impact on marine environment.		Construction	No change
YES	Dredging	R31	Dewatering of the excavated spoil at an inappropriate location on the pier leading to silt being drained into sensitive waters and reef habitats in Slaughter Bay and Emily Bay.		**CAUSES** - No management of the dewatering process - Poor location chosen for dewatering. **IMPACTS** - Negative Impact on reef habitat			Likely (51-75%)	Moderate	Medium - 17			**T1**: Selection of dewatering locations to be investigated and chosen prior to construction. Runoff must not lead into any sensitive waterbodies. **T2:** A dewatering plan to be prepared for construction.	Unlikely (6-25%)	Minor	Low - 5	In Progress	Dewatering of the excavated spoil at an inappropriate location on the pier leading to silt being drained into sensitive waters and reef habitats in Slaughter Bay and Emily Bay.		Environment	Lower
NO	Dredging	R32	Increased scouring in the excavated channel from wave action, and the eroded silt causing damage to the surrounding marine environment. Flora and fauna group notes that the 2006 excavated areas have not stabilised yet.		**CAUSES** - Increased wave action and scouring of the channel as a result of the channel construction. **IMPACTS** - Negative Impact on reef habitat due to eroded silt material.			Possible (26-50%)	Minor	Low - 8			**T1**: Selection of the channel option to consider potential scouring of the channel / velocity of waves coming into the channel. **T2:** Wave modelling exercise has concluded that the channel design will not significantly increase wave height at the pier or channel.	Unlikely (6-25%)	Minor	Low - 5	Complete	Increased scouring in the excavated channel from wave action, and the eroded silt causing damage to the surrounding marine environment. Flora and fauna group notes that the 2006 excavated areas have not stabilised yet.	Closed out.	Environment	Lower
NO	General	R33	Council has finalised the KAVHA Development Control Plan, which may affect the permissability of any onshore works.		**CAUSES** - KAVHA DCP not permitting certain onshore works to be undertaken (ie ancillary facilities, material laydown). **IMPACTS** - Future proofing the pier would increase the risk of the project with no tangible benefit.	C1: KAVHA DCP to be provided to Project Team as soon as possible once approved.		Likely (51-75%)	Minor	Low - 12			**T1:** The KAVHA Development Control Plan will be considered in the Significant Development Application and EIS for the onshore works for the project.	Unlikely (6-25%)	Minor	Low - 5	In Progress	Council has finalised the KAVHA Development Control Plan, which may affect the permissability of any onshore works.		Environment	Lower
NO	Dredging	R34	Removal of the portion of the rock shelf destroying the habitat of the small rock fish, which have been fished by older Norfolk islanders for food for a very long time.		**CAUSES** - Heavy construction works in the area **IMPACTS** - Cause irreversible damage to the rock fish populations in the area. - Strong backlash from community.			Rare (0-5%)	Moderate	Low - 6			**T1:** The rock shelf would not be excavated as part of the Project. **T2:** Proper construction environmental management protocol to be put in place to ensure minimal disturbance to the marine environment (I.e a CEMP to be developed).	Rare (0-5%)	Moderate	Low - 6	Complete	Removal of the portion of the rock shelf destroying the habitat of the small rock fish, which have been fished by older Norfolk islanders for food for a very long time.	Closed out.	Environment	Lower
NO	Dredging	R35	Lack understanding of the marine environment leading to unassessed impacts to the marine environment due to lack of background context.		**CAUSES** - Inadequate research or investigation into marine background. **IMPACTS** - Leads to unassessed impacts to the marine environment	**C1:** Existing background and research available.		Likely (51-75%)	Moderate	Medium - 17			**T1:** Marine ecology assessment to be reviewed by locals, particularly the Flora and Fauna Association as they have a very strong local knowledge of the habitat. **T2:** Transfer of information from the Flora and Fauna group to the Project Team to facilitate assessment of the marine environment impacts. **T3:** Additional site investigations undertaken by the team.	Possible (26-50%)	Minor	Low - 8	Complete	Lack understanding of the marine environment leading to unassessed impacts to the marine environment due to lack of background context.	Closed out.	Environment	Lower
NO	Sheet-pile Wall	R36	Undertaking of Sheet-pile Wall Investigations, which requires penetrative testing, leading to potential to encounter permissibility issues.		**CAUSES** - Poor communication of the investigation works to stakeholders including NIRC and DITRDC. **IMPACTS** - Delays in undertaking the investigation works.	**C1:** Stakeholders have previously been advised on the sub-par sheet-pile wall conditions, and therefore would more likely be understanding of investigations work.		Likely (51-75%)	Moderate	Medium - 17			**T1:** Project team will engage early with stakeholders to inform them of the potential investigation works and full methodology to understand the permissibility issues.	Possible (26-50%)	Minor	Low - 8	Complete	Undertaking of Sheet-pile Wall Investigations, which requires penetrative testing, leading to potential to encounter permissibility issues.	Contact has been made with Martin Purslow, who has advised that approval can be sought for within the Department to carry out maintenance works on the pier.	Design	Lower
NO	General	R37	The P50 Cost Estimate for the Kingston Pier Channel Construction Project may be too high to meet Department's funding, and worst case will be cancelled due to high cost.		**CAUSES** - High archaeological management cost. - Additional 30% contingency cost added on top of 20% contingency cost. - Additional scope items such as rock revetment and seawall repair costs. - Miscellaneous costs such as indirect costs that were not included in previous 30% cost estimate. **IMPACTS** - High cost of project may raise alarms to the PSC and potentially kill project if it cannot be financially supported.			Likely (51-75%)	Major	High - 21			**T1:** Ben Morgan has readjusted the costs to reduce costs where unnecessary or low priority to reduce the cost of construction. **T2:** The 100% Design Report will provide the readjusted cost, which will be reduced to meet Department's funding requirements as much as possible. **T3:** Strategise timing of project to run over two financial years to meet funding requirements - this however incurs the risk of working during mid-year when sea-state is at its most challenging to work in. **T4:** Split the project into components to be completed in different financial years where possible.	Likely (51-75%)	Major	High - 21	Complete	The P50 Cost Estimate for the Kingston Pier Channel Construction Project may be too high to meet Department's funding, and worst case will be cancelled due to high cost.		Cost	No change
YES	General	R38	Changes to loading/unloading of plant/equipment by Construction Contractor due to a developing project at Cascade Pier to place a temporary groyne which will enable a Roll On/Roll Off solution. This would be ideal for barges that bring containerised freight and will reduce some of the current shipping difficulties for the island.		**CAUSES** - Development of Cascade Pier Project (external) **IMPACTS** - Changes to loading/unloading of plant/equipment - Changes to Contractor program and methodology	**C1:** Changes that impact construction methodology need to be defined well in advance and adequately captured in the tender documents. More details and estimated completion of the Cascade Pier Project should be provided in the tender documents.		Likely (51-75%)	Minor	Low - 12			**T1:** Confirm details with Cascade Pier Project Team including current status and program. Include up to date information in tender package.	Likely (51-75%)	Insignificant	Low - 7	In Progress	Opportunitiy to optimise construction method if the RORO option at Cascade Pier is available.		Construction	Lower

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YES	General	R39	Rainfall is greatest during the four months from May to August, with June the wettest month. Intense periods of rainfall could occur during the project and localised flooding could impact construction activities and safety.		**CAUSES** - Climate (external) **IMPACTS** - Flooding - Damage to equipment - Water Hazard			Possible (26-50%)	Major	Medium - 18			**T1:** Check weather forecasts and cease works during dangerous conditions	Possible (26-50%)	Minor	Low - 8	In Progress	Dangerous climate events impacting construction.		Environment	Lower
YES	General	R39	Supply issues - Turpentine		**CAUSES** - Limited availability of Turpentine both on and off island - Long lead time for supply of Turpentine (happening everywhere) **IMPACTS** - Delay	**C1:** Investigations now into the availability of Turpentine and potentially having the Department order prior to construction to eliminate issues with supply and delivery.		Likely (51-75%)	Moderate	Medium - 17			**T1:** Department to check availability of Turpentine both on and off Island and confirm whether order can be placed prior to construction.	Possible (26-50%)	Minor	Low - 8	In Progress			Construction	

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FOI 26-287 - Document 23

NORFOLK ISLAND REGIONAL COUNCIL

ABN 6010 3855 713

APPLICATION FOR DECLARATION IN RELATION TO SIGNIFICANT DEVELOPMENT

APPLICATION NO.		

1. APPLICANT AND CONTACT DETAILS				
Company / organisation / agency	Department of Infrastructure, Transport, Regional Development and Communications			
	Sarah	Vandenbroek		
	First Name	Family Name		
Postal Address	GOP Box 594, Canberra ACT 2601			
Phone No.	s 47F		Mob. No.	s 47F
Email	sarah.vandenbroek@infrastructure.gov.au			
Signature of person making this application	s 47F			

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2. PROPERTY DESCRIPTION

Address	Kingston Pier, Kingston 2899, Norfolk Island						
Portion No.	182 (Crown land) 164 (Crown land)	Lot No.	-	Section No.	-	Land Area:	2.605 square metres 1.107 hectares

Zoning		Rural		Rural Residential		Residential	
		Mixed Use		Business		Light Industry	
		Industry		Open Space	✓	Conservation	
		Special Use		Airport		Roads	

What is the land currently used for?

Kingston Pier is a key element of the Kingston and Arthur's Vale Historic Area (KAVHA). The KAVHA is of international and national heritage significance and is a tourist attraction.

Portion 182 comprises the Kingston Pier hardstand area, paved areas and grassed areas which are currently used for activities by various vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters, and for other public users who use Kingston Pier for fishing and other recreational activities. The land includes Kingston Pier which is considered critical infrastructure for minor freight operations and transfer of cruise ship passengers to access Norfolk Island. Other heritage elements near Kingston Pier include the Pier Store (Museum), Boatsheds, Flaghouses and the Royal Engineers Office (Museum shop and information). The Boatsheds are currently used to store maritime vessels and equipment. Kingston Pier is accessed via Pier Street.

Portion 164 is located west of the Pier Store (Museum) and includes the boat ramp and grassed areas. The land is generally associated with the activities of various vessel operators and other users at Kingston Pier.

Further details on the lands at Kingston Pier subject of this Application are provided at Attachment 1.

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2. PROPERTY DESCRIPTION											
Address	Old Cascade Quarry, Cascade 2899, Norfolk Island										
Portion No.	5a1 (Youngs Road)		Lot No.	-		Section No.	-		Land Area:	2.848 hectares	
Zoning	✓	Rural			Rural Residential			Residential			
		Mixed Use			Business			Light Industry			
		Industry			Open Space			Conservation			
		Special Use			Airport			Roads			

What is the land currently used for?

The Old Cascade Quarry is not currently in use. It was previously used as a quarry to supply stone for various construction projects on Norfolk Island. It is proposed to be rehabilitated in the future as per the NIRC's objectives as a separate project. The land is privately owned by s 47F

3. LANDOWNER(S) PERMISSION TO SUBMIT THIS APPLICATION (if not the Applicant)	
The owner(s) of the land proposed to be developed must provide permission for this Application to be submitted. If the Applicant is not the owner of the land, the land owner(s) original signature(s) must be provided.	
As owner(s) of the property described above, I / we give permission for this Application to be submitted	
Name	Crown land (Portion 182 and 164)
Signature	This signature provides landowner's permission to lodge this Application.
Name	s 47F Portion 5a1)
Signature	This signature provides landowner's permission to lodge this Application. s 47F

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2. PROPERTY DESCRIPTION												
Address	Old Cascade Quarry, Cascade 2899, Norfolk Island											
Portion No.	5a1 (Youngs Road)		Lot No.	-		Section No.	-		Land Area:	2.848 hectares		
Zoning	✓	Rural			Rural Residential			Residential				
		Mixed Use			Business			Light Industry				
		Industry			Open Space			Conservation				
		Special Use			Airport			Roads				
What is the land currently used for?												
The Old Cascade Quarry is not currently in use. It was previously used as a quarry to supply stone for various construction projects on Norfolk Island. It is proposed to be rehabilitated in the future as per the NIRC's objectives as a separate project. The land is privately owned by s 47F												

3. LANDOWNER(S) PERMISSION TO SUBMIT THIS APPLICATION (if not the Applicant)	
The owner(s) of the land proposed to be developed must provide permission for this Application to be submitted. If the Applicant is not the owner of the land, the land owner(s) original signature(s) must be provided.	
As owner(s) of the property described above, I / we give permission for this Application to be submitted	
Name	For Kingston Pier property, refer to applicant details and Kingston Pier property details.
Signature	~~This signature provides landowner's permission to lodge this Application.~~ Refer to Applicant Details for permission to submit on behalf of Crownland.
Name	s 47F (Portion 5a1)
Signature	This signature provides landowner's permission to lodge this Application.

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4. TYPE OF INFRASTRUCTURE THIS APPLICATION APPLIES TO	
Clause 15A of the Planning Regulations 2002 (NI) prescribes the types of infrastructure that may be declared significant development. Please tick which type of infrastructure this application applies to.	
Air transport facilities	
Educational establishments	
Electricity generating works or alternative energy systems	
Electricity transmission or distribution networks	
Emergency services facilities	
Extractive industries	
Hospitals and health services facilities	
Port and wharf facilities	✓
Public works-major or public works-minor, as defined in the Plan	✓
Roads and traffic facilities	
Sewerage systems	
Sport and recreation facilities	
Stormwater management systems	
Telecommunications facilities	
Warehouse and freight facilities	
Waste disposal and resource management facilities	
Water supply, storage and treatment facilities	

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5. DESCRIPTION OF PROPOSED DEVLOPMENT:

Please provide a brief description of your proposal here.

The proposal involves augmentation of the existing channel bed in the harbour adjacent to Kingston Pier to increase its depth and width, to improve vessel access and safety and ensure that it meets required navigation standards. The existing channel is inadequate for safe navigation during all tides and does not meet required navigation standards. In addition, the existing limited water depth at the channel at lower tides is a safety risk for users due to inadequate under-keel clearance which has the effect of limiting the use of Kingston Pier.

The estimated duration for the proposal is five to six months (over the summer period) including mobilisation, demobilisation and any weather delays.

The proposed activities include:

- Augmentation of approximately 5,000 cubic metres of seabed material.
- Establishment of a land-based contractor's working area including a temporary site compound area and temporary spoil stockpile area at Kingston Pier.
- Establishment of a screening area near Kingston Pier to dewater and screen loose sediment for any archaeological artefacts.
- Transfer of spoil from Kingston Pier to the Old Cascade Quarry for onshore disposal.
- Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier.
- Installation of a single piled channel navigation aid located on the edge of the shallow rock shelf.

Proposed activities below the mean high water mark (MHWM) do not fall under Norfolk Island planning controls. These water-based works for the broader project are described for information purposes. Proposed activities above the MHWM (land-based works) will be subject to Norfolk Island planning controls and therefore subject of this specific Application for declaration in relation to Significant Development.

Please refer to Attachment 1 of this Application Form for a detailed description of the proposal.

6. DETAILED DESCRIPTION OF PROPOSED DEVELOPMENT AND ELIGIBILITY FOR DECLARATION AS SIGNIFICANT DEVELOPMENT:

A detailed project description will be required to be submitted as an attachment to this Application Form. The detailed project description must address the following matters to demonstrate that the proposed development meets the criteria to be eligible for consideration to be declared significant development. Each matter must be addressed under separate headings.

Complies with the definition of significant development in section 6 of the *Planning Act 2002 (NI)*	✓
The development is of the type listed in Clause 15A – Types of significant development in the *Planning Regulations 2004 (NI)*	✓
The development has potential to provide economic or community benefits	✓
The development has, or could have, links with other developments	✓
How the development is consistent with the Norfolk Island Plan 2002	✓
How the development relates to the Norfolk Island Regional Council Council's community strategic plan, delivery program and operational plan	✓

Please refer to Attachment 1 of this Application Form for further detail in relation to Section 6.

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LODGEMENT DETAILS

You can lodge the completed application by:

Mail: Norfolk Island Regional Council
P.O. Box 95
NORFOLK ISLAND 2899

Email: planning@nirc.gov.nf

In person: **Customer Care Team**
Telecom Building
9 New Cascade Road

or

Planning and Building Office
Cell Block
New Military Barracks

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ATTACHMENT 1

SECTION 6 – DETAILED DESCRIPTION OF PROPOSED DEVELOPMENT AND ELIGIBILITY FOR DECLARATION AS SIGNIFICANT DEVELOPMENT

Detailed Project Description

The proposal involves augmentation of the existing channel bed in the harbour adjacent to Kingston Pier to increase its depth and width, to improve vessel access and safety and ensure that it meets required navigation standards. The existing channel is inadequate for safe navigation during all tides and does not meet required navigation standards. In addition, the existing limited water depth at the channel at lower tides is a safety risk for users due to inadequate under-keel clearance which has the effect of limiting the use of Kingston Pier.

Proposed activities below the mean high water mark (MHWM) do not fall under Norfolk Island planning controls. These water-based works for the broader project are described for information purposes. Proposed activities above the MHWM (land-based works) will be subject to Norfolk Island planning controls and therefore subject of this specific Application for declaration in relation to Significant Development.

The proposal would involve the following activities located above and below the MHWM:

1. The augmentation of approximately 5,000 cubic metres (m^3) of seabed material at the existing channel to enable the deepening and widening of the channel to between approximately -2.7 metres to -3.2 metres Mean Sea Level. It is expected that major plant and equipment would be mobilised from Australia or New Zealand. Local plant and equipment would be used where possible. The seabed material (including loose sediment, calcarenite rock and tuff rock) has been assumed to bulk out by 10% once onshore, resulting in a volume of up to 5,500 m^3.

   The loose sediment material would be removed by divers with hand-held suction pipes, which would be transported into an underwater sediment box and lifted onto Kingston Pier. The calcarenite and tuff rock material would be removed by a backhoe mounted on a jack-up barge, which would then lift the material into skip-bins on a floating barge, and then transport this to Kingston Pier via crane.

2. The establishment of a land-based contractor's working area including a temporary site compound area and temporary spoil stockpile area at Kingston Pier (Portion No. 182) to store land-based plant and equipment (Figure 1 and Figure 2) such as excavators, sediment and sieve boxes and skip bins. The site compound would be fenced off with access supervised. It is understood that the grassed area to the far west of the Pier Store is of archaeological potential and will not be utilised as a compound area. Additional services may be required during construction by portable means such as water tanks, portable generators or portable toilets.

3. The establishment of a screening area (Portion 164) near Kingston Pier to dewater and screen loose sediment for any potential archaeological artefacts. The sediment box would be moved from Kingston Pier to a sieve box at the screening area. A sand bag and sediment filter fence would be set up at the screening area to filter the runoff flowing down the boat ramp and into the harbour. Pumped seawater would be used to assist screening. Archaeological artefacts would seek to be securely stored within an available building near Kingston Pier such as the single Boatshed for assessment and subsequent management.

   Transfer of spoil (including loose sediment, calcarenite rock and tuff rock) via about three locally sourced trucks from Kingston Pier to the onshore disposal site at the Old Cascade Quarry where it would be placed in an appropriate sorting area to be screened (Portion No. 5a1) (Figure 3). Each truck would have about a 12 tonne maximum load carrying capacity. It is estimated that there would be approximately 150 truck movements along the proposed route to Old Cascade Quarry. The spoil would be dumped at the Old Cascade Quarry into stockpiles limited to three

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metres in height. Calcarenite rock and tuff rock would be screened at the Old Cascade Quarry for any potential archaeological artefacts. Large calcarenite fragments would be sorted and stored at the Old Cascade Quarry to be used for various restoration projects on Norfolk Island.

The spoil has been tested for acid sulfate soils and contamination and has been assessed as suitable for beneficial reuse.

The calcarenite material would be suitable to use as a general fill with good drainage properties, a capping layer to improve storage sites, or as a low-grade sub-base for light traffic roads such as the entry to the Old Cascade Quarry. Cement stabilisation could aid the bearing strength of the calcarenite, if required.

The tuff rock material, whilst being a form of rock, is easily broken down into finer particles effectively becoming a soil. The tuff could be broken down using the tracks of an excavator prior to being used as fill material.

Earthworks Design at Old Cascade Quarry

The earthworks will be planned to provide effective run-off and good cross-falls towards the concrete drain on the east of the quarry. Good surface drainage must be ensured in the long term.

It is proposed to commence filling from the northern property boundary of the site, battering up at 1V:3H to a level above where the existing site (in the centre of the site) flattens. There would be opportunity to also raise the central and southern portions of the site. The preference is to fill the northern portion of the site, and surplus material to be placed of the central and southern portions of the site.

A swale is proposed along the northern portion of the fill to capture run off and direct it towards the concrete drain. This would require the flow path to cross the access road which could be achieved by constructing one or two water diversion humps angled across the road, similar to what is used for fire trails in bushland.

The filling works at the northern portion of the site would require regrading of the site initially, with larger depression filled with free draining material available onsite rather than material from Kingston Pier.

The stockpile of topsoil onsite would be suitable to be reused over the placed fill and grassed. The landowner has also suggested that additional topsoil he owns, currently stockpiled at the school playing fields, can also be used at the quarry if required. The stockpile of larger rock would possibly be suitable to be used on other projects around the island (such as topping up the rock revetment at Kingston Pier) but would need to be screened and sorted prior.

The concrete drain along the eastern side of the site leads to a sump constructed from gabion baskets that filters flows prior to discharging to the ocean. The concrete drain, even though overgrown, appears to be in good condition. As previously mentioned, the drain does not appear to receive any significant flows, rather runoff is currently directed down the access road path. It is proposed that runoff is diverted across the road via diversion humps into the concrete drain.

Refer to the appended Old Cascade Quarry Fill Plan and Fill Sections for further information.

4. Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier. This may involve concrete plugging and welding of the existing steel sheet piles.
5. Installation of a single piled channel navigation aid located on the edge of the shallow rock shelf to provide for the safe navigation of vessels entering and exiting the harbour.

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Figure 1 Land at Kingston Pier.



Figure 2 Temporary site compound at Kingston Pier.

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Figure 3 Land at the Old Cascade Quarry.

Site Description

Kingston Pier – is one of only two port locations on Norfolk Island. It is used by various vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters, and for other public users who use Kingston Pier for fishing and other recreational activities. It is located within the Kingston and Arthur's Vale Historic Area (KAVHA).

Old Cascade Quarry – is not currently in use. However, it is proposed to be rehabilitated in the future as per the Norfolk Island Regional Council's (NIRC) objectives as a separate project. The land is privately owned.

The Proponent

The Proponent is the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC).

Purpose of the Document

The purpose of this document is to support an Application for declaration in relation to Significant Development.

Land Ownership

Kingston Pier – Crown land (Portion Nos. 182 and 164).

Old Cascade Quarry – land privately owned by s 47F (Portion No. 5a1).

Preliminary Planning Considerations

In relation to the Significant Development declaration:

- After the proposal is declared significant development by the Commonwealth Minister, a draft Environmental Impact Statement (EIS) would be prepared addressing Schedule 2 of the *Planning Regulations 2004* and any directions from the Chief Executive Officer. The draft EIS would assess specific land-based components of the proposal and Norfolk Island planning legislation and controls.
- A Development Application form would be prepared and lodged with the NIRC with finalised EIS and supporting documentation.

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- The Applicant would respond to any submissions received from public notification, if required by the NIRC.

Environmental Issues

The environmental issues of the proposal during construction would include:

- Non-Aboriginal heritage – potential impacts on Kingston Pier and nearby historic buildings and structures which are key elements of the KAVHA. Cascade Reserve is listed on the Norfolk Island Heritage Register and contains archaeological and historically significant sites.
- Aquatic ecology and marine water quality – potential impacts such as accidental spills of harmful substances, incorrect disposal of waste and dewatering activities at Kingston Pier.
- Terrestrial ecology – potential impacts including disturbance to existing grasses, shrubs and habitat for stockpiling.
- Traffic, transport and access – potential impacts from trucks transporting spoil from Kingston Pier to the Old Cascade Quarry.
- Visual amenity – potential impacts on visual receptors in the area as well as significant views and important visual relationships at the KAVHA.
- Noise and vibration – potential impacts on nearby sensitive receivers at Kingston Pier and the Old Cascade Quarry from plant, equipment and truck movements.
- Waste management – potential impacts of waste generation on the surrounding environment including marine water quality contamination and visual amenity degradation.
- Property and land use – potential impacts on adjacent land uses and/or users at Kingston Pier and the Old Cascade Quarry.

Hours of Operation

The proposal is generally expected to be carried out during the following recommended standard hours:

- Monday to Friday: 7am to 6pm.
- Saturdays: 8am to 1pm.
- No work on Sundays or public holidays.

Socio-Economic Matters

Construction would have a positive impact on the local economy by making use of local plant and equipment such as smaller excavators and heavy vehicles and the local labour force, where possible. Following the completion of construction, there would be positive socio-economic benefits to the Norfolk Island community through the potential for greater use of Kingston Pier for minor freight operations and transfer of cruise ship passengers.

Based on an understanding of the strategic planning context, namely the *Norfolk Island Tourism Strategic Plan 2013-2023* and the *Norfolk Island Economic Development Strategy 2015*, the proposal would contribute towards improved outcomes for port facilities, and would also provide increased opportunities for tourism as well as community and economic development on Norfolk Island. Key beneficiaries of the proposal would include:

- Vessel operators – improved navigation, access and safety in the harbour encouraging greater use of Kingston Pier, thereby increasing growth opportunities in tourism and trade.
- The Proponent (DITRDC) and the NIRC – contributing to the strategic outcomes for port facilities in the context of tourism and economic development. The Old Cascade Quarry is proposed to be

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rehabilitated in the future as per the NIRC's objectives as a separate project. Therefore, the disposal of spoil at the Old Cascade Quarry for the purposes of this future project represents the beneficial reuse of spoil.

- Norfolk Island Community – benefiting from tourist and construction-related spending on Norfolk Island and cultural uses at Kingston Pier.

Conclusion

The detailed project description must also address the following matters to demonstrate that the proposed development meets the criteria to be eligible for consideration to be declared significant development. Each matter must be addressed under separate headings

Point 1. Complies with the definition of significant development in section 6 of the *Planning Act 2002 (NI)*

The definition of *""significant development" means a development to establish or upgrade infrastructure to support economic growth or community welfare, or both, in Norfolk Island".*

The proposal is consistent with this definition as it proposes to augment the existing channel bed, increasing its depth and width to improve vessel access and safety and ensure that it meets required navigation standards.

This would in turn:

- Support the potential for greater use of Kingston Pier by various vessel operators; and
- Provide increased opportunities for tourism as well as community and economic development.

Although augmentation works would occur on land below MHWM, the following works associated with the proposal would be located on land above MHWM:

- Establishment and use of a land-based contractor's working area at Kingston Pier.
- Screening of spoil near Kingston Pier for any potential archaeological artefacts.
- Transport of spoil from Kingston Pier and placement at the Old Cascade Quarry.
- Stabilisation of the existing steel sheet pile wall on the western side of Kingston Pier.

Point 2. The development is of the type listed in Clause 15A – Types of significant development in the *Planning Regulations 2004 (NI)*

The proposal is defined as the type *"(h) port and wharf facilities"* and *"(i) public works-major or public works-minor, as defined in the Plan".*

Point 3. The development has potential to provide economic or community benefits

The overall development has the potential to provide socio-economic benefits as follows:

- Vessel operators such as commercial charter, fishing vessels and emergency responders as well as local launches and lighters would safely enter and exit the harbour adjacent to Kingston Pier through the newly augmented channel.
- The augmented channel would support the potential for greater use of Kingston Pier by various vessel operators, particularly as critical infrastructure for minor freight operations and the transfer of cruise ship passengers to access Norfolk Island.
- It is expected that safer navigation of the harbour and potential for greater use of Kingston Pier would provide increased opportunities for tourism as well as community and economic development on Norfolk Island.

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- Onshore spoil disposal at the Old Cascade Quarry is the preferred option as it aligns with the NIRC's objective to rehabilitate the quarry in future, which the disposed material would contribute towards.

Point 4. The development has, or could have, links with other developments

The works on land above MHWM as outlined in **Point 1** are directly linked with the proposal's channel augmentation works.

In addition, as mentioned in **Point 3**, onshore spoil disposal at the Old Cascade Quarry would assist with the future rehabilitation of the former quarry site in accordance with the NIRC's objectives.

Point 5. How the development is consistent with the Norfolk Island Plan 2002

Part A – Strategic Plan

The proposal is considered to be consistent with the 'Principal Aim' and 'Objectives of the Strategic Plan' in Part A, in particular to *"provide for the effective and efficient use of facilities, infrastructure and services"* and *"protect and enhance Norfolk Island's environmental and heritage qualities"* (Clause 3.1(1) of the *Norfolk Island Plan 2002*).

Part B – Planning Requirements

B1 – Zoning Scheme

Kingston Pier is zoned 'Conservation' on the Norfolk Island Zoning Map. Development for the purpose of "Wharf" is a permissible (with consent) use or development within the zone. "Wharf" is defined as *"the Use or Development of Land in connection with water transport as a place from or at which goods are taken on or landed from vessels whether or not passengers are taken on or Landed from vessels thereat. The Use includes the Ancillary Use of an office used in connection with the wharf or the temporary storage of goods, which are to be taken on vessels thereat, or which have been landed thereat, from vessels."* The works are compatible with the zone objectives and guidelines as it would contribute towards the continuation of practices at Kingston Pier that have important cultural significance to Norfolk Island and conserve the site's heritage values.

The Old Cascade Quarry is zoned 'Rural' on the Norfolk Island Zoning Map. Development for the purpose of "Earthworks" is a permissible (with consent) use or development within the zone. "Earthworks" is defined as *"the Use or Development of Land for the cutting of natural ground ("cut") and/or the depositing of any material or substance ("fill") on Land, or the letting remain on Land of any material or substance deposited thereon."* The works are compatible with the zone objectives and guidelines as it would contribute towards future rehabilitation of the former quarry site and beneficial re-use of spoil.

B2 – Overlay Provisions

Kingston Pier is identified on the Heritage Map Overlay within the Kingston & Arthurs Vale Historic Area (KAVHA) and Old Cascade Quarry is located in the vicinity of Cascade Reserve. Pursuant to Clause 74(1) of the *Norfolk Island Plan 2002*, land-based works located on land identified on the Heritage Overlay Map may only be carried out with development approval. The provisions of Clause 77 also apply to works at the Kingston Pier hardstand area.

B3 – General Provisions

The principles of Clauses 82 to 90 have been considered during the design of the proposal. These clauses along with other relevant provisions of Part B3 will be assessed in further detail in the EIS.

Point 6. How the development relates to the Norfolk Island Regional Council's community strategic plan, delivery program and operational plan

The proposal being delivered by DITRDC is broadly consistent with the following objectives in the

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Community Strategic Plan 2016 – 2026 as contributing to the upgrade of essential public infrastructure that serves the Norfolk Island's economy:

a. *Use and manage our Resources wisely.*

b. *Cultural expression is maintained and built heritage is protected.*

c. *Our Community is a great place to live and visit.*

d. *Strong, diverse and vibrant business environment.*

The proposal is not specifically mentioned in the *Delivery Program 2016 – 2020* or the *Operational Plan 2020 – 2021* which form part of the NIRC's Integrated Planning and Reporting Framework. However, as mentioned previously, the proposal is an important contributor to the objectives for Norfolk Island and the rehabilitation and re-use of Old Cascade Quarry has been identified by the NIRC as a future project from consultation activities.

The proposal also relates to the *Norfolk Island Tourism Strategic Plan 2013-2023* and *Norfolk Island Economic Development Strategy 2015*, in particular the strategic theme: "*Port facilities, to encourage cruise ships and assist with cargo shipping, require public and private investment focused on good planning and sustainable outcomes.*"

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REV	DATE	REVISION DESCRIPTION
C	16.12.20	RE-ISSUED FOR CLIENT REVIEW
B	08.10.20	ISSUED FOR CLIENT REVIEW
A	06.10.20	ISSUED FOR INTERNAL REVIEW

DRAWN | DRAFT CHK | DESIGNED | ENG CHK | APPROVED | CUSTOMER

REF DRAWING No | REFERENCE DRAWING TITLE

S 47F

A1 SHEET SCALE

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311015-00061

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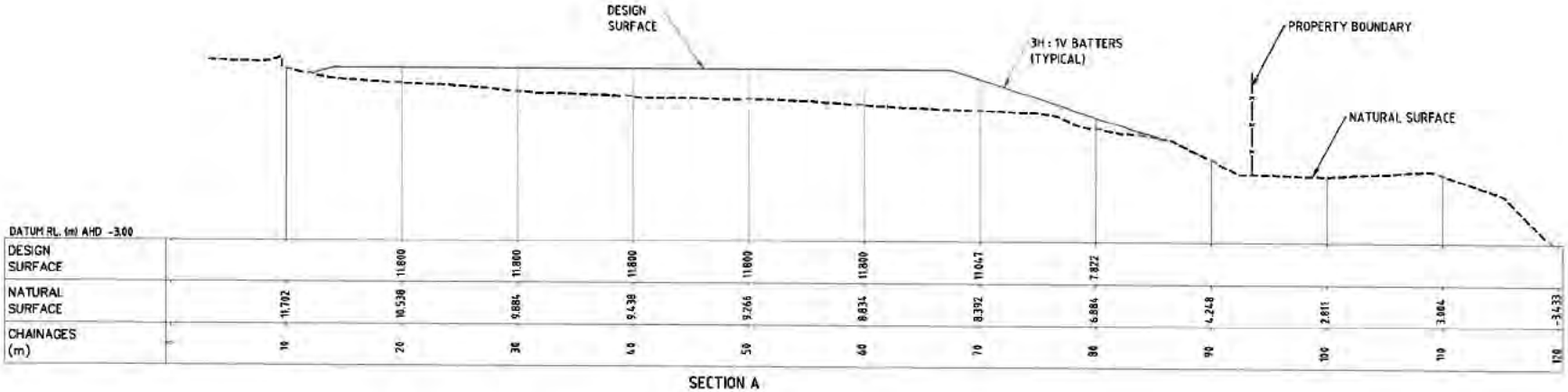
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KINGSTON PIER
CHANNEL CONSTRUCTION PROJECT
FILL PLAN (OLD CASCADE QUARRY)

DRG No. 311015-00061-MA-DWG-0050 REV C

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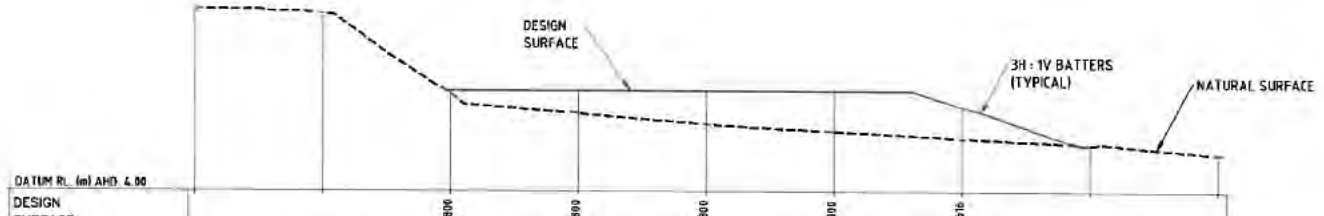
FOI 26-287 - Document 23



DATUM RL. (m) AHD -3.00

DESIGN SURFACE		11.800	11.800	11.800	11.800	11.800	11.047	7.822				
NATURAL SURFACE	11.702	10.538	9.884	9.438	9.266	8.834	8.392	6.884	4.248	2.811	3.064	-3.433
CHAINAGES (m)	10	20	30	40	50	60	70	80	90	100	110	120

SECTION A
SCALE :- 1:200H
1:200V



DATUM RL. (m) AHD 4.00

DESIGN SURFACE			11.800	11.800	11.800	11.800	10.516		
NATURAL SURFACE	18.209	17.840	11.598	10.012	9.236	8.684	8.152	7.591	6.911
CHAINAGES (m)		10	20	30	40	50	60	70	80

SECTION B
SCALE :- 1:200H
1:200V

4 0 4 8 12 16 20m
1:200 (A1) 1:400 (A3)

REV	DATE	REVISION DESCRIPTION	DRAWN	DRAFT CHK	DESIGNED	ENG CHK	APPROVED	CUSTOMER
C	10.12.20	RE-ISSUED FOR CLIENT REVIEW						
B	08.11.20	ISSUED FOR CLIENT REVIEW						
A	26.10.20	ISSUED FOR INTERNAL REVIEW						

S47F

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KINGSTON PIER
CHANNEL CONSTRUCTION PROJECT
FILL SECTIONS (OLD CASCADE QUARRY)

DRG No
311015-00061-MA-DWG-0051
REV
C

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FOI 26-287 - Document 23

Australian Government
Parks Australia

Parks Australia - Marine Permit Application

PA2022-00067

Section 1 – Locations and Activities

Application Details

Name your application	Kingston Rock Revetment Repair Marine Park Permit
Which park are you going to?	Australian Marine Parks

Location of activities

Where will you be conducting your activities?	Temperate East -> Norfolk -> Special Purpose Zone (Norfolk) (IUCN VI) - Zone 3
Attach a file detailing areas you plan to visit	Not Provided

Proposed Permit Activities

Which permit activities do you wish to conduct?	Actions by or under the direction of the Commonwealth and Commonwealth agencies

Secondary activities

Actions by or under the direction of the Commonwealth and Commonwealth agencies	Structures and works
Please describe the activity you wish to conduct	

Activity details

Length of permit you are applying for	☐ 1 month ☐ 6 months ☐ 1 year ☐ 2 years ☐ 5 years ☑ Other
If other, please specify	3 years
Estimated number of trips that will be taken to conduct the activities.	1
When will you be conducting your activities?	Start 01/07/2022 End 01/07/2025
What is the approximate number of people to be participating in the proposed activities?	5

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Australian Government
Parks Australia

Section 2 - Application Details

Additional Activity Details

Describe in detail all aspects of your activity, including purpose and objectives.	The Kingston Pier Rock Revetment west of and adjacent to Kingston Pier, requires repairs and upgrading to protect the integrity of the masonry and sheet pile wall and heritage features behind it to remediate and alleviate further erosion adjacent to the structure. The revetment upgrade would comprise a new rock armour section, built at the existing slope using as much of the existing rock armour as possible. The crest level would be at an approximate level of 3 m MSL and have a width of 4 m in order to reduce overtopping to a suitable and safe level for those authorised people (NIRC, DITRDC staff etc.) walking behind the wall under safe and appropriate conditions. It is proposed to use igneous rock, readily available on the island and consistent in appearance with the existing structure. Please refer attachment for further detail on the proposed works.
Attach any relevant maps, itineraries and accommodation details.	311015-000061-MA-DWG-0060_Rev B.pdf

Other Activities to be Undertaken

Select all activities that are to be undertaken.

- ☐ Camping
- ☐ Use a drone
- ☐ Collect media for subsequent commercial use (e.g. business promotion, website development etc)

Provide details of the size and nature of camping equipment you will be using, and the number of people expected to be camping.

Provide details and specifications of the remote pilot aircraft (drone) to be used.

Provide details of the type of media you will collect and how it will be used.

Section 3 - Purpose and Methods

Vehicle and Vessel Details

Are any vehicles/vessels going to be used in the park? ☐ Yes ☑ No

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Parks Australia

Impacts, Benefits and Risks of Activity

What are the potential environmental impacts and risks of the proposed activities on the values of the relevant marine parks? Please include consideration of direct and indirect impacts

The Kingston Pier Rock Revetment west of and adjacent to Kingston Pier, requires repairs and upgrading to protect the integrity of the masonry and sheet pile wall and heritage features behind it to remediate and alleviate further erosion adjacent to the structure.
Some of the impact and mitigation measures are detailed below:
Marine Water Quality
- A Soil and Water Management Plan (SWMP) will be prepared and implemented as part of a CEMP for the Project. The SWMP will identify all reasonably foreseeable risks relating to erosion, sediments and water pollution and describe how these risks will be addressed during construction
- A Spill Management Plan will be implemented during construction and will be communicated to all staff working on site.
- The Contractor will undertake visual Water Quality Monitoring during construction to identify any potential spills or deficient erosion and sediment controls. The requirements of Water Quality Monitoring will be outlined in the Construction Environmental Management Plan (CEMP) for the Project. Water Quality Monitoring will be implemented with other mitigation measures to manage potential impacts on the marine environment and aquatic ecology.
- Machinery access and operation will generally be from above the water line.
- Rock to be used will be free of fines so as not to contribute to sediment plumes.
Aquatic Ecology
- All construction works will be undertaken by a suitably qualified, experienced and site-specific trained Contractor to reduce the risk of error and accidental environmental damage and flow-on effects on habitats and fauna in a safe manner.
- The extension area would be inspected prior and during to the Works and any marine ecology that is able to be moved/relocated is done so.
- At the completion of construction, a seabed inspection (seabed clearance survey) and clean-up will occur to remove any construction waste and general debris from the seafloor if required. All waste will be removed and disposed of at a licenced facility.

How are you intending to avoid, or reduce to as low as practicable, any environmental impacts and risks you identified on the values of the marine park(s) you'll be visiting?

Please refer above

Are there any potential impacts of your activity on any person, or group of persons (including indigenous people and park users)? Please describe any potential impacts and if any measures have been taken to consult with those affected.

A Stakeholder Engagement Plan was prepared by Advisian for the Kingston Pier Channel Construction Project in-line with the DITRDC's Norfolk Island Community Engagement Framework to enable effective two-way consultation for the Project. The rock revetment repairs formed part of the overall consultation.
During the planning phase for the Project and preparation of the EA, the key stakeholders consulted are listed below.
Office of the Administrator Norfolk Island Museum
Norfolk Island Regional Council (NIRC) Norfolk Island National Park and Botanic Garden
NIRC Mayor and Councillors Norfolk Island Flora and Fauna Association
Norfolk Island Volunteer Rescue Squad Commonwealth Heritage Manager – KAVHA
Transam Argosy Pty Ltd KAVHA Advisory Committee and Community Advisory Group
Norfolk Forwarding Services Burnt Pine Travel
Norfolk Island Fishing Association Department of Infrastructure, Transport, Regional Development and

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Australian Government
Parks Australia

Communications (DITRDC) (Norfolk Island)
Lighterage and Stevedores Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) (Canberra)
Norfolk Island Wa'a Outrigger Club Department of Agriculture, Water and the Environment
Norfolk Island Chamber of Commerce Department of Agriculture, Water and the Environment (Parks Australia)

For further detailed please refer attached Memorandum.

Is your activity expected to have any socio-economic impact (positive or negative)?	☐ Yes	☑ No
What are the expected impacts?		
Is your activity expected to provide any benefits for traditional owners or Indigenous communities?	☐ Yes	☑ No
What are the expected benefits?		

Impacted species and ecological communities

Will the activity result in the death or injury of a member of a native species or non-native species.	☐ Yes	☑ No
Will the activity involve taking, trading, keeping, or moving a member of a native or non-native species.	☐ Yes	☑ No
Will the activity affect a member of a native or non-native species.	☐ Yes	☑ No
Provide the common name of the species, the estimated number that will be affected and clarify how the action will impact on the species and/or its nest or dwelling place.		
Will the activity result in damage to or destruction of the nest or dwelling place of a member of a native or non-native species.	☐ Yes	☑ No
Will the activity affect any listed species, listed ecological communities or cetaceans?	☑ Yes	☐ No
Describe how the activity will contribute significantly to the conservation of these.	Temporary and minor impacts while working in the area. Marine life will recolonise after completion of the works. As detailed above the following mitigation measures will be implemented to limit impact on aquatic ecology. - The extension area would be inspected prior and during to the Works and any marine ecology that is able to be moved/relocated is done so. - At the completion of construction, a seabed inspection (seabed clearance survey) and clean-up will occur to remove any construction waste and general debris from the seafloor if required. All waste will be removed and disposed of at a licenced facility.	

Section 4 - Experience and Standards

Other Permits and Authorisations

Do you currently hold or have you previously held any permits or authorisations related to the activities that you have selected?	☐ Yes	☑ No

Qualifications and Experience

What are the relevant qualifications / experience of the applicant and persons undertaking the activity?	to be undertaken by a suitably qualified contractor, yet to be appointed.

Public Liability Insurance Details

Do you have an insurance policy?

☐ Yes
☑ I will provide an insurance policy at a later date

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Australian Government
Parks Australia

Section 5 - Contact Details

Proposed Permit Holder Details

Is the proposed permit holder an individual or organisation? ☐ Individual ☑ Organisation

Organisation Permit Holder Details

Organisation name		The Department of Infrastructure, Transport, Regional Development and Communications (DITRDC)
ABN	86267354017	**ACN**
Primary address	**Line 1**	GPO Box 594
	Line 2	
	Suburb or town	Canberra
	State or territory	ACT
	Postcode	2601
	Country	Australia
Phone number		s 47F
Fax number		
Primary email address		Sarah.Vandenbroek@infrastructure.gov.au

Director/partner/committee members

Person 1	**Title**	Ms
	First Name	Sarah
	Last Name	Vandenbroek
	Job Title	First Assistant Secretary
	Email	sarah.vandenbroek@infrastructure.gov.au

Primary contact

Title		Ms
First name		Sarah
Last name		Vandenbroek
Job title		First Assistant Secretary
Phone		s 47F
Mobile		s 47F
Fax		
Email		sarah.vandenbroek@infrastructure.gov.au
Address	**Line 1**	GPO Box 594
	Line 2	
	Suburb or town	Canberra
	State or territory	ACT
	Postcode	2601
	Country	Australia

Section 6 - Declaration and Agreements

Declaration

Upload the completed copy of the declaration. KPCC_RR_Marine Permit Application_FAS Signed.pdf

Agreement

Upload the completed copy/copies of the agreement. KPCC_RR_Marine Permit Application_FAS Signed - agreement.pdf

The person completing this application, the applicant (if not the person completing this application) and the proposed authorisation holders must all have read and understood the general permit conditions, and the permit conditions that are relevant to the activities which are proposed in this application form. The conditions relevant to permits can be found via thepermit conditionswebpage.

☑ I, the person completing this application; the applicant (if not myself); and the proposed authorisation holders have read and understood the general permit conditions.

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Advisian
Worley Group

Memorandum

Subject	Kingston Pier Rock Revetment Remediation Marine Park Permit		
Date	05/04/2022	Pages	5
To		From	s 47F
CC			
Project no.	311015-00061	Doc no.	311015-00061-MA-MEM-00001
Project	Kingston Pier Rock Revetment Repair – Marine Park Permit		

Introduction

The Kingston Pier Rock Revetment (Figure 1) west of and adjacent to Kingston Pier, requires repairs and upgrading to protect the integrity of the masonry and sheet pile wall and heritage features behind it to remediate and alleviate further erosion adjacent to the structure.

Advisian has been engaged by *The Department of Infrastructure, Transport, Regional Development and Communications* (DITRDC) to undertake the design of the repair and extension of the Kingston Pier Rock Revetment. The rock revetment design has been undertaken in conjunction with the Kingston Pier Channel Construction Project that involves deepening and widening of the navigation channel and remediation of the pier structure.

This memorandum acts as supporting documentation in obtaining the *Marine Park Permit*, aimed at providing a brief background and overview of the works associated with the project, specifically focused on the extension to the Western end of the existing rock revetment.



Figure 1 – (Left) Photo Showing Existing Kingston Pier Rock Revetment with Displaced Armour Rock, Damaged Masonry Retaining Wall and Erosion Adjacent to Western End of Wall. (Right) Aerial Photo Showing Location of Rock Revetment.

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Background

The existing rock revetment constructed in the 1950s comprises an armour rock berm, keyed into the beach sediments, in front of a steel sheet pile wall and masonry block wall that has sustained damage since the original construction. The damage to the masonry wall has the potential to allow loss of material through the structure and erosion of those areas landward of the revetment and the masonry wall. Heritage features (Figure 2), located directly behind the rock revetment, have the potential to be damaged or lost if the existing rock wall is not maintained.

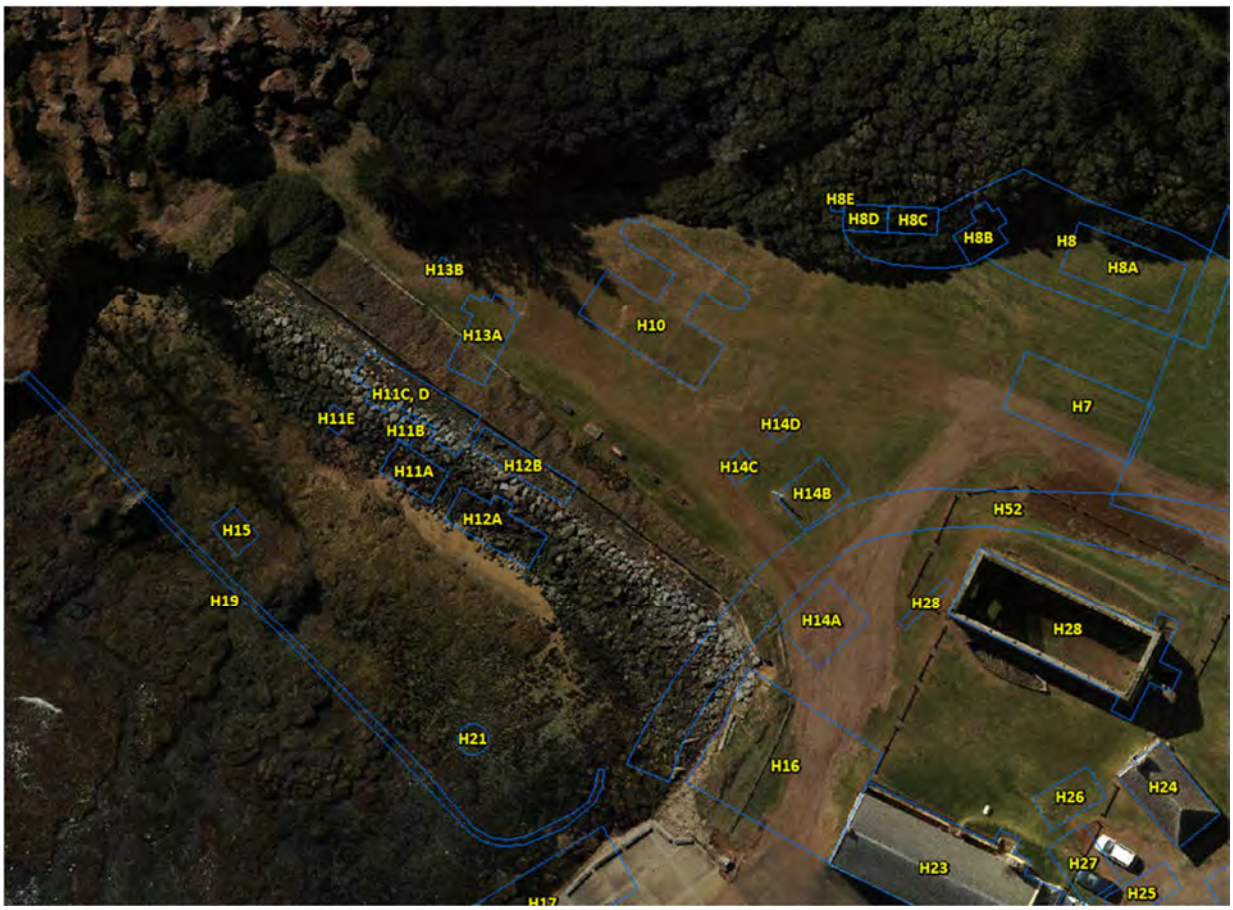


Figure 2 – Figure Showing Location of Heritage Features Behind the Rock Revetment.

Extension Area and Rock Volume

The revetment upgrade would comprise a new rock armour section, built at the existing slope using as much of the existing rock armour as possible. The crest level would be at an approximate level of 3 m MSL and have a width of 4 m in order to reduce overtopping to a suitable and safe level for pedestrians walking behind the wall. It is proposed to use igneous rock, readily available on the island and consistent in appearance with the existing structure.

A scalloped area, to the west of the existing revetment, was identified during a site inspection undertaken by Advisian (November 2020). It was suggested that the scalloped area could be protected by extension of the existing rock revetment (Figure 3). The extension would provide a smoother transition of the rock revetment into the foreshore to deflect wave and current action and provide protection. The extension would provide protection against undermining to the cliff face by

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wave action thus reducing the risk of sudden collapse of the cliff. The crest level of the extension is to be at the same height as the crest level of the redesigned rock revetment.



s 47

Figure 3 – Figure Showing Suggested Extension of Revetment into Scalloped Area to the West of the Existing Rock Revetment.

The revetment repair would look to reuse as much existing rock as practicable. The approximate volume of the extension, approximately 10m long, would be 180m^3.

Environmental Impact and Mitigation Measures

For the remediation and extension to the rock revetment the construction will utilise as much rock as available on site and sourced from the island. The rock will be moved or placed with an excavator,

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progressively tracking along the freshly replaced rock on the top of the revetment. The rock will be placed to the design slopes and levels matching the existing revetment.

The following mitigation measures (Table 1) are proposed as detailed in the Environmental Assessment Report (Advisian, 2021) prepared for the project.

Table 1 Environmental Impacts and Mitigation Measures.

Environmental Impact	Mitigation Measure
Marine Water Quality	- A Soil and Water Management Plan (SWMP) will be prepared and implemented as part of a CEMP for the Project. The SWMP will identify all reasonably foreseeable risks relating to erosion, sediments and water pollution and describe how these risks will be addressed during construction
	- A Spill Management Plan will be implemented during construction and will be communicated to all staff working on site.
	- The Contractor will undertake visual Water Quality Monitoring during construction to identify any potential spills or deficient erosion and sediment controls. The requirements of Water Quality Monitoring will be outlined in the Construction Environmental Management Plan (CEMP) for the Project. Water Quality Monitoring will be implemented with other mitigation measures to manage potential impacts on the marine environment and aquatic ecology.
	- Machinery access and operation will generally be from above the water line.
	- Rock to be used will be free of fines so as not to contribute to sediment plumes.
Aquatic Ecology	- All construction works will be undertaken by a suitably qualified, experienced and site-specific trained Contractor to reduce the risk of error and accidental environmental damage and flow-on effects on habitats and fauna in a safe manner.
	- The extension area would be inspected prior and during to the Works and any marine ecology that is able to be moved/relocated is done so.
	- At the completion of construction, a seabed inspection (seabed clearance survey) and clean-up will occur to remove any construction waste and general debris from the seafloor if required. All waste will be removed and disposed of at a licenced facility.

Timing

The anticipated duration for the rock revetment works is 8 weeks (excluding mobilisation/demobilisation) to occur sometime between mid to late 2022.

Consultation

A Stakeholder Engagement Plan was prepared by Advisian for the Kingston Pier Channel Construction Project in-line with the DITRDC's Norfolk Island Community Engagement Framework to enable effective two-way consultation for the Project. The rock revetment repairs formed part of the overall consultation.

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During the planning phase for the Project and preparation of the EA, the key stakeholders in Table 2 were identified.

Table 2 Key stakeholders.

Key stakeholders	
Office of the Administrator	Norfolk Island Museum
Norfolk Island Regional Council (NIRC)	Norfolk Island National Park and Botanic Garden
NIRC Mayor and Councillors	Norfolk Island Flora and Fauna Association
Norfolk Island Volunteer Rescue Squad	Commonwealth Heritage Manager – KAVHA
Transam Argosy Pty Ltd	KAVHA Advisory Committee and Community Advisory Group
Norfolk Forwarding Services	Burnt Pine Travel
Norfolk Island Fishing Association	Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) (Norfolk Island)
Lighterage and Stevedores	Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) (Canberra)
Norfolk Island Wa'a Outrigger Club	Department of Agriculture, Water and the Environment
Norfolk Island Chamber of Commerce	Department of Agriculture, Water and the Environment (Parks Australia)

Stakeholders have been formally engaged on three occasions during the Project:

- prior to the commencement of the Project concept design
- upon completion of the 30% Project concept design
- upon completion of the 80% Project concept design.

The consultation held throughout 2020 identified stakeholders concerns regarding erosion of the basalt cliff under Flagstaff Hill adjacent to the existing revetment. Stakeholders requested extension of the revetment to ensure any further erosion was minimised. No objections were raised in relation to the proposed works by stakeholders.

Throughout project consultation, the DITRDC has provided media releases, updates and fact sheets on their website to inform stakeholders and community groups of the Project.

References

Advisian (2021) "Kingston Pier Channel Construction Environmental Assessment"

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NORFOLK ISLAND
REGIONAL COUNCIL

5 July 2022

Sarah Vandenbroek
Department of Infrastructure, Transport, Regional Development and Communications
GPO Box 594
CANBERRA ACT 2601

Email: sarah.vandenbroek@infrastructure.gov.au

Dear Ms Vandenbroek

DETERMINATION OF DEVELOPMENT APPLICATION DA.BA 48/2021
***PORT & WHARF FACILITIES* – works associated with augmentation of Kingston Pier Channel and repair work to Kingston Pier and rehabilitation of Youngs Road Quarry.**

I am writing to advise you that DA.BA 48/2021 described above, *Port & Wharf Facilities* – works associated with augmentation of Kingston Pier Channel and repair work to Kingston Pier, and rehabilitation works at Youngs Road Quarry, was approved by the Minister's Delegate on 1 July 2022. Please see the Notice of decision attached.

Please contact me if you have any queries.

Yours sincerely

s 47F

Senior Strategic Planner

PO Box 95, Norfolk Island 2899 ABN 60103855713
Telephone: (+6723) 22244 Email: regionalcouncil@nirc.gov.nf

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FOI 26-287 - Document 26

NORFOLK ISLAND REGIONAL COUNCIL

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.

s 47F [redacted]

Eric Hutchinson

Administrator of Norfolk Island & Commonwealth Minister delegate

Date approved: 1st July 2022

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.

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SCHEDULE 1 - DEVELOPMENT APPLICATION

DEVELOPMENT APPLICATION NO:	DA.BA 48/2021
APPLICATION MADE BY: (THE APPLICANT)	Department of Infrastructure Transport Regional Development and Communications
LAND TO BE USED OR DEVELOPED: (SUBJECT LAND)	Portion No 182 (2,605m^2) and Portion 184 (1.107Ha) and Portion No 5a1 (Youngs Road) (2.848Ha), NORFOLK ISLAND
APPROVED USE OR DEVELOPMENT: (THE DEVELOPMENT)	**Kingston Pier Channel Augmentation Project:** Land based works component: • Establishment and use of a land based contractor's working area and maritime artefacts screening area • Transfer of spoil from Kingston Pier to the onshore disposal facility at the Old Cascade Quarry • Stockpiling, earthworks and filling at the Old Cascade Quarry
DECISION:	Approved
DATE OF DECISION:	1 July 2022
DATE THE DEVELOPMENT APPROVAL TAKES EFFECT:	1 July 2022
DATE THE DEVELOPMENT APPROVAL LAPSES:	1 July 2027

SCHEDULE 2 - CONDITIONS OF DEVELOPMENT APPROVAL

GENERAL CONDITIONS RELATING TO THIS APPROVAL

Scope of this Approval

1. The Applicant shall carry out the Development in accordance with:
   a. DA.BA 48/2021;
   b. The accompanying Environmental Impact Statement (EIS) compiled by Advisian Pty Ltd titled 'Kingston Pier Channel Construction' Environmental Impact Statement – Department of Infrastructure, Transport, Regional Development and Communications dated 19 October 2021; and
   c. Appendices to that EIS –
      i. Appendix A – Heritage Impact Statement
      ii. Appendix B – Marine and Terrestrial Ecology Assessment
      iii. Appendix C – Sediment Quality Assessment and
      iv. Appendix D - Old Cascade Quarry Fill Plans; and
   d. All relevant commitments made in the EIS not generally repeated in this Notice of Decision; and
   e. All relevant requirements in the Norfolk Island Plan 2002; and
   f. All relevant requirements of Development Control Plan No. 7 - Kingston and Arthurs Vale Historic Area; and
   g. The conditions of this Notice of Decision.

2. Where there is any inconsistency between the items listed at (a) – (g) the other conditions of this Notice of Decision will prevail.

Specified part of the development subject to another development approval

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2. Where there is any inconsistency between the items listed at (a) – (g) the other conditions of this Notice of Decision will prevail.

Specified part of the development subject to another development approval

3. Section 31 of the *Planning Act 2002 (NI)* provides that a development approval may be given subject to a condition that the use or development of the land, or a specified part of the development, shall be subject to another development approval.

4. Accordingly, this development approval and Notice of Decision does not apply to the proposed remediation of the rock revetment and extension to Flagstaff Hill or to the proposed repairs to Slaughter Bay Seawall, which shall be subject to another development approval.

Limits to this approval

5. This approval is for "the Development" described in this Notice of Decision only and detailed in the accompanying Environmental Impact Statement and Appendices described in Condition 1 above; with the exception of the proposed remediation of the rock revetment and extension to Flagstaff Hill; and the exception of the proposed repairs to Slaughter Bay Seawall, which shall be subject to another development approval as described in Conditions 3 and 4 above.

6. Any further use or development of the subject lands, outside that specified in this approval, will require additional consent via a development approval under the *Planning Act 2002 (NI)*. No additional work can be conducted without first obtaining separate development approval.

7. The Development Approval does not lapse if the approved use/work has actually commenced before the consent expiry date, except where a condition specifies a limit to the duration of the consent.

8. The Development Approval has a time limit of five (5) years commencing from the date contained within the Notice of Decision of Development Application.

Compliance

9. The Applicant shall comply with the conditions of this Notice of Decision, and shall ensure that all employees, contractors and subcontractors are aware of, and comply with, the conditions of this Notice of Decision. Compliance with conditions shall be monitored by an authorised officer of the Norfolk Island Regional Council.

Dispute resolution

10. For any unresolved dispute arising out of the implementation of these conditions between the Applicant and a public authority, company or person (but excluding any dispute between the Applicant 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, Norfolk Island Regional Council, and, if not resolved, the Minister. The Minister's determination of the disagreement shall be final and binding on all parties.

Completion of approved use or development

11. At the completion of all works associated with this Notice of Decision for DA.BA 48/2021, all infrastructure is to be removed and the site Kingston Bay is to be reinstated in a manner consistent with what was in place before work commenced.

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12. Not later than 30 days following the completion of all works for which development consent has been sought and granted as described in this Notice of Decision for DA.BA 48/2021 and accompanying EIS, the Applicant must notify, in writing, the General Manager of the Norfolk Island Regional Council that the approved use and development has been completed and the conditions of the development approval have been complied with.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF ANY SITE WORKS

13. The following must be in place prior to the commencement of any site works:
    a. **Commonwealth Approvals** - all approvals required in relation to the Environment Protection and Biodiversity Conservation Act 1999.
    b. **License/Permit** – all licenses/permits that may be required from the relevant authorities including Australian Federal Government agencies and Norfolk Island Regional Council to allow the development to proceed.
    c. **Pier Street Bridge Certification** - Pier Street Bridge must be inspected by a suitably qualified engineer and certified that it is capable of withstanding the loadings that are proposed during this development process.

Construction Environmental Management Plan

14. Section 7 of the EIS, 'Compilation of measures to mitigate adverse effects' prescribes actions required to manage the potential environmental impacts of the proposed development through detailed design, construction and / or operation of the development. A Construction Environmental Management Plan shall be prepared and will incorporate the mitigation measures that are relevant to this development approval. For each relevant mitigation measure, the Construction Environmental Management Plan will identify the Impact, Environmental Safeguards, Responsibility and Timing similarly to that shown in Table 7-1 - Compilation of mitigation measures.

15. The Construction Environmental Management Plan shall include a management training and monitoring plan consistent with the environmental controls detailed in the Environmental Impact Statement.

16. The Construction Environmental Management Plan must be prepared and submitted to the General Manager for approval prior to the commencement of site works.

ENVIRONMENTAL PERFORMANCE

Obligation to minimise harm to the environment

17. The Applicant must implement all practicable measures and the relevant mitigation measures identified in the Environmental Impact Statement to prevent or minimise any harm to the environment that may result from the approved activities.

Noise impacts

18. All construction activities at the development sites which are audible at residential premises, hospitals, tourist and aged care accommodation and like sensitive receivers must be restricted to the following times:
    a. 7:00am to 5:00pm Mondays to Fridays;
    b. 7:00am to 1:00pm on Saturdays; and
    c. At no time on Sundays and public holidays

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19. If noise complaint(s) are received by the Norfolk Island Regional Council in relation to the Development, the Council shall have the right to monitor noise emissions from the development; and if necessary, Council shall have the right to impose time, noise and/or operational restrictions on the Development, determined in consultation with the Applicant and agreed in writing by the General Manager.

Visual amenity

20. During construction, both sites must be maintained in an orderly manner for both visual aesthetics and occupational health and safety considerations. Disturbed areas must be rehabilitated as soon as practicable at the completion of works.

Traffic, Access and Parking

21. During the operation phases of both sites, access shall be maintained in an orderly manner for occupational health and safety and road safety considerations. Appropriate signage shall be used where necessary to ensure public safety. Vehicular access and parking to and within the sites must be safe and convenient for all users of the site and shall be maintained in a sealed/compacted all weather condition.

Dust Emissions

22. The Applicant shall construct, use and maintain the Development in a manner that will minimise the generation of dust at each development site, and the emission of dust from each development site. Dust minimisation measures shall include, but not be limited to the following:

    a. All vehicles shall be prevented from tracking material to and from the sites.
    b. Stockpiles shall be maintained in a condition which minimises wind-blown dust; i.e. confined to the smallest practicable area and covered or watered.
    c. All vehicles entering or leaving the sites carrying a load that may generate dust shall be covered at all times, except during loading and unloading.

End

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FOI 26-287 - Document 26

DA.BA. 48/2021.



Kingston Pier Channel Construction

Environmental Impact Statement

Department of Infrastructure, Transport, Regional Development and Communications (DITRDC)

19 October 2021

311015-00061

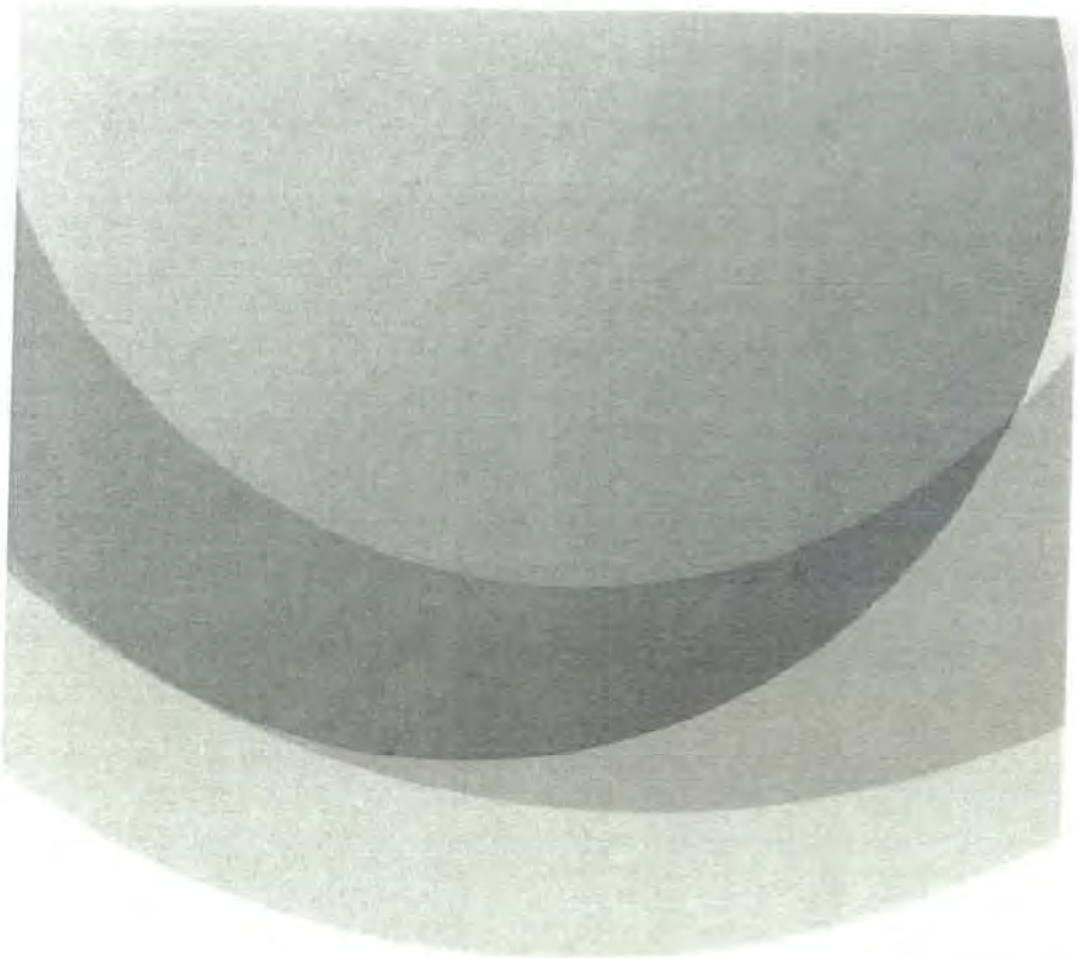
NORFOLK ISLAND REGIONAL COUNCIL
APPROVED PLANS
Development Application No. DA BA 48/2021
Dated 1/12/21
MINISTERIAL DELEGATE
NORFOLK ISL

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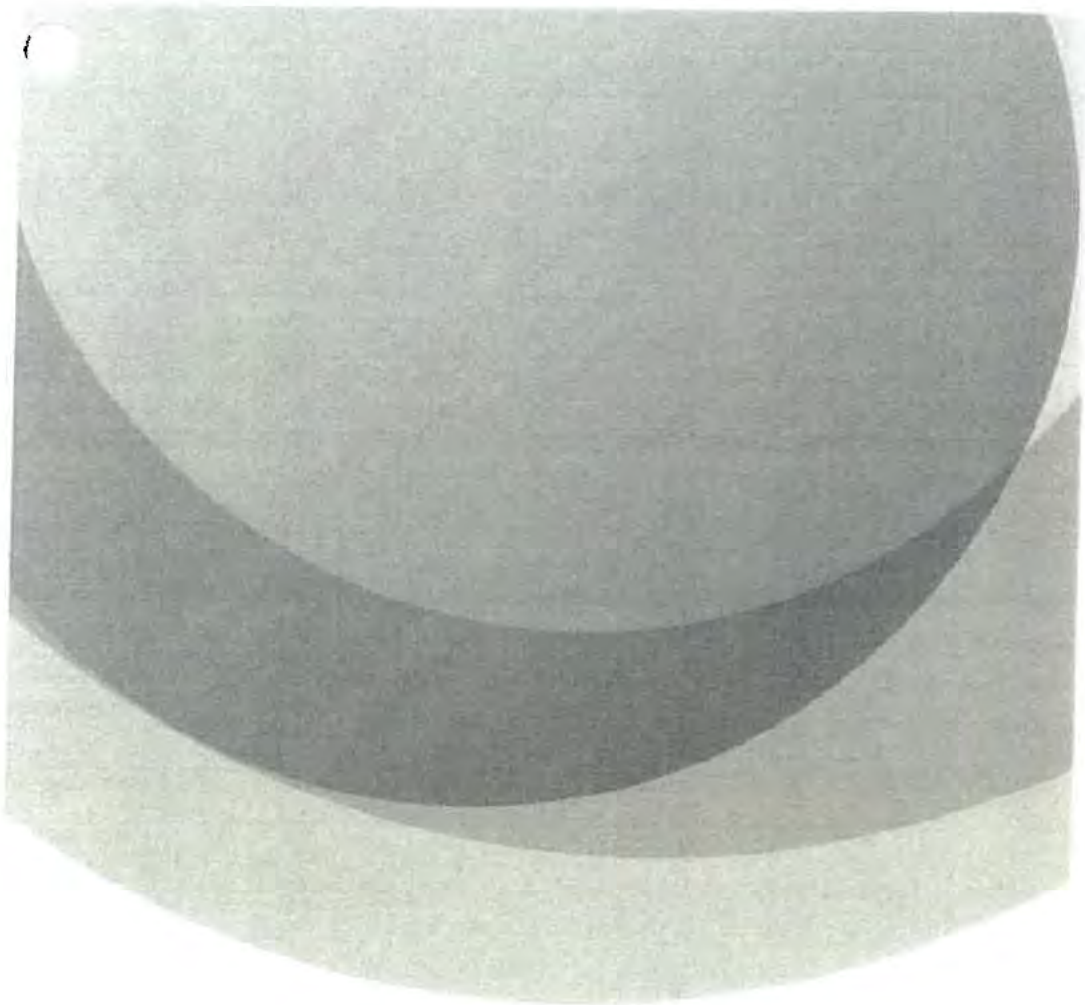


NORFOLK ISLAND REGIONAL COUNCIL
APPROVED PLANS
Development Application No. DABA 48/2021
Dated..... 1/7/21
s 47F
MINISTERIAL DELEGATE

Appendix A
Heritage Impact Statement

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FOI 26-287 - Document 26

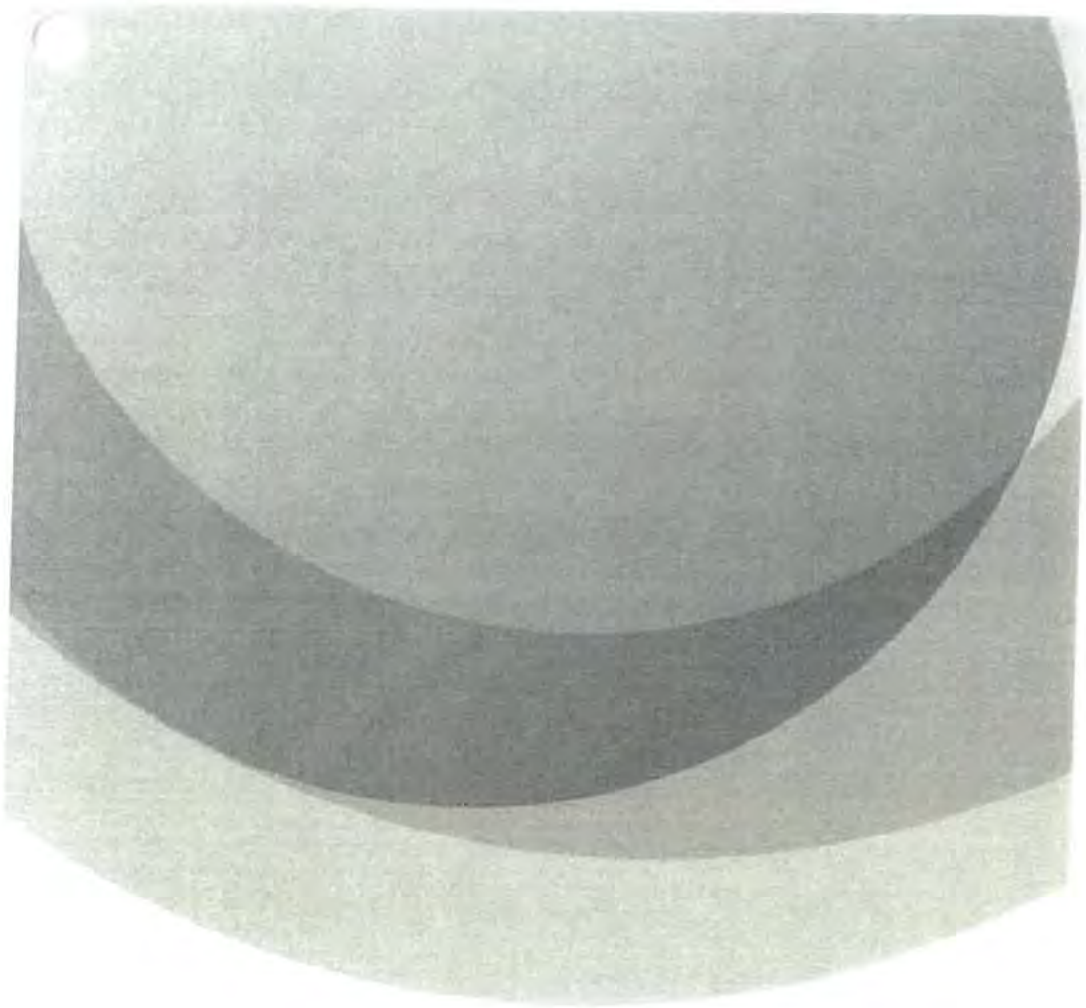




Appendix B
Marine andTerrestrial Ecology Assessment

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FOI 26-287 - Document 26



NORFOLK ISLAND REGIONAL COUNCIL
APPROVED PLANS
Development Application No. DRGA 48/2021
Dated 1/3/21
s 47F
MINISTERIAL DELEGATE

Appendix C
Sediment Quality **Assessment**

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NORFOLK ISLAND REGIONAL COUNCIL
APPROVED PLANS
Development Application No. DA/A 48/2021
Dated 1/7/22
s 47F
MINISTERIAL DELEGATE

Appendix D
Old Cascade Quarry Fill Plans

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Australian Government
Director of National Parks

Australian Marine Park Activity Permit

Issued under r.12.06(2) and Part 17 of the
Environment Protection and Biodiversity Conservation Regulations 2000.

Permit Number	PA2022-00067-1

Permitted Activity	Structures and works to repair and extend the rock revetment including a new rock armour section to the scalloped area to prevent future erosion authorised under sections 354-354A of the *Environment Protection and Biodiversity Conservation Act 1999* and regulation 12.11 Excavating, building and works of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

Marine Park/s	Norfolk Marine Park

Permit Area	Special Purpose Zone (Norfolk) (IUCN VI) – Zone 3. Location of works are to be as specified in the application and detailed in the 'Kingston Pier Rock Revetment Extension: Marine park permit risk assessment' and located at the cliff on Flagstaff Hill, west of the existing rock revetment.

Commencement Date	Date of execution of this permit

Expiry Date	20 January 2026

Permittee	Organisation: Department of Infrastructure, Transport, Regional Development, Communications and the Arts Address: GPO Box 594 Phone: s 47F Email: sarah.vandenbroek@infrastructure.gov.au

Permittee Representative	Name: Sarah Vandenbroek Position: First Assistant Secretary Organisation: Department of Infrastructure, Transport, Regional Development, Communications and the Arts Address: GPO Box 594 Phone: s 47F Email: sarah.vandenbroek@infrastructure.gov.au

Nominated Vessel	Not applicable

Activity Conditions This permit is subject to the following activity specific conditions to	1. The Permittee must ensure that appropriate risk management systems, strategies and procedures are in place to minimise the foreseeable risks to the environment and heritage values of the Marine Parks and must

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reduce impacts on marine park values.	produce evidence of such systems, strategies and procedures on request of the Director. 2. The Permitted Activity must be undertaken in accordance with Schedule 1 (PA2022-00067 submitted application and additional information), except where inconsistent with this permit 3. The Permittee must notify the Director of National Parks within 24 hours of the silt curtain being deployed to manage a sediment plume.

General Conditions The following conditions apply to all permits.	*General conditions* 4. The Permittee must not conduct the Permitted Activity before the commencement date or after the expiry date shown on the permit. 5. An electronic or hard copy of this permit and attached application (Schedule 1) must be kept on site and must be produced for inspection on request by a Warden. 6. If a Permittee is a company or other incorporated body the Permittee must not, without the approval of the Director, have as a director or officer holder a person who has been convicted of an offence against the EPBC Act or the EPBC Regulations within the previous 10 years. 7. The Permittee must not, without the approval of the Director, use directly in the conduct of the Permitted Activity the services of any person who has been convicted of an offence against the EPBC Act or the EPBC Regulations within the previous 10 years. *Compliance and auditing* 8. The Permittee must comply with the EPBC Act, the EPBC Regulations, the Management Plan, all permit conditions and any other notices or directions issued by the Director relating to the Permitted Activity or Marine Parks specified on this permit. 9. Unless specifically authorised by this or another permit, the Permittee must comply with all prohibitions and determinations made by the Director under the EPBC Regulations. 10. The Permittee must comply with all Commonwealth and State or Territory law relating to the Permitted Activity and hold all permits, licences and other relevant authorisations required by law for the conduct of the Permitted Activity. 11. The Permittee must ensure that all Participants are fully informed of and understand these permit conditions before they take part in the Permitted Activity. 12. The Permittee must take all reasonable steps to ensure all Participants comply with all permit conditions. 13. The Permittee must allow a Warden access to Nominated Vessels at any time for the purpose of performing the functions and powers of Wardens under the EPBC Act. 14. The Permittee must, and must take reasonable steps to ensure all Participants in the Permitted Activity, comply with all lawful directions issued by a Warden. 15. The Permittee must, at no cost to the Director but subject to availability and the provision of reasonable notice, allow a member of the Director's staff to accompany a trip conducting the Permitted Activity for the purpose of evaluating compliance with these Permit conditions. *Training and qualifications* 16. The Permittee must maintain relevant training, qualifications and experience to competently conduct the Permitted Activity. 17. The Permittee must ensure that all Participants are appropriately trained and/or accredited to competently conduct the Permitted Activity. *Safety* 18. The Permittee must ensure that appropriate risk management systems, strategies and procedures are in place to minimise foreseeable risks to the Participants in the Permitted Activity and members of the public and must

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	produce evidence of such systems, strategies and procedures on request of the Director. 19. The Permittee must ensure that they fully inform themselves of, and equip themselves for, all potential hazards and conditions they may encounter while conducting the Permitted Activity. 20. The Permittee acknowledges that the Director has no ability to monitor or warn the Permittee of changing environmental hazards or developing hazards within a Marine Park. 21. The Permittee must inform the Director of any potential safety hazard or risk encountered or discovered while in a Marine Park as soon as practicable. 22. If anyone taking part in the Permitted Activity is seriously injured, becomes seriously ill or goes missing while in a Marine Park, the Permittee must ensure: (a) notification to the relevant emergency response authority as soon as possible; (b) compliance with any requests or directions from those authorities in relation to the safety of that person or any other person; and (c) notification to the Director's Marine Compliance Duty Officer as soon as practicable. ***Note:*** The Director is not an emergency response agency and all relevant emergency response agencies should be contacted prior to informing the Director of any incident or safety hazard/risk. *Environment and heritage protection* 23. Unless specifically authorised by this permit, the Permittee must not, and must take reasonable steps to ensure that all Participants in the Permitted Activity do not: (a) behave contrary to any warning or regulatory signs displayed at boat ramps used by the Permittee to access a Marine Park or displayed on marker buoys within a Marine Park; (b) collect, pick, interfere with, feed, handle or disturb any native flora or fauna, or handle or disturb the dwelling place of any native fauna; (c) remove shells, coral, plants or animals from a Marine Park. (d) touch, interfere with, or capture images or sound of, Indigenous Cultural and Intellectual Property without the consent of the owner; or (e) impede public access to any part of a Marine Park. 24. The Permittee must take all reasonable steps to prevent the introduction of pests into a Marine Park or the transfer of pests between locations within a Marine Park. Reasonable steps can include, but are not limited to, scheduled inspection and cleaning of the vessel and any in-water equipment, and/or passenger briefings. 25. The Permittee must ensure that all gear, equipment, and other articles lost in a Marine Park that are likely to cause environmental harm, are reported to the Director's Marine Compliance Duty Officer as soon as practicable, and within 10 days in any event, after the loss occurs. The report must include a description of what was lost, the location of loss/suspected loss and the date and time of loss.

Failure to adhere to this permit and the conditions above may result in a variation to or cancellation of this permit or the imposition of criminal penalties under the EPBC Regulations. A person convicted under the EPBC Regulations may be ineligible for future permits in Australian Marine Parks.

Reporting of potential noncompliance and notifications in accordance with General Conditions 21, 22 and 25 should be made to the **24-hour Marine Compliance Duty Officer on 0419 293 465**. For all other enquiries relating to this permit, please contact: marineparksauthorisations@dcceew.gov.au.

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s 47F

s 47F
Director
Authorisations and Compliance
Marine and Island Parks Branch
Delegate of the Director of National Parks
17 January 2023

Interpretation

In the permit and permit conditions:

Agreement means the agreement executed by the Permittee when applying for this permit.

Director means the Director of National Parks and the Director's delegates, and includes any statutory successor to the Director.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

EPBC Regulations means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth).

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Warden means a person appointed as a warden under s.392 of the EPBC Act.

Zone means the relevant zone as specified by the Management Plan

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ATTACHMENT A – Marine Park Permit

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Australian Government
Director of National Parks

Australian Marine Park Activity Permit

Issued under r.12.06(2) and Part 17 of the
Environment Protection and Biodiversity Conservation Regulations 2000.

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Permit Area	Special Purpose Zone (Norfolk) (IUCN VI) – Zone 3. Location of works are to be as specified in the application and detailed in the 'Kingston Pier Rock Revetment Extension: Marine park permit risk assessment' and located at the cliff on Flagstaff Hill, west of the existing rock revetment.

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Permittee Representative	Name: Sarah Vandenbroek Position: First Assistant Secretary Organisation: Department of Infrastructure, Transport, Regional Development, Communications and the Arts Address: GPO Box 594 Phone: s 47F Email: sarah.vandenbroek@infrastructure.gov.au

Nominated Vessel	Not applicable

Activity Conditions This permit is subject to the following activity specific conditions to	1. The Permittee must ensure that appropriate risk management systems, strategies and procedures are in place to minimise the foreseeable risks to the environment and heritage values of the Marine Parks and must

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Permitted Activity means the specified activity or activities for which this permit is issued.

Warden means a person appointed as a warden under s.392 of the EPBC Act.

Zone means the relevant zone as specified by the Management Plan

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ATTACHMENT B – Project Description Submitted for the Marine Park Permit

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Advisian

Memorandum

Subject	Kingston Pier Rock Revetment Remediation Marine Park Permit		
Date	05/04/2022	Pages	5
To		From	s 47F
CC			
Project no.	311015-00061	Doc no.	311015-00061-MA-MEM-00001
Project	Kingston Pier Rock Revetment Repair – Marine Park Permit		

Introduction

The Kingston Pier Rock Revetment (Figure 1) west of and adjacent to Kingston Pier, requires repairs and upgrading to protect the integrity of the masonry and sheet pile wall and heritage features behind it to remediate and alleviate further erosion adjacent to the structure.

Advisian has been engaged by *The Department of Infrastructure, Transport, Regional Development and Communications* (DITRDC) to undertake the design of the repair and extension of the Kingston Pier Rock Revetment. The rock revetment design has been undertaken in conjunction with the Kingston Pier Channel Construction Project that involves deepening and widening of the navigation channel and remediation of the pier structure.

This memorandum acts as supporting documentation in obtaining the *Marine Park Permit*, aimed at providing a brief background and overview of the works associated with the project, specifically focused on the extension to the Western end of the existing rock revetment.



Figure 1 – (Left) Photo Showing Existing Kingston Pier Rock Revetment with Displaced Armour Rock, Damaged Masonry Retaining Wall and Erosion Adjacent to Western End of Wall. (Right) Aerial Photo Showing Location of Rock Revetment.

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Background

The existing rock revetment constructed in the 1950s comprises an armour rock berm, keyed into the beach sediments, in front of a steel sheet pile wall and masonry block wall that has sustained damage since the original construction. The damage to the masonry wall has the potential to allow loss of material through the structure and erosion of those areas landward of the revetment and the masonry wall. Heritage features (Figure 2), located directly behind the rock revetment, have the potential to be damaged or lost if the existing rock wall is not maintained.

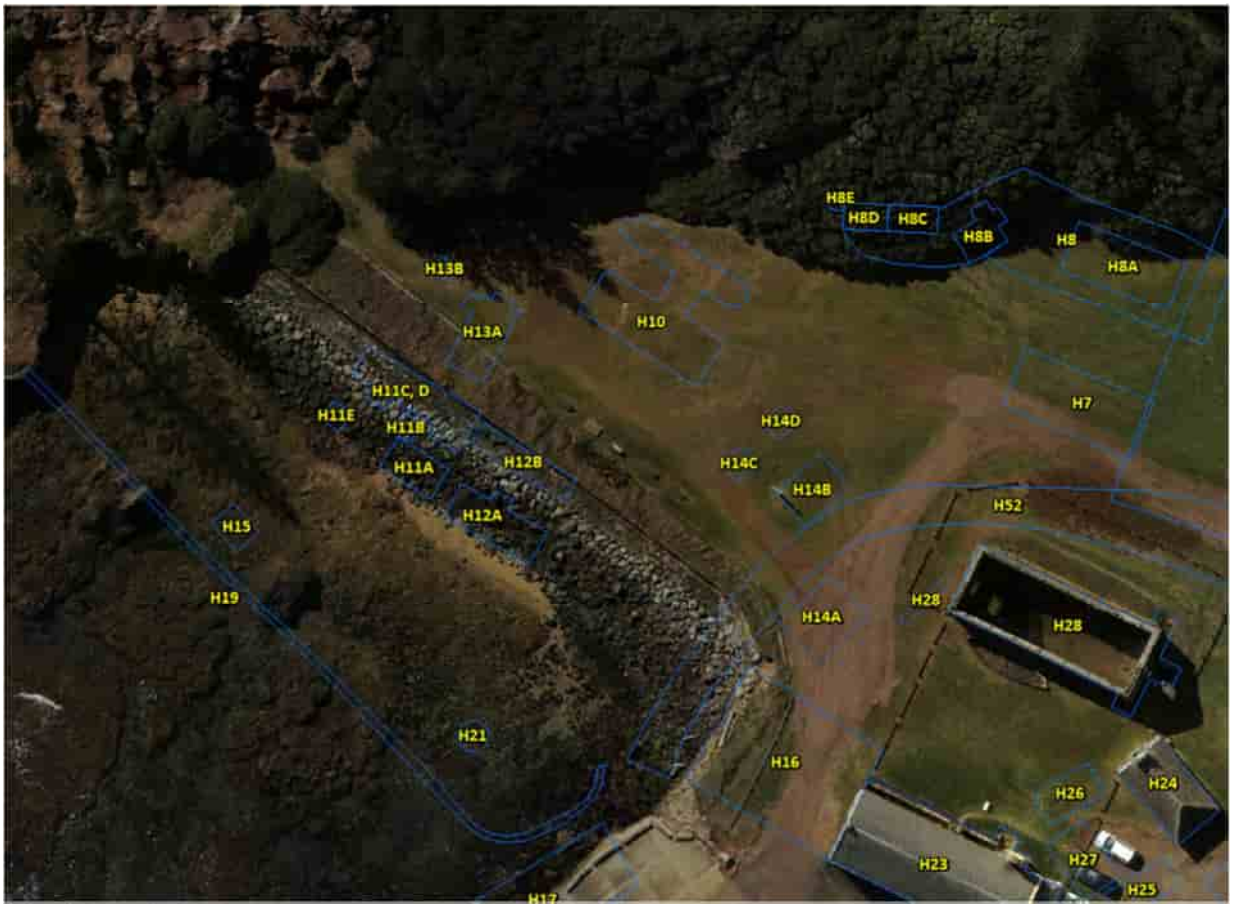


Figure 2 – Figure Showing Location of Heritage Features Behind the Rock Revetment.

Extension Area and Rock Volume

The revetment upgrade would comprise a new rock armour section, built at the existing slope using as much of the existing rock armour as possible. The crest level would be at an approximate level of 3 m MSL and have a width of 4 m in order to reduce overtopping to a suitable and safe level for pedestrians walking behind the wall. It is proposed to use igneous rock, readily available on the island and consistent in appearance with the existing structure.

A scalloped area, to the west of the existing revetment, was identified during a site inspection undertaken by Advisian (November 2020). It was suggested that the scalloped area could be protected by extension of the existing rock revetment (Figure 3). The extension would provide a smoother transition of the rock revetment into the foreshore to deflect wave and current action and provide protection. The extension would provide protection against undermining to the cliff face by

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wave action thus reducing the risk of sudden collapse of the cliff. The crest level of the extension is to be at the same height as the crest level of the redesigned rock revetment.

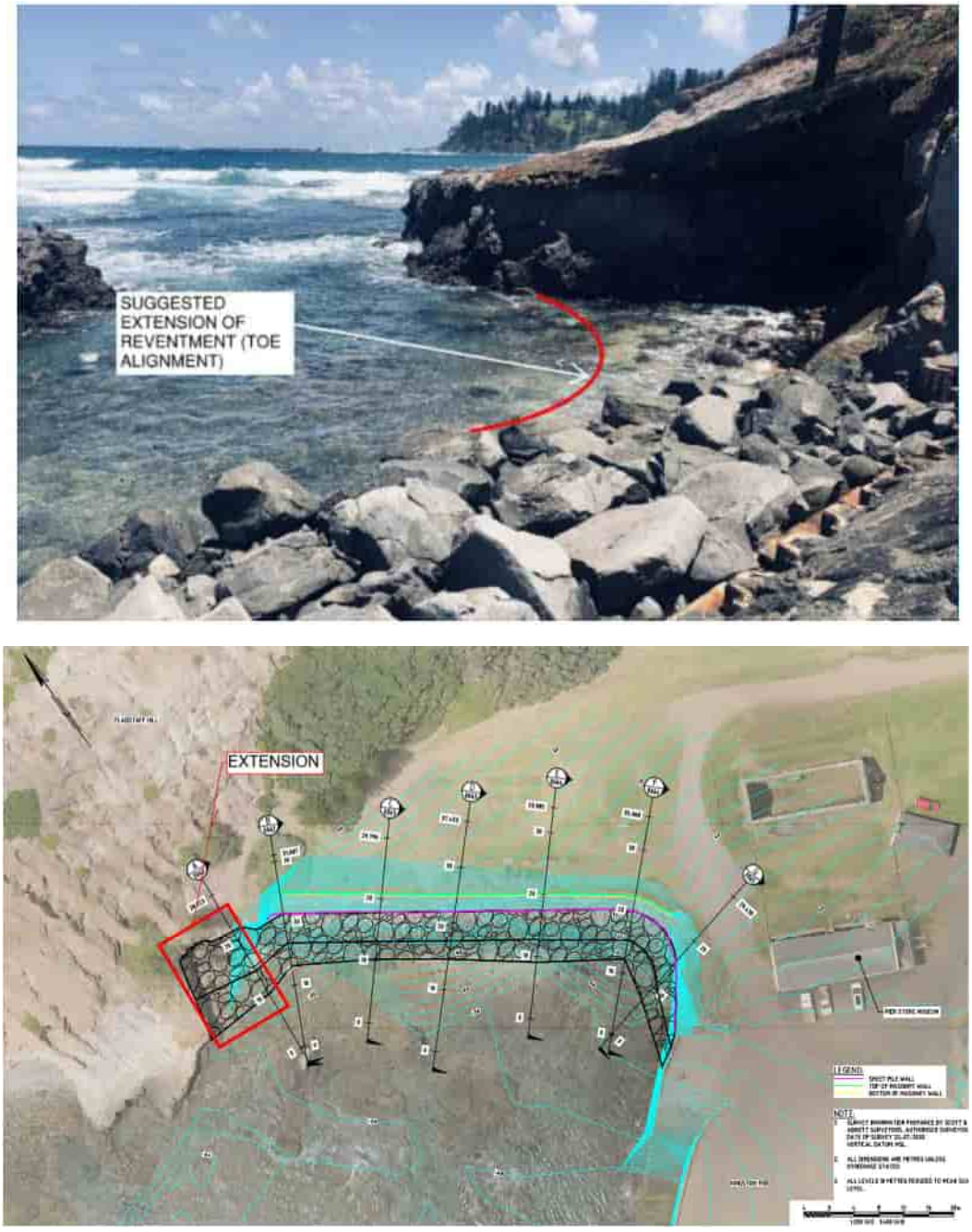


Figure 3 – Figure Showing Suggested Extension of Revetment into Scalloped Area to the West of the Existing Rock Revetment.

The revetment repair would look to reuse as much existing rock as practicable. The approximate volume of the extension, approximately 10m long, would be 180m^3.

Environmental Impact and Mitigation Measures

For the remediation and extension to the rock revetment the construction will utilise as much rock as available on site and sourced from the island. The rock will be moved or placed with an excavator,

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progressively tracking along the freshly replaced rock on the top of the revetment. The rock will be placed to the design slopes and levels matching the existing revetment.

The following mitigation measures (Table 1) are proposed as detailed in the Environmental Assessment Report (Advisian, 2021) prepared for the project.

Table 1 Environmental Impacts and Mitigation Measures.

Environmental Impact	Mitigation Measure
Marine Water Quality	- A Soil and Water Management Plan (SWMP) will be prepared and implemented as part of a CEMP for the Project. The SWMP will identify all reasonably foreseeable risks relating to erosion, sediments and water pollution and describe how these risks will be addressed during construction
	- A Spill Management Plan will be implemented during construction and will be communicated to all staff working on site.
	- The Contractor will undertake visual Water Quality Monitoring during construction to identify any potential spills or deficient erosion and sediment controls. The requirements of Water Quality Monitoring will be outlined in the Construction Environmental Management Plan (CEMP) for the Project. Water Quality Monitoring will be implemented with other mitigation measures to manage potential impacts on the marine environment and aquatic ecology.
	- Machinery access and operation will generally be from above the water line.
	- Rock to be used will be free of fines so as not to contribute to sediment plumes.
Aquatic Ecology	- All construction works will be undertaken by a suitably qualified, experienced and site-specific trained Contractor to reduce the risk of error and accidental environmental damage and flow-on effects on habitats and fauna in a safe manner.
	- The extension area would be inspected prior and during to the Works and any marine ecology that is able to be moved/relocated is done so.
	- At the completion of construction, a seabed inspection (seabed clearance survey) and clean-up will occur to remove any construction waste and general debris from the seafloor if required. All waste will be removed and disposed of at a licenced facility.

Timing

The anticipated duration for the rock revetment works is 8 weeks (excluding mobilisation/demobilisation) to occur sometime between mid to late 2022.

Consultation

A Stakeholder Engagement Plan was prepared by Advisian for the Kingston Pier Channel Construction Project in-line with the DITRDC's Norfolk Island Community Engagement Framework to enable effective two-way consultation for the Project. The rock revetment repairs formed part of the overall consultation.

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During the planning phase for the Project and preparation of the EA, the key stakeholders in Table 2 were identified.

Table 2 Key stakeholders.

Key stakeholders	
Office of the Administrator	Norfolk Island Museum
Norfolk Island Regional Council (NIRC)	Norfolk Island National Park and Botanic Garden
NIRC Mayor and Councillors	Norfolk Island Flora and Fauna Association
Norfolk Island Volunteer Rescue Squad	Commonwealth Heritage Manager – KAVHA
Transam Argosy Pty Ltd	KAVHA Advisory Committee and Community Advisory Group
Norfolk Forwarding Services	Burnt Pine Travel
Norfolk Island Fishing Association	Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) (Norfolk Island)
Lighterage and Stevedores	Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) (Canberra)
Norfolk Island Wa'a Outrigger Club	Department of Agriculture, Water and the Environment
Norfolk Island Chamber of Commerce	Department of Agriculture, Water and the Environment (Parks Australia)

Stakeholders have been formally engaged on three occasions during the Project:

- prior to the commencement of the Project concept design
- upon completion of the 30% Project concept design
- upon completion of the 80% Project concept design.

The consultation held throughout 2020 identified stakeholders concerns regarding erosion of the basalt cliff under Flagstaff Hill adjacent to the existing revetment. Stakeholders requested extension of the revetment to ensure any further erosion was minimised. No objections were raised in relation to the proposed works by stakeholders.

Throughout project consultation, the DITRDC has provided media releases, updates and fact sheets on their website to inform stakeholders and community groups of the Project.

References

Advisian (2021) "Kingston Pier Channel Construction Environmental Assessment"

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ATTACHMENT C – Risk Assessment and Mitigation Measures Submitted for the Marine Park Permit

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FOI 26-287 - Document 28



Kingston Pier Rock Revetment Extension

Marine Park Permit Risk Assessment

The Department of Infrastructure, Transport, Regional Development and the Arts

December 2022

311015-00061

Advisian
Worley Group

advisian.com

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FOI 26-287 - Document 28

Disclaimer

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PROJECT 311015-00061 - 311015-00061-MA-RP: Kingston Pier Rock Revetment Extension - Marine Park Permit Risk Assessment

Rev	Description	Author	Review	Advisian approval	Revision date	Client approval	Approval date
A	Issued for Client Review	s 47F			01.12.22		
B	Issued to Parks Australia				13.12.22		

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FOI 26-287 - Document 28

Table of contents

1 Introduction 6
1.1 Key Features of the Overall Project 6
1.2 Project Context 6
1.3 The Proponent 7
1.4 Timeline of Actions Relating to Obtaining Marine Park Permit 7
2 Proposed Works for Which Permit Applies 9
2.1 Description 9
2.2 Construction 11
2.3 Scheduling 12
3 Local Legislation 13
3.1 Planning Act 2002 (NI) 13
3.2 Norfolk Island Plan 2002 (NI) 13
3.3 Public Reserves Act 1997 (NI) 13
3.4 Temperate East Marine Parks Network Management Plan 2018 14
4 Matters of Natural Environmental Significance 19
4.1 Description of the Environment 19
4.2 Commonwealth Marine Park 19
4.2.1 Ecosystems and their Constituent Parts 21
4.2.2 People and Communities 39
4.2.3 Natural and Physical Resources, Qualities and Characteristics within the Special Purpose Zone 39
4.2.4 Social, Economic and Cultural Values 40
4.2.5 Heritage Values 40
5 Environmental Risk Assessment 42
5.1 Key Environmental Risk Areas 42
5.2 Potential Sources and Impact of Risk 42
5.3 Mitigation and Controls to Remove/Reduce Risk 42

Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

FOI 26-287 - Document 28

5.3.1 Marine Water Quality 43
5.3.2 Aquatic Ecology 44
5.3.3 Terrestrial Ecology 45
5.3.4 Air Quality and Greenhouse Gases 45
6 References 46

Appendices

Appendix A Risk Matrix and Register
Appendix B Risk Workshop Slides

Table list

Table 3-1 Decision-making prescriptions of the Temperate East Marine Parks Network Management Plan. 15
Table 4-1 Whale species listed under the EPBC Act Protected Matters Search for the study area. 26
Table 4-2 Mobile invertebrate species recorded by Aurecon (2011) in Bell Bay. 32
Table 4-3 Marine and migratory bird species listed under the EPBC Act Protected Matters Search for the study area 36
Table 4-4 Known historic shipwrecks located near Kingston (Cosmos Archaeology 2020). 40

Figure list

Figure 1-1 Location of Rock Revetment Works at Kingston, Norfolk Island for which Application Applies. 7
Figure 2-1 Photo Showing Existing Kingston Revetment with Displaced Armour Rock, Damaged Masonry Retaining Wall and Erosion Adjacent to Western End of Wall Where the Extension Works are to be Undertaken. 9
Figure 2-2 Red Box Showing Location of Proposed Rock Extension Works Adjacent to the Existing Rock Revetment 10
Figure 2-3 Figure Showing Suggested Extension of Revetment into Scalloped Area to the West of the Existing Rock Revetment 11
Figure 3-1 Kingston Common Reserve (Source: Norfolk Island Parks and Forestry Service, 2003a). 14
Figure 4-1 Norfolk Marine Park Map (Source: Commonwealth of Australia, 2018) 20

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Figure 4-2 Fish taxa with the greatest biomass surveyed in the Reef Life Surveys (x axis = biomass) (Heather et al. 2022). 23

Figure 4-3 Mean densities of the 15 most abundant macroinvertebrate species in each locality for 2009 and 2021 (Heather et al. 2022). 31

Figure 4-4 Top 15 Live hard coral taxa by site locality (x-axis = coral cover) (Heather et al. 2022). 35

Figure 4-5 Aquatic (marine) ecology general survey areas at Kingston Pier harbour and Slaughter Bay Lagoon (Source: Nearmap, 2020). 37

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1 Introduction

Advisian has been engaged by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA) to undertake a risk assessment (this report) in order to obtain a Marine Park Permit for the works associated with extending the existing rock revetment, one component of the Kingston Pier Channel Construction Project (the Project).

This report describes the site and its environment, the proposed works and a summary of the risk assessment undertaken to determine the potential source of risk (cause), impact of risk (effect), existing controls to remove/reduce the risk occurring and potential planned treatment to further reduce the risk. The risk assessment has drawn on the values of the Temperate East Marine Park Network and Norfolk Island Management Plan as well as information gleaned from the previously completed project specific assessments associated with the Environment Protection and Biodiversity Conservation (EPBC) referral.

1.1 Key Features of the Overall Project

Advisian has been commissioned by DITRDCA to undertake a range of activities pertaining to the proposed Kingston Pier Channel Construction Project (the Project). The key features of the project include:

- Augmentation (dredging) of approximately 5,000 cubic metres (m^3) of in-situ material at the existing channel bed at Kingston Pier to enable the deepening and widening of the existing channel
- transport and placement of spoil to the land-based disposal site at the Old Cascade Quarry
- installation of a channel navigation aid
- stabilisation of the existing steel sheet pile wall at Kingston Pier

The above works are being assessed through the previously mentioned EPBC referral and do not form part of this application however have been included above to provide an overview of the Project.

1.2 Project Context

Norfolk Island is located in the Pacific Ocean, approximately 1,600 kilometres (km) north-east of Sydney, 890 km north-east of Lord Howe Island and 1,100 km north-west of Auckland, New Zealand. It is approximately 8 km long and 5 km wide, with an area of 3,455 hectares (ha) (DITRDC, 2020). Kingston is the capital of Norfolk Island and is Australia's second oldest town behind Sydney.

The component of the Project for which this report relates is located on land adjacent to Kingston Pier (Figure 1-1). The definition of *"land"* in the *Planning Act 2002 (NI)* means land above the Mean High Water Mark (MHWM) and includes offshore stacks and water covering land above the MHWM. The waters around Norfolk Island are also considered Commonwealth waters under the jurisdiction of the Australian government and are located in the Norfolk Marine Park.

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FOI 26-287 - Document 28



Figure 1-1 Location of Rock Revetment Works at Kingston, Norfolk Island for which Application Applies.

1.3 The Proponent

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA) is the proponent of the Project.

1.4 Timeline of Actions Relating to Obtaining Marine Park Permit

The below details the actions and corresponding dates relating to obtaining a marine park permit for these works:

- March 2022 – Advisian emailed Parks Australia detailing the works and requesting information on the process to be adopted for obtaining a Marine Park Permit.
- March 2022 – Parks Australia provided response outlining an online application would need to be completed and requested a discussion to confirm the supporting documentation required.
- 10 March 2022 – Meeting held with Parks Australia who outlined a memo would be required as supporting documentation to be provided with the online marine park permit application. Parks Australia outlined they would review the draft memo prior to it being included with the online application.
- 5 April 2022 – Advisian provided draft memo to Parks Australia for review.
- 13 April 2022 – Advisian followed up with Parks Australia regarding review of draft memo.
- 14 April 2022 – Parks Australia outlined memo would be reviewed with online application and feedback would be provided.
- 19 May 2022 – Marine Park Permit and supporting documentation submitted.
- 3 June 2022 – DITRDCA followed up with Parks Australia requesting update on permit application.
- 6 June 2022 – Parks Australia provided feedback requesting further information:

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  - Source of rock
  - Copy of the following – Soil and Water Management Plan, Spill Management Plan and Construction Environmental Management Plan
- 10 June 2022 – Advisian provided response to Parks Australia request – rock sourced from the island, consistent with the DA. Management plans would be prepared by the Contractor once engaged.
- 15 June 2022 – Parks Australia requested information on the DA and the above-mentioned plans. Parks Australia outlined application would progress once above-mentioned plans were provided.
- 26 July 2022 – Advisian provided DA and outlined management plans would be prepared by contractor in accordance with best practice, the blue book and in line with the mitigation measures nominated in Advisian documentation.
- 17 August 2022 -Advisian sent follow up email to Parks Australia requesting comment on whether there was a way to progress the marine park permit application.
- 24 August 2022 – Parks Australia provided response requesting meeting to discuss.
- 2 September 2022 – Meeting held with Parks Australia. Risk workshop and subsequent risk assessment to be submitted as supporting documentation for the Marine Park Permit.
- 30 November 2022 – Risk workshop held with Advisian and DITRDCA and risk register created.

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FOI 26-287 - Document 28

2 Proposed Works for Which Permit Applies

2.1 Description

Adjacent to the western end of the existing rock revetment, a scalloped area of foreshore was identified during a site visit (January 2021). The scalloped area was deemed to require rock protection in order to mitigate against future erosion and is 'the work' for which the marine park permit would apply. This report has been prepared to summarise the risk assessment undertaken to form a component of the Marine Park Permit application, associated with the extension only (approximately 10m) of the rock wall (Figure 2-1 and Figure 2-2).



Figure 2-1 Photo Showing Existing Kingston Revetment with Displaced Armour Rock, Damaged Masonry Retaining Wall and Erosion Adjacent to Western End of Wall Where the Extension Works are to be Undertaken.

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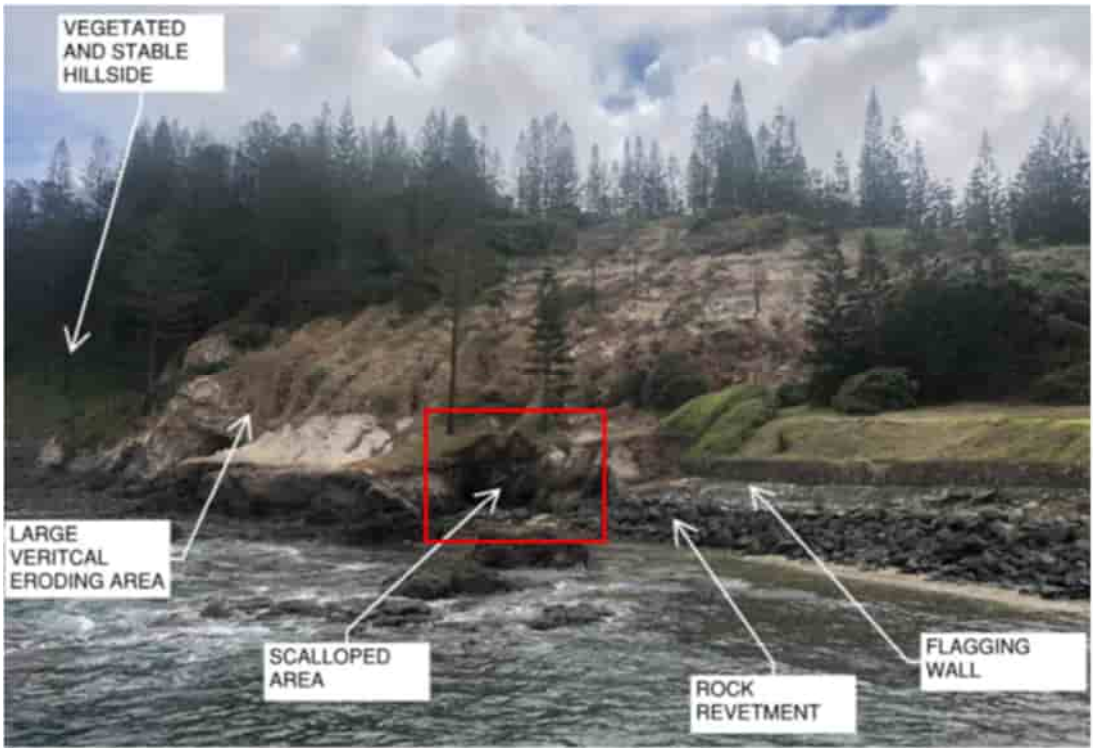


Figure 2-2 Red Box Showing Location of Proposed Rock Extension Works Adjacent to the Existing Rock Revetment.

The extension to the rock revetment to protect the scalloped area adjacent to the existing rock wall would comprise a new rock armour section, built at the existing slope reworking the existing rock armour (Figure 2-3). The crest level would be at an approximate level of 3 MSL and have a width of 4 m in order to reduce overtopping to a suitable and safe level for pedestrians walking behind the wall. It is proposed to use igneous rock, readily available on the island and consistent in appearance with the existing structure. The extension would provide a smoother transition of the rock revetment into the foreshore to deflect wave and current action and provide protection. The extension would provide protection against undermining to the cliff face by wave action thus reducing the risk of sudden collapse of the cliff on Flagstaff Hill. It is proposed to adopt the current height of the existing rock revetment as the crest level for the extension.

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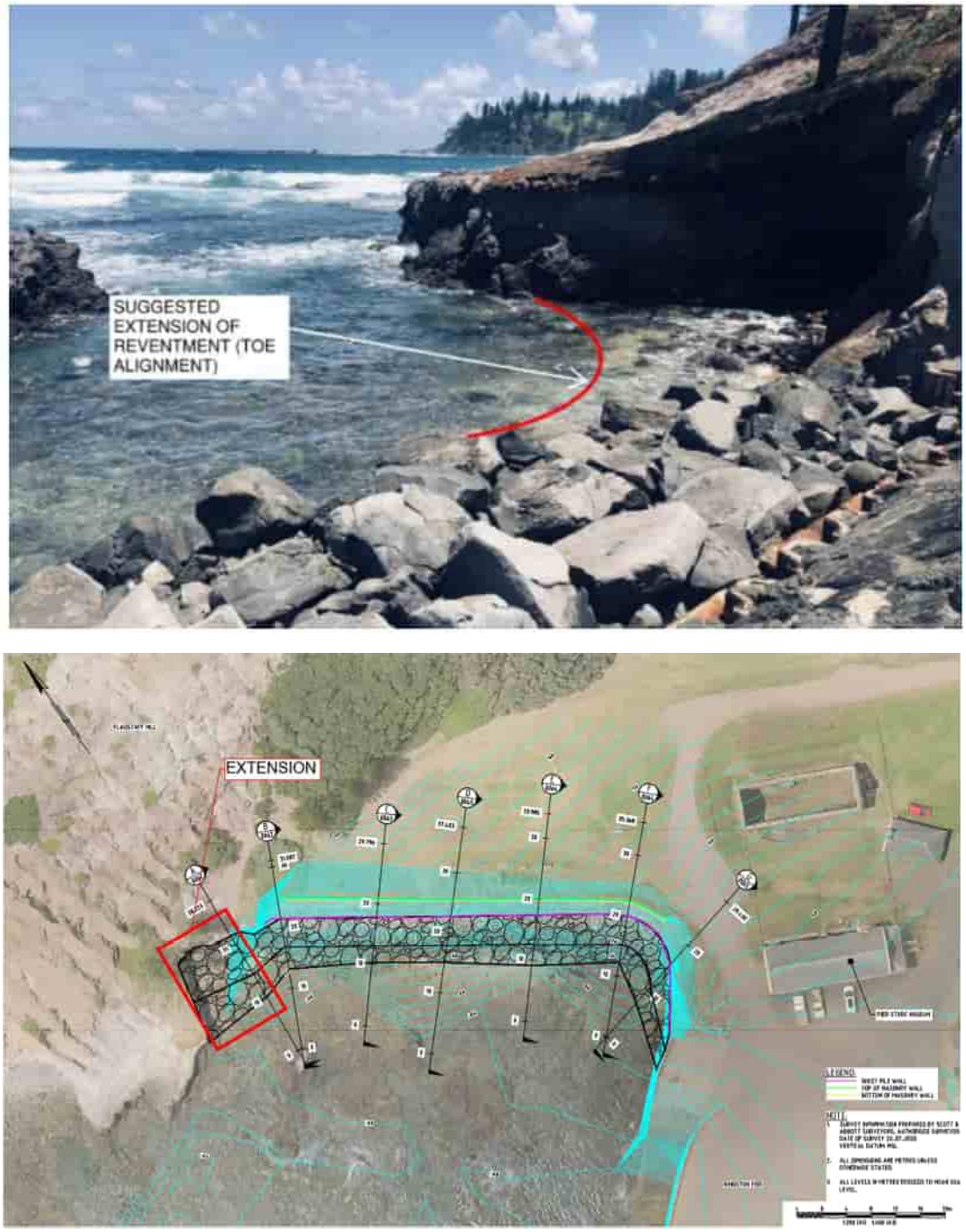


Figure 2-3 Figure Showing Suggested Extension of Revetment into Scalloped Area to the West of the Existing Rock Revetment.

2.2 Construction

The revetment repair would look to reuse as much existing rock as practicable. The approximate volume of the extension, approximately 10m long, would be 180m^3. The rock will be moved or placed with an excavator, progressively tracking along the freshly replaced rock on the top of the revetment.

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FOI 26-287 - Document 28

The rock will be placed to the design slopes and levels which match the existing revetment and extend to Flagstaff Hill. Sourced and existing rock would be stockpiled on land for the revetment works. Construction would all be land based and the initial placement of rock on sand would be restricted to periods of lower tides and wave action.

2.3 Scheduling

The extension works for which this permit applies are proposed to occur over an 8 week period, this time period also includes the works to remediate the existing revetment (classified as maintenance).

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FOI 26-287 - Document 28

3 Local Legislation

3.1 Planning Act 2002 (NI)

The *Planning Act 2002* provides for the *Norfolk Island Plan 2002* which establishes the controls for the use and development of land in Norfolk Island and for related purposes. It provides standard development approval procedures such as the preparation of Environmental Impact Statements.

The Project and this component of the works has had consideration for the Objects of the *Planning Act 2002* which are as follows:

a) *"to promote the conservation of the natural environment and landscape beauty of Norfolk Island; and*

b) *to promote the conservation and preservation of the unique cultural and built heritage of Norfolk Island; and*

c) *to preserve the way of life and the quality of life of the people of Norfolk Island; and*

d) *to promote the proper management, development and conservation of the natural and man-made resources of Norfolk Island for the social and economic welfare of the community and a better environment; and*

e) *to determine the preferred future use, development and management of Norfolk Island; and*

f) *to promote and co-ordinate the orderly and economic use and development of land on Norfolk Island and provision of utility and community services and facilities; and*

g) *to ensure that human health and safety, and the amenity of Norfolk Island, are promoted by activities subject to development approval; and*

h) *to provide standard development approval procedures."*

3.2 Norfolk Island Plan 2002 (NI)

The *Norfolk Island Plan 2002* has been prepared in accordance with the provisions of the *Planning Act 2002*. It is the strategic and statutory framework for land management and the future development of Norfolk Island.

The *Planning Act 2002* and the *Norfolk Island Plan 2002* apply to land located above the Mean High Water Mark (MHWM). Works above the MHWM require assessment in accordance with the provisions of these planning instruments and would require development approval from the NIRC which has been completed.

3.3 Public Reserves Act 1997 (NI)

The *Public Reserves Act 1997* provides for the management and protection of public reserves on Norfolk Island.

Kingston Common Reserve

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Kingston Pier is located in the vicinity of Kingston Common Reserve (Figure 3-1). The Rock Revetment and Slaughter Bay Seawall are located within the Kingston Common Reserve.

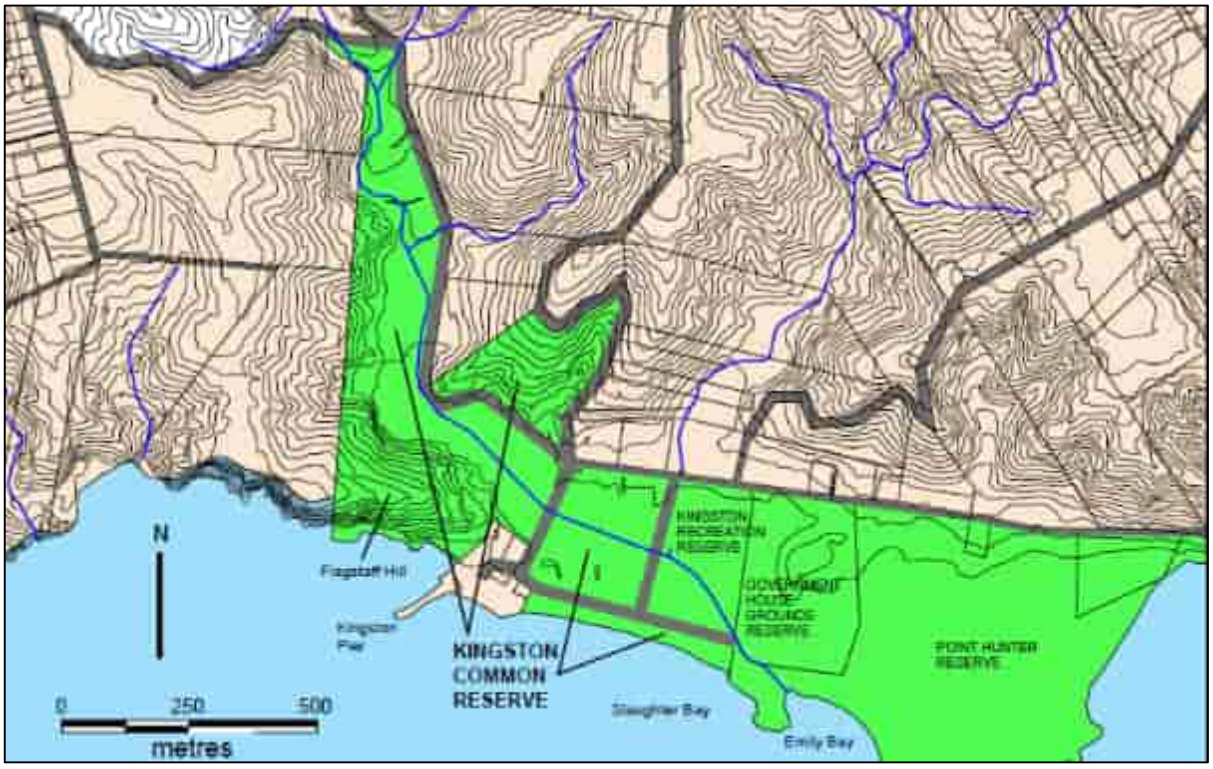


Figure 3-1 Kingston Common Reserve (Source: Norfolk Island Parks and Forestry Service, 2003a).

In accordance with the Kingston Common Reserve Plan of Management and Part 5 of the *Public Reserves Act 1997*, it is expected that the Project would not be a controlled activity. There would be no adverse impacts to the Kingston Common Reserve. The repair works to the Rock Revetment and Slaughter Bay Seawall to be undertaken using appropriate conservation techniques under the supervision of the KAVHA Conservation Services Coordinator and the KAVHA Project Manager in accordance with Section 15.6.1 of the Kingston Common Reserve Plan of Management. As a result, an approval and/or permit would not be required from the KAVHA Project Manager and/or the Conservator of Public Reserves.

3.4 Temperate East Marine Parks Network Management Plan 2018

The waters around Norfolk Island are classified as Special Purpose Zone (Norfolk) (IUCN VI) which is part of the Temperate East Marine Parks Network. The objective of a Special Purpose Zone (VI) is:

> *"to provide for ecologically sustainable use and the conservation of ecosystems, habitats and native species, while applying special purpose management arrangements for specific activities."*

Section 4.2.9 of the Temperate East Marine Parks Network Management Plan (the Management Plan) (Director of National Parks, 2018) provides that the *"erection and maintenance of structures"* as well as augmentation are allowable in Special Purpose Zone (Norfolk) (IUCN VI) subject to an assessment, in accordance with a permit, class approval or activity licence or lease issued by the Director of National

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FOI 26-287 - Document 28

Parks. Prescription 4.2.9.5 describes how these activities must be undertaken in Special Purpose Zone (Norfolk) (IUCN VI) as follows:

> *"Excavations (including dredging), erection of structures, works and maintenance, and associated activities (including disposal of dredged material), other than in relation to fish aggregating devices, in a Special Purpose Zone (Trawl) (VI), Special Purpose Zone (Norfolk) (VI), and Multiple Use Zone (VI):*
>
> *a) that have been approved under Part 9 of the EPBC Act, may be conducted in accordance with conditions of that approval and a class approval issued under Section 4.4.2 (Class approvals);*
>
> *b) that are authorised by a policy, plan or program that has been endorsed under Part 10 of the EPBC Act may be conducted in accordance with the conditions of that authorisation and a class approval issued under Section 4.4.2 (Class approvals);*
>
> *c) that have been authorised by a permit under the Environment Protection (Sea Dumping) Act 1981 may be conducted in accordance with the conditions of that permit and a class approval issued under Section 4.4.2 (Class approvals);*
>
> *d) that are the subject of a decision under Part 7 of the EPBC Act and are not a controlled action or a controlled action if taken in a particular manner may be conducted in that manner and in accordance with the conditions of a class approval issued under Section 4.4.2 (Class approvals); or*
>
> *e) that are not covered by paragraphs a) to d) may be conducted in accordance with a permit issued under Section 4.4.1 (Permits) or an activity licence or lease issued under Section 4.4.3 (Activity licences and leases)."*

The general approach and considerations of the Director when assessing and making decisions about authorising the relevant activities of the Project in Special Purpose Zone (Norfolk) (IUCN VI) are provided in Table 3-1. The Project has had consideration for these prescriptions.

Table 3-1 Decision-making prescriptions of the Temperate East Marine Parks Network Management Plan.

Reference	Decision-making prescription[1] *The Director will not authorise an activity unless satisfied that:*	Comment
4.3.1.1	The activity is consistent with the objectives of the Management Plan. AND For commercial activities, will the activity benefit the public or persons using the reserve?	The objectives of the Management Plan are to provide for: a) the protection and conservation of biodiversity and other natural, cultural and heritage values of marine parks in the Temperate East Network; and b) ecologically sustainable use and enjoyment of the natural resources within marine parks in the Temperate East Network, where this is consistent with objective (a). The Project is considered to be generally consistent with the objectives of the Management Plan. The rock revetment extension:

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Reference	Decision-making prescription[1] *The Director will not authorise an activity unless satisfied that:*	Comment
		• would not be expected to have a significant impact on threatened species or endangered ecological communities listed under the EPBC Act. • would not have potential impacts on aquatic ecology and terrestrial ecology.
4.3.1.1 **4.3.1.5 (a)**	The activity is consistent with the objectives of the zone or zones in which the activity will be conducted.	The objective of Special Purpose Zone (VI) is to: • provide for ecologically sustainable use and the conservation of ecosystems, habitats and native species, while applying special purpose management arrangements for specific activities. The works are considered to be generally consistent with this objective for the reasons described previously. The Project would not prevent ecologically sustainable use of Special Purpose Zone (VI) and the long-term conservation of natural resources.
4.3.1.1	The activity is consistent with the reserve management principles (Schedule 8 of the EPBC Regulations: Australian IUCN reserve management principles).	The applicable reserve management principles are as follows: **7 Managed resource protected area (category VI)** 7.01A This clause sets out the management principles for a managed resource protected area (IUCN protected area management category VI). 7.01 The reserve or zone should be managed mainly for the ecologically sustainable use of natural ecosystems based on the following principles. 7.02 The biological diversity and other natural values of the reserve or zone should be protected and maintained in the long-term. 7.03 Management practices should be applied to ensure ecologically sustainable use of the reserve or zone. 7.04 Management of the reserve or zone should contribute to regional and national development to the extent that this is consistent with these principles. The works would not prevent the effective management of the reserve or zone for the purposes of ecologically sustainable use and long-term conservation of natural resources.
4.3.1.2	The impacts and risks of the activity on the values of the marine park/s, acceptability of those impacts and risks, and potential impacts on marine park users, stakeholders and Indigenous people have been considered.	The Project has had consideration for the potential impact to the Norfolk Marine Park values. The values are described in Schedule 2 of the Management Plan and broadly outlined below: • *natural values* – examples of ecosystems representative of the Norfolk Island Province, unique reef fish assemblages, coral reefs in Emily Bay and Slaughter Bay, Key Ecological Features (KEFs) and species listed under the EPBC Act. The potential impact on

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FOI 26-287 - Document 28

Reference	Decision-making prescription[1] *The Director will not authorise an activity unless satisfied that:*	Comment
4.3.1.4 (b) **4.3.1.5 (b)**	The impacts (including potential impacts) and risks of the activity on marine park values are understood, evaluated and able to be avoided or reduced to as low as reasonably practicable.	natural values including proposed mitigation measures is considered in Section 5. • *cultural values* – representing a unique community and culture on Norfolk Island involving Polynesian peoples, Pitcairn Islanders and Indigenous Australians. The potential impact on cultural and heritage values including proposed mitigation measures is considered in Section 5. • *heritage values* – KAVHA, Nepean Island Reserve and Phillip Island heritage sites and historic shipwrecks including *HMS Sirius*. The potential impact on cultural and heritage values including proposed mitigation measures is considered in Section 5. • *social and economic values* – fishing in the Norfolk Island Inshore Fishery area located in Special Purpose Zone (Norfolk) (IUCN VI). Activities such as boating, shipping, tourism and recreation in the coastal waters surrounding Norfolk Island including the coral lagoon of Emily Bay. For further consideration of the values as detailed in the Norfolk Marine Park Management Plan, refer Section 5 of this report. The Project is not expected to reduce the area of occupancy of a species or important population as alternative nearby habitat is available.
4.3.1.5 (c)	The potential impacts and risks of the activity on marine park values and representativeness are acceptable.	
4.3.1.3	The impacts and risks of the activity have been assessed in accordance with the assessments and authorisations program established processes and policies.	Parks Australia have advised that the assessments and authorisations program is currently in the process of being finalised.
4.3.1.4 (a)	The proponent suitably understands the marine park values.	The Norfolk Marine Park values have been described previously and further detail is provided in the relevant subsections of Section 5 of this report. As a result, the Norfolk Marine Park values have been sufficiently understood to subsequently identify potential impacts of the works as well as mitigation measures to manage impacts.
4.3.1.4 (c)	The proponent has the capacity to comply with the conditions of the authorisation.	DITRDCA through the Australian Government administers the territory of Norfolk Island and has overall responsibility for the management of the Kingston and Arthur's Vale Historic Area which is located adjacent to the Norfolk Marine Park. The Contractor to be appointed by the Project proponent, DITRDC, would be suitably qualified and experienced in undertaking the construction works whilst minimising potential environmental impacts.

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Reference	Decision-making prescription[1] *The Director will not authorise an activity unless satisfied that:*	Comment
4.3.1.4 (d)	The relevant regulatory requirements have been or will be met.	The requirement of this prescription would be fulfilled by obtaining an authorisation from the Director of National Parks for the proposed works in the Norfolk Marine Park.

[1] Refer to Section 4.3 of the Temperate East Marine Parks Network Management Plan for a complete description of the decision-making prescriptions.

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4 Matters of Natural Environmental Significance

4.1 Description of the Environment

Norfolk Island lies within the Temperate East Marine Region. This marine region is comprised of Commonwealth waters extending from the southern boundary of the Great Barrier Reef Marine Park to Bermagui in New South Wales. This also includes the waters surrounding Lord Howe Island and Norfolk Island. The region covers an area of approximately 1.47 million km^2 of temperate and subtropical waters. The region extends from shallow waters on the continental shelf, 3 nautical miles (5.5 km) from shore to the deep ocean environments at the edge of Australia's exclusive economic zone, 200 nautical miles from shore (Parks Australia, 2018).

The unique temperate environment Norfolk Island is situated in makes for habitats which are ideal for a variety of marina fauna and flora. These unique organisms include 230 species of algae, 57 species of coral, 400 species of molluscs, 254 species of fish, numerous mammals and 236 species of marine benthic algae.

4.2 Commonwealth Marine Park

The Norfolk Marine Park is an Australian marine park and is managed under the Temperate East Marine Parks Network. It was proclaimed under the EPBC Act on 14 December 2013. The long, narrow, steep-sided undersea of Norfolk Ridge runs through the marine park, which acts as a line of oceanic stepping stones, connecting deep water marine species from New Zealand to New Caledonia and supports diverse temperate and tropical marine life (Australian Marine Park 2020).

The Norfolk Island Marine Park begins approximately 1,400 km offshore and covers 188,444 km^2 with depths of up to 5,000 m. The marine park comprises a number of zones, including a National Park, Multiple Use and Special Purposes zone. The Special Purpose Zone is located directed around Norfolk Island (Figure 4-1) and allows for both conservation and sustainable use in a highly valued natural area (Australian Marine Park 2020).

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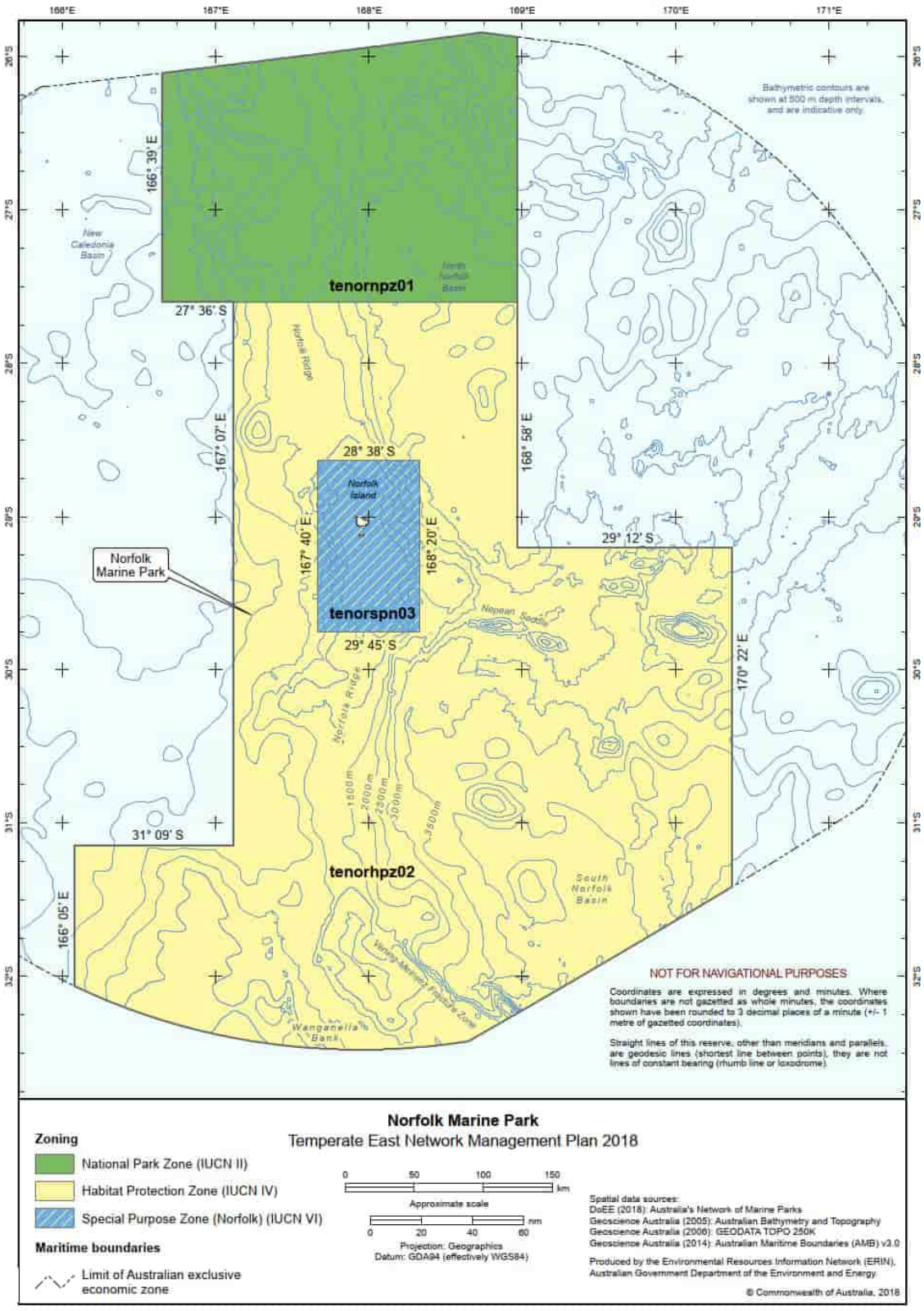


Figure 4-1 Norfolk Marine Park Map (Source: Commonwealth of Australia, 2018).

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4.2.1 Ecosystems and their Constituent Parts

A summary of the ecosystems and their constituent parts (including marine flora and fauna) is provided below.

Norfolk Island has a unique assemblage of marine species. While most groups have not been comprehensively documented, around 230 species of algae, 57 species of corals, 400 species of molluscs (including 160 species of opistobranchs), 254 species of fish and several mammals have been identified to date (Parks Australia 2020). There are also a number of endemic species, and a large number of subtropical and Tasman Sea endemics. These are described.

The conservation values of the Temperate East Marine Region in which Norfolk Island occurs include:

- Biodiversity – supporting high levels of species richness and diversity
- Key Ecological Features including:
  - Tasman Front and eddy field – a ridge that separates the warm, nutrient-poor waters of the Coral Sea from the cold, nutrient-rich waters of the Tasman Sea, providing increased nutrients and plankton aggregations, and enhanced productivity that attracts mobile species such as turtles, cetaceans, tuna and billfish.
  - Norfolk Ridge – a steep-sided, narrow and elongated feature approx. 1000 km long and 70 km wide. The pinnacles and seamounts of the Norfolk Ridge support relatively productive and diverse benthic habitats and are thought to act as stepping stones for faunal dispersal, connective deep-water fauna from New Caledonia to New Zealand.
- Protected species – species listed under the EPBC Act are listed as either threatened species, migratory species, and cetaceans and marine species. Species groups identified as conservation values include:
  - Bony fishes (10 species)
  - Cetaceans (9 species)
  - Marine reptiles (24 species)
  - Seabirds (34 species)
  - Sharks (6 species).
- Biologically Important Areas – for the conservation of protected species where individuals display biologically important behaviours
- Protected places including the Norfolk Marine Park.

4.2.1.1 Marine Flora

There are 236 species of marine benthic algae described in *Marine Benthic Algae of Norfolk Island, South Pacific*, with 41 species of Chlorophyta, 41 of Phaeophyta and the remaining 154 of Rhodophyta (Advisian, 2021a). Apart from several undescribed taxa, none are endemic to Norfolk Island. A considerable number of the species at Norfolk Island are shared with the Great Barrier Reef and the NSW coast as well as Lord Howe Island.

It is considered that marine algae dominate much of the substrate around the high-energy area of Kingston Pier. The intertidal zone of the harbour adjacent to Kingston Pier is dominated by green and red algae, with dominant species including the sea lettuce '*Ulva ulva*', *Enteramorpha* species and the

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grape weed *Caulerpa racemose*, known locally as 'dead man's fingers'. Other species of algae found around the Pier included *Ventricaria ventricosa* and *Caulperpa racemosa* (Marges, 2005). The algae within the area around Kingston is heavily relied upon by lagoon and other fishes as an important food source. Communities of marine algae are also found at Slaughter Bay and nearby Ball Bay.

4.2.1.2 *Marine Fauna*

Marine Fishes

Bony Fish

Tropical and subtropical fish species dominate the fauna of Norfolk Island, with fish fauna appearing to have originated largely by larval dispersal from Australia and the Coral Sea (Francis 1993).

The following bony fishes are known to occur in the Temperate East Marine Region and are listed under the EPBC Act:

- Eastern gemfish — eastern Australian population (*Rexea solandri*) – Conservation dependent
- Orange Roughy (*Hoplostethus atlanticus*) – Conservation dependent
- Black cod (*Epinephelus daemelii*) – Vulnerable.

The Black cod (*E. daemelii*) was listed in the EPBC Act Protected Matters Search for the Project.

A recent biodiversity survey completed by Edgar et al. (2017) identified 90 fish species from Norfolk Island. Abundance was highest for the Smoky Puller, *Chromis fumea* and Lea's Cardinalfish *Taeniamia leai*. Twenty cryptic fish species were also recorded from Norfolk Island during the survey, of which blennies and cardinalfish were the most abundant (Edgar et al. 2017).

The recent Reef Life Project (Heather et al. 2022) reported that a total of 111 fish taxa were recorded on surveys from 2009 to 2021, including 85 in the latest set of 32 surveys in 2021. The fish community within the lagoon was distinctively different from those surveyed at the other three localities in 2009 and 2021. A distinct and significant shift in the fish community structure occurred between 2009 and 2021 overall, but the lagoon fish community remained unique from all other sites, characterised by more tropical species associated with coral reefs (Heather et al. 2022). Fish biomass also differed significantly between sites in each of the four localities, and changes in fish biomass between 2009 and 2021 were dependent upon the locality. Fish biomass at the Phillip Island sites declined by 78% between 2009 and 2013, and despite a slight increase again between 2013 and 2021, remained 64% less in 2021 than in original RLS surveys in 2009.

The reduction in fish biomass at the Phillip Island sites appeared to be the result of relatively higher abundances of Galapagos sharks (*Carcharhinus galapagensis*) and schooling sea chubs (Kyphosus spp.) in 2009 surveys. Fish biomass was 58% lower in the Lagoon in 2021 compared to 2009, although this was not significantly significant. No significant change in fish biomass was observed at the North-west and South sites between the years 2009 and 2021. High biomass in the South sites in 2021 was largely driven by schools of the Onespot puller (*Chromis hypsilepis*) and the Yellowspotted sawtail (*Prionurus maculatus*). Species richness varied significantly between site localities, but no significant change was observed from 2009 to 2021 (Heather et al. 2022). The relative biomass of trophic groups varied through the years, with trends for decreased biomass of higher carnivores and invertivores, and increased biomass of herbivores and planktivores. None of these changes were statistically significant, however, with large variation in biomass of trophic groups between sites suggesting that the

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functional structure of Norfolk Island communities is quite variable through space and time. The fish taxa with the greatest biomass in each of the areas in the Norfolk Marine Park surveyed are shown in Figure 4-2.

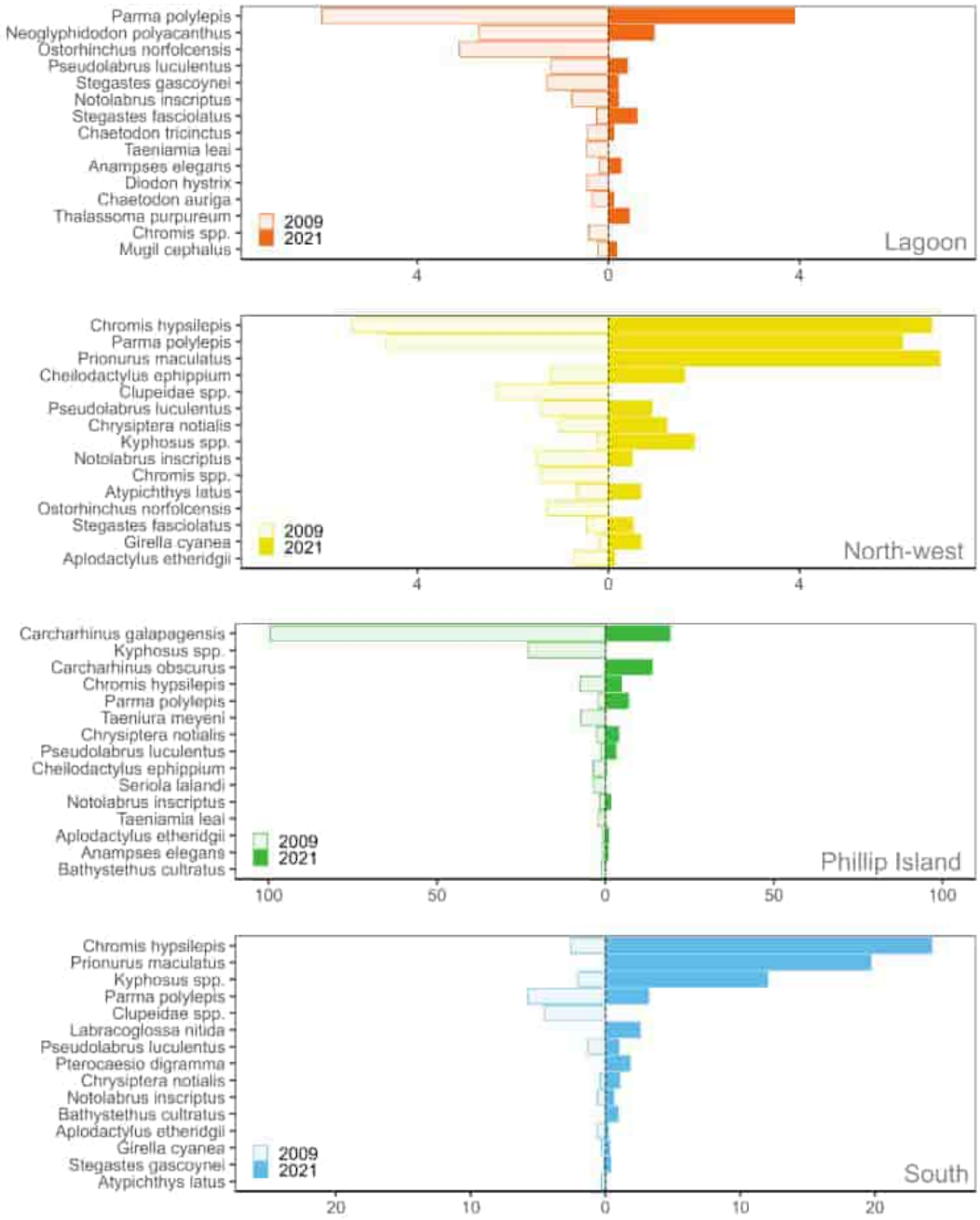


Figure 4-2 Fish taxa with the greatest biomass surveyed in the Reef Life Surveys (x axis = biomass) (Heather et al. 2022).

Sharks

Important breeding, feeding and aggregation areas for sharks are found throughout the Temperate East Marine Region, including areas around Norfolk Island. The following sharks are known to occur in the Temperate East Marine Region and are listed under the EPBC Act:

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- Grey nurse shark - east coast population (*Carcharias taurus*) – Critically endangered
- Longfin mako shark (*Isurus paucus*) – Migratory
- Porbeagle (*Lamna nasus*) – Migratory
- Shortfin mako shark (*Isurus oxyrinchus*) – Migratory
- Whale shark (*Rhincodon typus*) – Vulnerable, migratory
- White shark (*C. carcharias*) – Vulnerable, migratory
- Green sawfish (*Pristis zijsron*) – Vulnerable
- School shark (*Galeorhinus galeus*) – Conservation dependent.

The White shark (*C. carcharias*) was listed in the EPBC Act Protected Matters Search for the Project.

Shark species identified in studies of fish species of Norfolk Island and surrounds are listed below (Francis 1993, Heather et al. 2022).

- Galapagos shark (*Carcharhinus galapagensis*)
- Dusky shark (*Carcharhinus obscurus*)
- Grey reef shark (*Carcharhinus amblyrhynchos*)
- Smooth hammerhead shark (*Pshyrna zygaena*)
- Tiger shark (*Galeocerdo cuvier*)
- White shark (*Carcharodon carcharias*).

Rays

Rays in the Temperate East Marine Region are of great ecological importance due to their position at the top of the food chain (Keable 2007). There are no ray species in the Temperate East Marine Region listed under the EPBC Act nor were any listed in the EPBC Act Protected Matters Search.

Ray species identified in a study of fish species of Norfolk Island and surrounds are provided below (Francis 1993).

- Abbott's moray (*Gymnothorax eurostus*)
- Grey moray (*Gymnothorax nubilus*)
- Griffin's moray (*Gymnothorax obesus*)
- Lipspot moray (*Gymnothorax chilospilus*)
- Lord Howe Island moray (*Gymnothorax annasona*)
- Lowfin moray (*Gymnothorax porphyreus*)
- Mosaic moray (*Enchelycore ramosus*)

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- New Zealand eagle ray (*Myliobatis tenuicaudatus*)
- Round ribbontail ray / bullray (*Taeniura meyeni*)
- Stingaree (*Urolophus sp*).

Syngnathids

All species of Syngnathids (seahorses, seadragons, pipefishes and pipehorses) are listed and protected under the EPBC Act. Booth's pipefish (which is known from Norfolk Island) was listed in the EPBC Act Protected Matters Search for the Project (as a Listed Marine species and "species or species habitat may occur within area".

There are also a number of listed syngnathid species known to occur in the greater Temperate East Marine Region. However, it is not clear whether these species inhabit areas immediately surrounding Norfolk Island. None of these species were listed in the Protected Matters Search.

Marine Mammals

Whales

The following 29 whale species are known to occur in the Temperate East Marine Region and are listed under the EPBC Act:

- Andrew's beaked whale (*Mesoplodon bowdoini*) – Cetacean
- Antarctic minke whale (*Balaenoptera bonaerensis*) – Migratory, cetacean
- Arnoux's beaked whale (*Berardius arnuxii*) – Cetacean
- Blainville's beaked whale (*Mesoplodon densirostris*) – Cetacean
- Blue whale (*Balaenoptera musculus*) – Endangered, migratory, cetacean
- Bryde's whale (*Balaenoptera edeni*) – Migratory, cetacean
- Cuvier's beaked whale (*Ziphius cavirostris*) – Cetacean
- Dwarf minke whale (*Balaenoptera acutorostrata*) – Cetacean
- Dwarf sperm whale (*Kogia simus*) – Cetacean
- False killer whale (*Pseudorca crassidens*) – Cetacean
- Fin whale (*Balaenoptera physalus*) – Vulnerable, migratory, cetacean
- Ginkgo-toothed beaked whale (*Mesoplodon ginkgodens*) – Cetacean
- Gray's beaked whale (*Mesoplodon grayi*) – Cetacean
- Hector's beaked whale (*Mesoplodon hectori*) – Cetacean
- Humpback whale (*Megaptera novaeangliae*) – Vulnerable, migratory, cetacean
- Killer whale (*Orcinus orca*) - Migratory, cetacean

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- Long-finned pilot whale (*Globicephala melas*) – Cetacean
- Melon-headed whale (*Peponocephala electra*) – Cetacean
- Pygmy killer whale (*Feresa attenuata*) – Cetacean
- Pygmy right whale (*Caperea marginata*) – Migratory, cetacean
- Pygmy sperm whale (*Kogia breviceps*) – Cetacean
- Sei whale (*Balaenoptera borealis*) – Vulnerable, migratory, cetacean
- Shepherd's beaked whale (*Tasmacetus shepherdi*) – Cetacean
- Short-finned pilot whale (*Globicephala macrorhynchus*) – Cetacean
- Southern bottlenose whale (*Hyperoodon planifrons*) – Cetacean
- Southern right whale (*Eubalaena australis*) – Endangered, migratory, cetacean
- Sperm whale (*Physeter macrocephalus*) – Migratory, cetacean
- Strap-toothed beaked whale (*Mesoplodon layardii*) – Cetacean
- True's beaked whale (*Mesoplodon mirus*) – Cetacean.

Table 4-1 provides the whale species identified in the EPBC Act Protected Matters Search undertaken for the Project, including the conservation status and likelihood of occurrence in the study area (as determined by the database search).

Table 4-1 Whale species listed under the EPBC Act Protected Matters Search for the study area.

Antarctic minke whale (*Balaenoptera bonaerensis*) - Cetacean, Migratory, Species or species habitat likely to occur within area	Long-finned pilot whale (*Globicephala melas*) - Cetacean, Species or species habitat may occur within area
Blainville's beaked whale (*Mesoplodon densirostris*) - Cetacean, Species or species habitat may occur within area	Melon-headed whale (*Peponocephala electra*) - Cetacean, Species or species habitat may occur within area
Blue whale (*Balaenoptera musculus*) - Endangered, Cetacean, Migratory, Species or species habitat may occur within area	Minke whale (Balaenoptera acutorostrata) - Cetacean, Species or species habitat may occur within area
Bryde's whale (*Balaenoptera edeni*) - Cetacean, Migratory, Species or species habitat likely to occur within area	Pygmy killer whale (*Feresa attenuata*) - Cetacean, Species or species habitat may occur within area
Cuvier's beaked whale (*Ziphius cavirostris*) - Cetacean, Species or species habitat may occur within area	Pygmy sperm whale (*Kogia breviceps*) - Cetacean, Species or species habitat may occur within area

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Dwarf sperm whale (*Kogia sima*) - Cetacean, Species or species habitat may occur within area	Sei whale (*Balaenoptera borealis*) - Vulnerable, Cetacean, Migratory, Species or species habitat likely to occur within area
Fin whale (*Balaenoptera physalus*) - Vulnerable, Cetacean, Migratory, Species or species habitat likely to occur within area	Short-finned pilot whale (*Globicephala macrorhynchus*) - Cetacean, Species or species habitat may occur within area
Gray's beaked whale (*Mesoplodon grayi*) - Cetacean, Species or species habitat may occur within area	Southern right whale (*Eubalaena australis*) - Endangered, Cetacean, Migratory, Species or species habitat may occur within area
Humpback whale (*Megaptera novaeangliae*) - Cetacean, Migratory, Species or species habitat may occur within area	Sperm whale (*Physter macrocephalus*) - Cetacean, Migratory, Species or species habitat may occur within area
Killer whale (*Orcinus orca*) - Cetacean, Migratory, Species or species habitat may occur within area	Strap-toothed beaked whale (*Mesoplodon layardii*) - Cetacean, Species or species habitat may occur within area

Dolphins

The following 12 dolphin species are known to occur in the Temperate East Marine Region and are listed under the EPBC Act:

- Bottlenose dolphin (*Tursiops truncatus*) – Cetacean
- Common dolphin (*Delphinus delphis*) – Cetacean
- Fraser's dolphin (*Lagenodelphis hosei*) – Cetacean
- Indo-Pacific bottlenose dolphin (*Tursiops aduncus*) – Cetacean
- Indo-Pacific humpback dolphin (*Sousa chinensis*) – Migratory, cetacean
- Pantropical spotted dolphin (*Stenella attenuata*) – Cetacean
- Risso's dolphin (*Grampus griseus*) – Cetacean
- Rough-toothed dolphin (*Steno bredanensis*) – Cetacean
- Southern right whale dolphin (*Lissodelphis peronii*) – Cetacean
- Spinner dolphin (*Stenella longirostris*) – Cetacean
- Striped dolphin (*Stenella coeruleoalba*) – Cetacean
- Dusky dolphin (*Lagenorhynchus obscurus*) – Cetacean, migratory (may infrequently occur).

Of these species, eight were listed in the EPBC Act Protected Matters Search for the Project which have the potential to occur within the study area (i.e. within 10 km of the site), including:

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- Bottlenose dolphin (*Tursiops truncates s. str.*) - Cetacean, Species or species habitat may occur within area
- Common dolphin (*Delphinus* delphis) - Cetacean, Species or species habitat may occur within area
- Fraser's dolphin (*Lagenodelphis hosei*) - Cetacean, Species or species habitat may occur within area
- Long-snouted spinner dolphin (*Stenella longirostris*) - Cetacean, Species or species habitat may occur within area
- Pantropical spotted dolphin (*Stenella attenuate*) - Cetacean, Species or species habitat may occur within area
- Risso's dolphin (*Grampus griseus*) - Cetacean, Species or species habitat may occur within area
- Rough-toothed dolphin (*Steno bredanensis*) - Cetacean, Species or species habitat may occur within area
- Striped dolphin (*Stenella coeruleoalba*) - Cetacean, Species or species habitat may occur within area.

Seals and Sea Lions

Two species of seals and sea lions are likely to be encountered in the Temperate East Marine Region and are listed under the EPBC Act. They are the Australian fur seal (*Arctocephalus pusillus doriferus*) and New Zealand fur seal (*Arctocephalus forsteri*).

These species were not listed in the Protected Matters Search for the Project and are not expected to occur at the location of the Project except on very rare occasions.

Marine Reptiles

Turtles and Sea Snakes

The following 25 marine reptile species are known to occur in the Temperate East Marine Region and are listed under the EPBC Act:

- Green turtle (*Chelonia mydas*) – Vulnerable, migratory, marine
- Hawksbill turtle (*Eretmochelys imbricata*) – Vulnerable, migratory, marine
- Leatherback turtle (*Dermochelys coriacea*) – Endangered, migratory, marine
- Loggerhead turtle (*Caretta caretta*) – Endangered, migratory, marine
- Beaked seasnake (*Enhydrina schistosa*) – Marine
- Black-ringed seasnake (*Hydrelaps darwiniensis*) – Marine
- Blue-lipped sea krait (*Laticauda laticaudata*) – Marine
- Colubrine sea krait (*Laticauda colubrine*) – Marine

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- Dubois' seasnake (*Aipysurus duboisii*) – Marine
- Elegant seasnake (*Hydrophis elegans*) – Marine
- Horned seasnake (*Acalyptophis peronii*) – Marine
- Laboute's seasnake (*Hydrophis laboutei*) – Marine
- Little file snake (*Acrochordus granulatus*) – Marine
- Marbled or spine-tailed seasnake (*Aipysurus eydouxii*) – Marine
- Olive seasnake (*Aipysurus laevis*) – Marine
- Olive-headed seasnake (*Hydrophis major*) – Marine
- Plain-banded seasnake (*Hydrophis vorisi*) – Marine
- Small-headed seasnake (*Hydrophis mcdowelli*) – Marine
- Spectacled seasnake (*Hydrophis kingii*) – Marine
- Spotted seasnake (*Hydrophis ornatus*) – Marine
- Stokes' seasnake (*Astrotia stokesii*) – Marine
- Turtle-headed seasnake (*Emydocephalus annulatus*) – Marine
- White-bellied mangrove snake (*Fordonia leucobalia*) – Marine
- Yellow seasnake (*Hydrophis spiralis*) – Marine
- Yellow-bellied seasnake (*Pelamis platurus*) – Marine.

Of these species, five (all of which are turtles) were listed in the EPBC Act Protected Matters Search including the Flatback turtle (*Natator depressus*) which is not listed above:

- Loggerhead turtle (*Caretta caretta*) - Endangered, Marine, Migratory, Species or species habitat likely to occur within area
- Green turtle (*Chelonia mydas*) - Vulnerable, Marine, Migratory, Species or species habitat likely to occur within area
- Leatherback turtle (*Dermochelys coriacea*) - Endangered, Marine, Migratory, Species or species habitat likely to occur within area
- Hawksbill turtle (*Eretmochelys imbricata*) - Vulnerable, Marine, Migratory, Species or species habitat likely to occur within area
- Flatback turtle (*Natator depressus*) - Vulnerable, Marine, Migratory, Species or species habitat likely to occur within area.

Marine Invertebrates

Sessile Invertebrates

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The following sessile invertebrates were reported by Aurecon Australia (2011) as occurring in nearby Ball Bay based on a field survey and a desktop investigation of Christian and Marges 1995 and Coleman 1991.

- Two-colour ascidian - *Lissoclinum bistriatum*
- Dividing sponge - *Tethya fissurata*
- Jewel anemone - *Corynactis australis*
- Waratah anemone - *Actinia tenebrosa*
- Bubble tip anemone - *Entacmacea quadricolour.*

Mobile Invertebrates

The recent Reef Life Surveys (Heather et al. 2022) reported that Norfolk Island reefs tend to have relatively few large mobile invertebrates compared with mainland Australian locations at similar latitudes. A total of 47 mobile macroinvertebrate taxa were recorded across all surveys from 2009 to 2021, including 27 recorded during the latest round of 32 surveys in 2021. Macroinvertebrate communities were generally much more similar across localities than the fish communities were. Although the Lagoon macroinvertebrate community structure was slightly different to that at sites in other localities in 2009, this changed by 2021; macroinvertebrates at Slaughter Bay in the Lagoon became more similar to sites in the North-west than to the other two Lagoon sites, and their 2009 composition (Heather et al. 2022).

Macroinvertebrate density was an order of magnitude lower at Lagoon sites than those outside the lagoon. Sites within the Lagoon, North-west and South localities tended to decrease in macroinvertebrate densities, whilst sites around Phillip Island tended to increase in density, however none of these changes were statistically significant. Macroinvertebrate densities across all sites were very heavily dominated by sea urchins, mostly *Heliocidaris tuberculata*, *Centrostephanus rodgersii*, and *Tripneustes gratilla*. Invertebrate species richness varied significantly between localities, with the fewest species per transect recorded in the Lagoon. Invertebrate species richness was also marginally lower in 2021 compared to 2009 (marginal statistical significance; $p = 0.051$), by an average of one fewer species per survey in 2021. The mean densities of the 15 most abundant macroinvertebrate species in each locality for 2009 and 2021 are shown in Figure 4-3.

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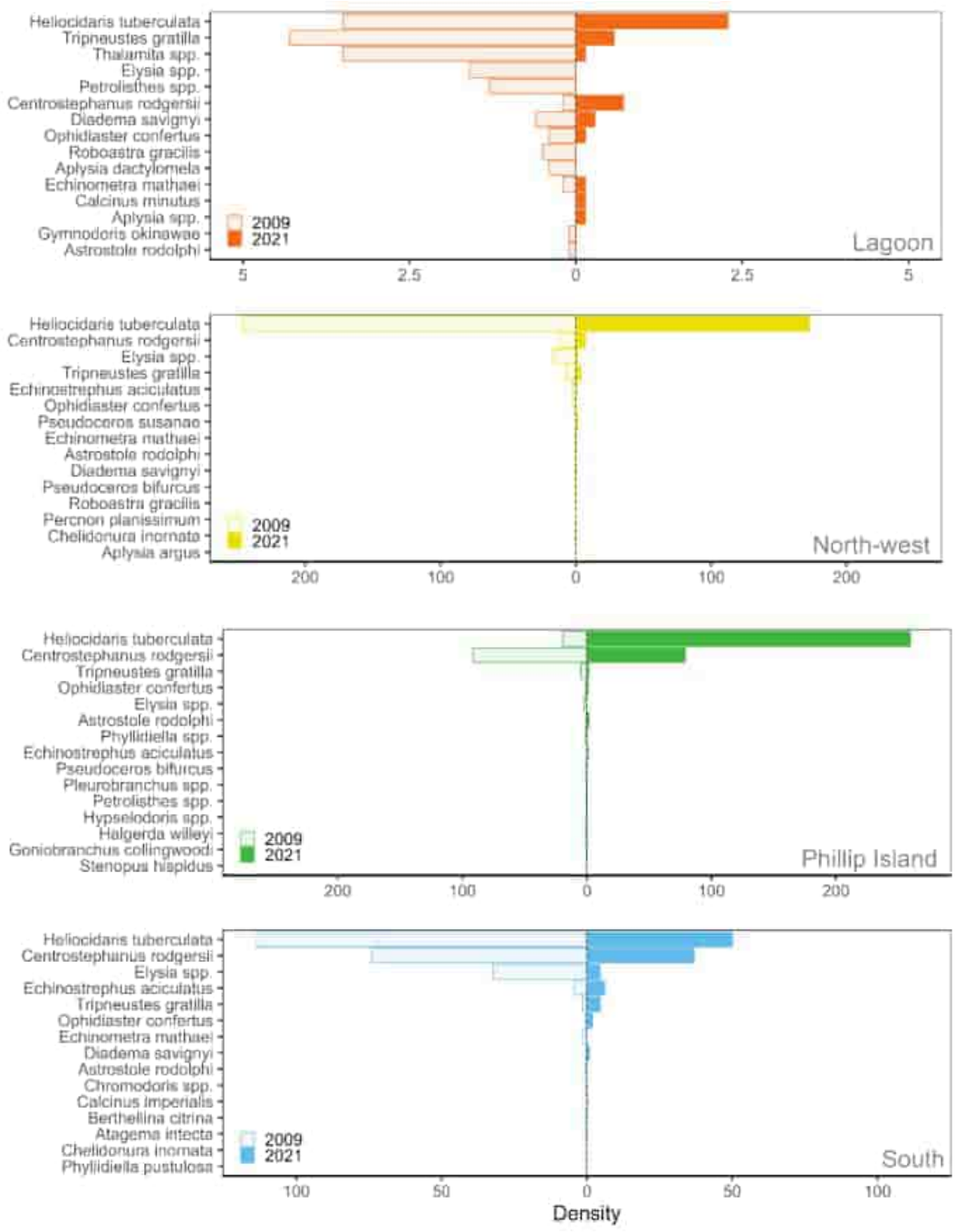


Figure 4-3 Mean densities of the 15 most abundant macroinvertebrate species in each locality for 2009 and 2021 (Heather et al. 2022).

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The following mobile invertebrate species (Table 4-2) were reported by Aurecon Australia (2011) as occurring in Ball Bay based on a field survey and desktop investigation.

Table 4-2 Mobile invertebrate species recorded by Aurecon (2011) in Bell Bay.

Striped sea urchin - *Tripneustes gratilla*	Little sea hare - *Aplysia parvula*
Tuberculate sea urchin - *Heliocidares tuberculata*	Brazier's sea hare - *Dolabrifera brazieri*
Mathae's sea urchin, Rock-boring urchin - *Echinometra mathaei*	Milk-spot cowry - *Cypraea vitellus*
Gracious sea urchin - *Tripneustes gratilla*	False ear shell - *Gena sp.*
Impatient sea cucumber - *Holothuria impatiens*	*Nerita albicilla*
Little sea star - *Patiriella exigua*	Orange worm shell - *Vermetus sp.*
White sea star - *Asterina alba*	Guam bubble shell - *Micromelo guamensis*
Dentate brittle star - *Ophiocoma dentate*	Bristle worm - *Eurythoe complanata*
Six-armed brittle star - *Ophiocomella sexradius*	Margined flatworm - *Callioplana marginata*
Forskal's side gilled slug - *Pleurobranchus forskali*	Waratah anemone - *Actinia tenebrosa*
Variegated shore crab - *Leptograpsus variegates*	Bubble tip anemone - *Entacmacea quadricolour*
Little ghost crab - *Ocypode cordimana*	Hi Hi - *Nerita albicilla*
Peduncle hermit crab - *Dardanus pedunculatus*	Brazier's sea hare - *Dolabrifera brazieri*
Elegant xanthid crab - *Xanthias elegans*	Impatient sea cucumber - *Holothuria impatiens*
Red bait crab - *Plagusia chabrus*	

Corals and Coral Structures

The shallow reefs of the Norfolk Marine Park have developed on the southern margin of coral reef formation, supporting a mix of tropical, temperate and endemic flora and fauna. Reef communities are further structured by gradients in wave exposure around the coastline of Norfolk Island and nearby islands and emergent rocks. Large prevailing swells, winds from multiple directions, and few enclosed bays, allow moderate to strongly wave exposed reef habitats to predominate, with only a small lagoon in the south supporting a sheltered shallow coral reef habitat. The isolation of NMP reefs from other reefs has also contributed to the presence of regional endemic species, and a high abundance in some species that are rare or unusual elsewhere (de Forges et al. 2000 in Heather et al. 2022).

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The most accessible reefs within the Norfolk Island coral reef ecosystem include the Emily Bay and Slaughter Bay lagoonal reef, and neighbouring Cemetery Bay lagoonal reef. These reefs adjoin the Kingston lowland catchment and world heritage listed Kingston and Arthur's vale historic sites. The Slaughter Bay reef is most proximate to the proposed works area, located on the eastern side of Kingston Pier. Emily Bay and Slaughter Bay together form a ~0.18 km^2 intertidal lagoon (SIMS 2021).

Coral reefs are inherently sensitive, in addition, the Slaughter Bay and Emily Bay coral reefs are currently under particular stress as a result of an extensive coral bleaching event in 2020 (caused by unusually high sea surface temperatures) within the lagoonal reef, inshore pollution and declining water quality associated with high rainfall events and land-based run-off, and a subsequent coral disease outbreak on the reef. Each of these documented events (bleaching, land-based pollution, disease outbreaks) are known to be associated with declining coral reef health and phase-shifts from coral to algal dominated coral reef systems (SIMS 2021).

The Norfolk Island Natural Resource Management Plan (Parsons Brinkerhoff 2009) provides the following important observations regarding the corals of Norfolk Island:

> "*The inshore waters of Norfolk, Phillip and Nepean Islands support one of the southern-most coral assemblages in the world. The coral reef ecosystem at Norfolk is one of the few known examples of a transitional algae and coral assemblage (an unusual mix of tropical and temperate marine fauna and flora due to the alternating influence of warm and cool currents at the Islands) (Kuster 2001). The reefs are not actively accreting and are, therefore, not true coral reefs. The reefs occur as a thin veneer over the rock substrate and their rates of growth are slow in subtropical waters, therefore they are growing at around the same pace as their erosion and physical destruction (Kuster 2001 and Zann et al. 2001)".*
>
> *"A survey on the reefs in 1999 found that the inshore benthic communities are dominated by relatively few species of subtropical hard corals co-existing with a high diversity of algae. The 57 species of scleractinian corals, in 27 genera in 11 families, comprises a unique association of tropical and temperate species of global biodiversity value. While species diversity on Norfolk was moderately high, six species accounted for almost half the coral coverage. These are mainly specialised subtropical species. The majority of the other species are uncommon to rare (Zann et al. 2001). These coral communities form part of a chain of reefs that may be essential in maintaining a supply of larvae dispersed from source reefs to the west, probably Lord Howe Island, Elizabeth and Middleton Reefs. The low diversity of coral species combined with marginal temperatures for coral growth at high latitudes indicates that the coral communities are vulnerable to disturbance (Kuster 2001).*"

Few systematic surveys, and no long-term monitoring of biodiversity, has occurred for the shallow water reef habitats around Norfolk Island, although a number of biodiversity discovery and inventory studies have been undertaken (Francis 1991, Francis and Randall 1993, Francis 1993, Veron 1986). Reef Life Survey biodiversity assessments of shallow reefs were undertaken in 2009 and 2021, with a limited subset of sites resurveyed in 2013. The Sydney Institute of Marine Science (SIMS) also surveyed coral health in the lagoon in 2020 (Ainsworth et al. 2021). The SIMS study described impacts of a coral bleaching event in 2020, but previous bleaching events also likely occurred in 2005, 2011 and 2017 (based on satellite derived data; Ainsworth et al. 2021), with impacts on biodiversity largely unknown and unquantified (Heather et al. 2022).

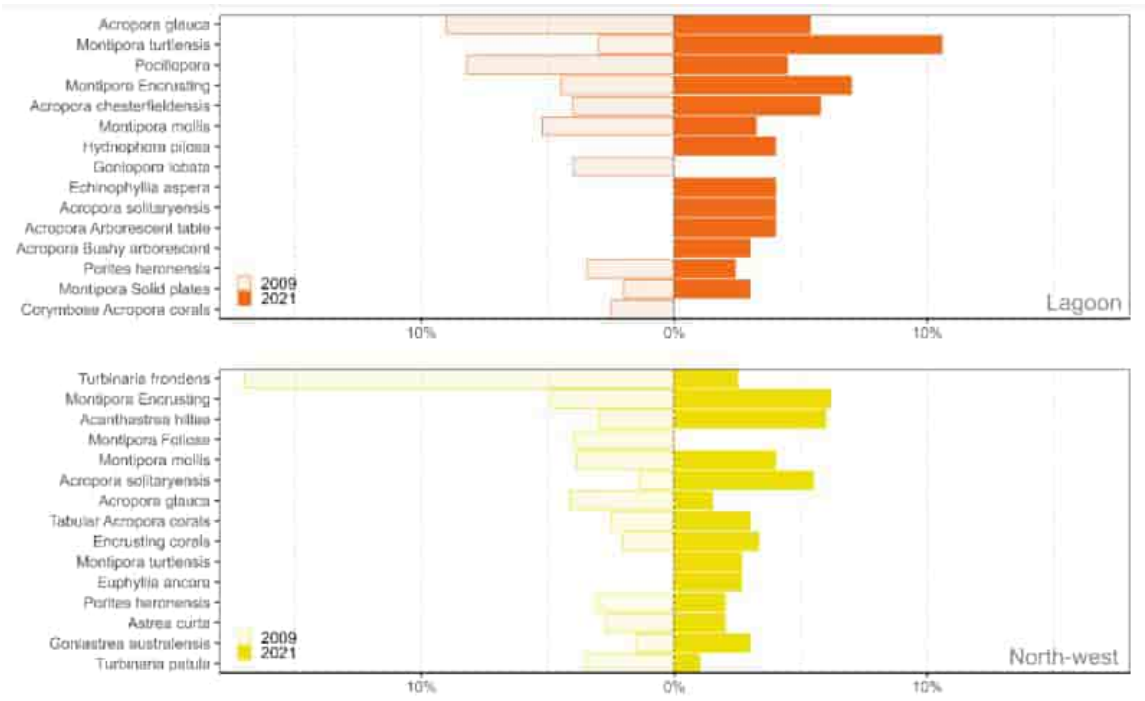
Surveys of shallow reef biodiversity were undertaken in the Norfolk Marine Park (NMP) in 2009, 2013 and 2021 by a team of skilled divers participating in the Reef Life Survey program

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(www.reeflifesurvey.com) and from the University of Tasmania. The full report can be found at https://reeflifesurvey.com/wp-content/uploads/2022/07/Norfolk-Island-Biodiversity-report-2021_FINAL_160522.pdf. A total of 74 transects were surveyed for reef fishes, mobile invertebrates and benthic cover at 16 sites in 2009 (n = 31 transects), 2013 (n = 11), and 2021 (n = 32) (Heather et al. 2022). Benthic cover changed little through time in most locations around the island, but a shift from turfs to macroalgae and a slight increase in coral cover were observed at the lagoon sites.

A total of 45 species and morphologically distinct groups of coral taxa were identified from photoquadrats from surveys spanning 2009 to 2021 (Figure 4-4). Benthic community structure significantly changed from 2009 to 2021, especially within the lagoon, which shifted to become more similar to the habitats recorded outside of the lagoon between 2009 and 2021.

Results of the Reef Life Surveys at Emily Bay and Slaughter Bay suggested that the bleaching and rainfall events in 2020 (Ainsworth et al. 2021) did not result in significant coral mortality (reduced coral cover), at least based on comparison of values in March 2021 to observations from 2009 (a period which also spans other potential bleaching events in 2011 and 2017). A recent study by SIMS showed coral disease to be increasing in the lagoon over the same time period (Ainsworth et al. 2021), and while coral disease was not recorded by the current study, no potential impact of this increase in disease on the total cover of living corals was observed. Changes in the cover of individual coral taxa in the lagoon more likely relate to fine-scale patchiness of coral composition, transect placement, and the dynamic nature of sand movement, than to impacts of bleaching events or disease outbreaks (Heather et al. 2022).



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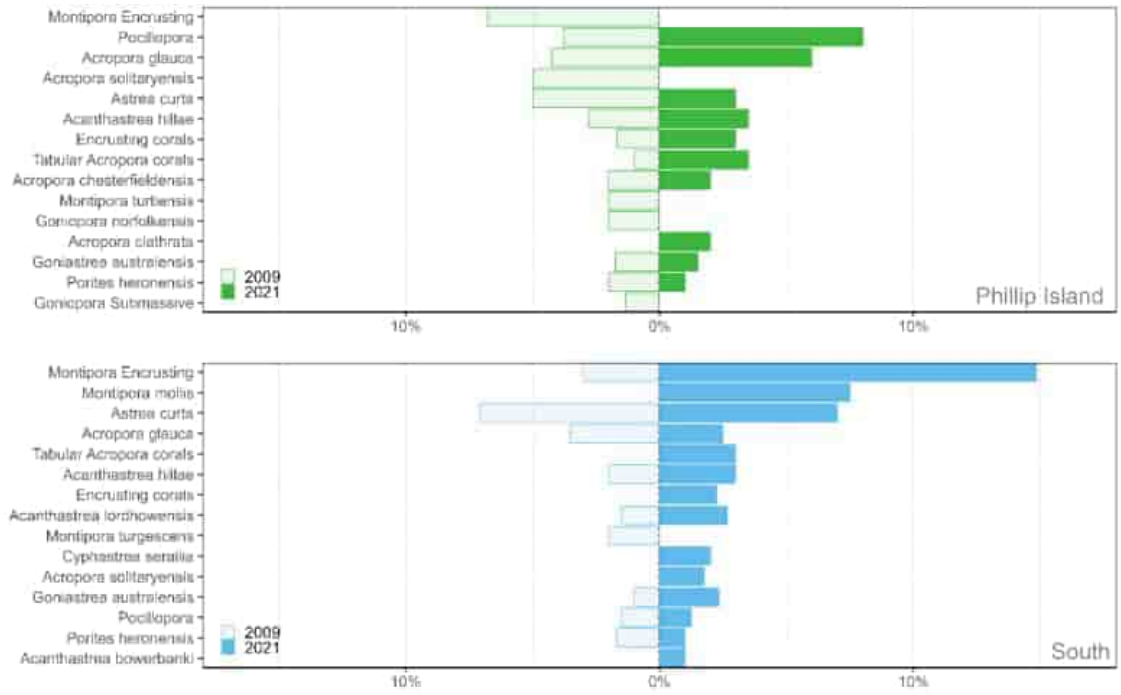


Figure 4-4 Top 15 Live hard coral taxa by site locality (x-axis = coral cover) (Heather et al. 2022).

The following coral species were reported by Aurecon Australia (2011) as occurring in nearby Ball Bay on a reef growing on a rocky outcrop towards the north eastern headland. This reef has extensive hard coral cover (based on a desktop investigation of Christian and Marges 1995 and Coleman 1991).

- Cauliflower coral - *Pocillopora damicornis*
- Lord Howe Coral - *Acanthastrea lordhowensis*
- Brush coral - *Acropora hyacinthus*
- Lichen coral - Porites lichen
- Lesser star coral - *Goniastrea australensis*
- Uniform coral - *Montipora aequituberculata*
- *Platygyra favia acropora*
- Montipora sp.
- Porites sp.
- Acropora sp.
- Sarcophyton.

Multi-species synchronous coral spawning is known to occur on Norfolk Island reefs from late December to late January. These dates are known from anecdotal evidence from local reports. No dedicated studies have been undertaken to determine the coral spawning season in Norfolk Island.

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Marine and Migratory Birds

Migratory and marine birds are protected under the EPBC Act. In total, 53 listed seabird species are known to occur in the Temperate East Marine Region. Of these species, 31 marine birds and 19 migratory birds were listed in the Protected Matters Search (totalling 32 species, some with overlapping status) (Table 4-3).

Table 4-3 Marine and migratory bird species listed under the EPBC Act Protected Matters Search for the study area.

Common Sandpiper - *Actitis hypoleucos*	Eastern Curlew - *Numenius madagascariensis*
Common Noddy - *Anous stolidus*	Red-tailed Tropicbird - *Phaethon rubricauda*
Sharp-tailed Sandpiper - *Calidris acuminata*	Grey Noddy - *Procelsterna cerulea*
Red Knot - *Calidris canutus*	White-necked Petrel - *Pterodroma cervicalis*
Pectoral Sandpiper - *Calidris melanotos*	Black-winged Petrel - *Pterodroma nigripennis*
Antipodean Albatross - *Diomedea antipodensis*	Providence Petrel - *Pterodroma solandri*
Southern Royal Albatross - *Diomedea epomophora*	Little Shearwater - *Puffinus assimilis*
Wandering Albatross - *Diomedea exulans*	Fleshy-footed Shearwater - *Puffinus carneipes*
Gibson's Albatross - *Diomedea gibsoni*	Sooty Shearwater - *Puffinus griseus*
Northern Royal Albatross - *Diomedea sanfordi*	Wedge-tailed Shearwater - *Puffinus pacificus*
Lesser Frigatebird - *Fregata ariel*	Masked Booby - *Sula dactylatra*
Great Frigatebird - *Fregata minor*	Chatham Albatross - *Thalassarche eremita*
Bar-tailed Godwit - *Limosa lapponica*	Campbell Albatross, Campbell Black-browed Albatross - *Thalassarche impavida*
Southern Giant Petrel - *Macronectes giganteus*	Black-browed Albatross - *Thalassarche melanophris*
Northern Giant Petrel - *Macronectes halli*	Salvin's Albatross - *Thalassarche salvini*
Australasian Gannet - *Morus serrator*	White-capped Albatross - *Thalassarche steadi*

4.2.1.3 *Aquatic (Marine) Ecology Field Survey (Advisian 2020)*

An aquatic (marine) ecology survey was undertaken from 18–20 February 2020. Intertidal and inshore subtidal marine habitats adjacent to and nearby Kingston Pier were assessed using a combination of snorkel and diver-based surveys with a primary focus on Kingston Pier harbour and Slaughter Bay. The

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survey used non-destructive techniques and relied on photographic and visual assessment. No ecological samples were collected. The general survey area is shown in Figure 4-5.

The foreshore and intertidal assessment were undertaken via site walkover and snorkelling, with photographs taken of the various habitats present and any fauna sighted. Key intertidal habitats inspected included rocky and/or sandy beach areas and intertidal rocky platforms. Inshore subtidal habitat was surveyed by diver inspection, supplemented with underwater photography of common species and habitat. Key subtidal habitats inspected were primarily sandy seabed and subtidal rocky reef. Subtidal rocky reef to the west of Kingston Pier was primarily macroalgal dominated, whereas reef to the east and inside the lagoon at Slaughter Bay was predominantly coral.



Figure 4-5 Aquatic (marine) ecology general survey areas at Kingston Pier harbour and Slaughter Bay Lagoon (Source: Nearmap, 2020).

Kingston Pier and Harbour Intertidal Habitat

Intertidal habitats adjacent to Kingston Pier were dominated by the artificial substrate of Kingston Pier and the existing rock revetment. Intertidal rock was generally devoid of marine flora or fauna except for small invertebrates such as crabs and limpets.

Kingston Pier Harbour – Shallow Subtidal Habitat in Existing Channel

The shallow subtidal habitat adjacent to Kingston Pier can be broadly divided into two distinct zones:

1. The existing channel that has been subject to previous disturbance and augmentation (modified)
2. The surrounding seabed (unmodified).

The seabed within the existing channel is primarily coarse sand and rubble overlying layers of rock. There is very little benthic fauna present on the areas of sand and a medium to moderate cover of macroalgae on the areas of rock. A variety of brown macroalgae and small encrusting and turfing species of red, green and brown algae varieties were also present.

Kingston Pier Harbour – Transitional Zone Between Existing Channel and Natural Reef

The intermediate transitional zone is the area between the existing channel and the natural seabed where there is some evidence of disturbance from previous augmentation. The existing channel is

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relatively narrow, with outcrops of rock and ledges surrounding the area of seabed that has been deepened previously. The cover of macroalgae over these areas is much higher compared to the existing channel and there are more crevices and structure to the reef that is likely to provide niche habitat for a range of cryptic species including fish and invertebrates. There are also some smaller corals present, but they are generally uncommon. The corals present are low in percentage cover and are generally represented by a handful of taxa, primarily Acroporids.

Kingston Pier Harbour – Natural Subtidal Reef Beyond the Transitional Zone

Beyond the transitional zone, the seabed grades into high rugosity, subtidal rocky reef where a higher diversity of macroalgae and corals are dominant. Larger and more well-established corals are present including Acropora spp., *Acanthastrea lordhowensis*, *Pocillopora damicornis*, Porites spp. and *Goniostrea australiensis*. Other invertebrates that were common include the white spined urchin *Tripneustes gratilla*, the tuberculate urchin, *Heliocidaris tuberculata* and the black spined urchin, *Centrostephanus rodgersii*. Bryozoans were also present, possibly the species *Cornuticella taurina*.

The percentage cover of macroalgae was also much higher with very little bare rock or sand visible. A patchy but moderate cover of the green alga, *Caulerpa racemosa* and the brown alga, Dictyota sp. was present together with a suite of other turfing and coralline species.

A variety of fish species were also present during the subtidal survey to the west of Kingston Pier including a school of trevally, *Pseudocaranx sp dentex* and smaller cryptic species. The Galapagos shark, *Carcharhinus galapagensis*, was an opportunistic visitor to Kingston Pier, following boat charters into port and feeding on discarded fish catch.

The Bombora (Rocky Outcrop) outside Kingston Pier Harbour

At the time of inspection of the bombora, no fish or other pelagic species were noted. The substrate was dominated by a high percentage cover of macroalgae with minimal coral cover. Very little bare rock or sand was visible.

Slaughter Bay Intertidal Habitat

Intertidal habitats next to Kingston Pier predominantly consisted of bare rock with small rock pools that grade into a submerged rock platform. The rock was devoid of any fauna but covered in a filamentous algae. Rock pools nearer the seawall were generally populated with small cryptic species of fish and invertebrates including small crabs and crustaceans. Molluscs were less common although the small black gastropod, *Nerita albicilla* was locally abundant.

Further east, the rock platforms became interspersed with sandy sections before opening up to a continuous stretch of sandy beach past the end of the seawall providing general public access to Slaughter Bay.

Slaughter Bay Shallow Subtidal Habitat

The lagoon at Slaughter Bay is shallow (2.5 m deep) and has a soft sandy bottom with scattered shells and coral rubble and is dominated by the algae species Sargassum, Caulerpa, Cutleria, Helminthocladia, Galaxaura, Liagora and members of the Dictyotales. On the outer reef edge there exists a community of Codium, Caulerpa, Valonia, Dasycladus, and more Dictyotales. The reef top has substantial mats of Hormosira, particularly in winter months (Millar, 1999 as cited in Advisian, 2021).

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Coral species noted were *Pocillopora damicornis*, *Goniostrea australiensis*, Porites sp. and some larger acroporids, most likely *Acropora glauca* and *Acropora hyacinthus*.

The most common fish observed in the lagoon were the Banded Scalyfin, *Parma polylepis*, the Blackspot Sergeant, *Abudefduf sordidus*, Green Moon Wrasse, *Thalassoma lutescens*, Citron butterflyfish, *Chaetodon citrinellus* and the Black Rock Cod, *Epinephelus daemelii.*

The most common of the invertebrate species within the lagoon were the sea-urchins which included the white spined urchin, *Tripneustes gratilla*, the black spined urchin, *Centrostephanus rodgersii* and the tuberculate urchin, *Heliocidaris tuberculata*. The holothurian, *Holothuria whitmaei* was also common over areas of sandy seabed.

Full survey results and photographs of subtidal and intertidal habitats at a range of locations are provided in the Marine and Terrestrial Ecology Assessment (Advisian, 2021)

4.2.2 People and Communities

The natural values of the Norfolk Marine Park, including Kingston Harbour and nearby Slaughter Bay and Emily Bay, provide opportunities for passive and active recreation for the people and communities of Norfolk Island, as well as visitors to the island. Beach pursuits, snorkeling and swimming occur, and non-powered watercraft use the areas within in Slaughter Bay and Emily Bay. Commercial and recreational fishing occurs within the Norfolk Marine Park, with commercial fishing boats utilising Kingston Pier to enter and exit the water and offload their catch. The Kingston Pier also provides the access point for visiting cruise ship passengers brought ashore on small vessels. Visitors to Norfolk Island come to enjoy its largely untouched marine environment.

4.2.3 Natural and Physical Resources, Qualities and Characteristics within the Special Purpose Zone

The waters around Norfolk Island are classified as Special Purpose Zone (Norfolk) (IUCN VI), in which the objective is:

> *"to provide for ecologically sustainable use and the conservation of ecosystems, habitats and native species, while applying special purpose management arrangements for specific activities."*

The resources, qualities and characteristics of the zone are reflected in the identified values, which are described in Schedule 2 of the Management Plan and broadly outlined below:

- *Natural values* – examples of ecosystems representative of the Norfolk Island Province, unique reef fish assemblages, coral reefs in Emily Bay and Slaughter Bay, Key Ecological Features (KEFs) and species listed under the EPBC Act
- *Cultural values* – representing a unique community and culture on Norfolk Island involving Polynesian peoples, Pitcairn Islanders and Indigenous Australians
- *Heritage values* – KAVHA, Nepean Island Reserve and Phillip Island heritage sites and historic shipwrecks including *HMS Sirius*
- *Social and economic values* – fishing in the Norfolk Island Inshore Fishery area located in Special Purpose Zone (Norfolk) (IUCN VI). Activities such as boating, shipping, tourism and

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FOI 26-287 - Document 28

recreation in the coastal waters surrounding Norfolk Island including the coral lagoon of Emily Bay.

The Norfolk Marine Park is significant because it contains habitats, species and ecological communities associated with the Norfolk Island Province. It includes two key ecological features: Norfolk Ridge, and the Tasman Front and eddy field, both valued for high productivity, aggregations of marine life, biodiversity and endemism.

4.2.4 Social, Economic and Cultural Values

The marine environment around Norfolk Island has long held significance among Norfolk Islanders. A unique community and culture has developed by those who have visited and settled the island over time including the settlers from Pitcairn Island, who constituted the third settlement phase of the island's history. Their descendants, who comprise the majority of Norfolk Island's population, still speak the Pitcairn language. Boating, fishing, shipping, tourism and recreation are important activities in the Marine Park. This includes the sheltered coral lagoon of Emily Bay which is a valuable community asset used for swimming, snorkeling and tourism. These activities contribute to the socioeconomic and cultural wellbeing of the island community.

4.2.5 Heritage Values

The KAVHA and *HMS Sirius* are key heritage values of the Norfolk Marine Park as a Commonwealth marine area. KAVHA demonstrates significant associations between the built and natural environment and Norfolk Island residents. It is a place of ongoing uses including continuity of the working port at Kingston Pier as well as areas for recreation, social and cultural events, and museums. Kingston Pier is of social significance to the Norfolk Island community.

The marine park contains at least 15 known historic shipwrecks located near Kingston Pier as identified in Table 4-4. The wreck of HMS Sirius, one of the first fleet flagships which floundered in 1790. HMS Sirius was the flagship of the First Fleet, which set out from Portsmouth, England, in 1787 to establish the first European colony in New South Wales, Australia. In 1790, the ship was wrecked on the reef, south east of Kingston Pier, in Slaughter Bay, Norfolk Island.

Table 4-4 Known historic shipwrecks located near Kingston (Cosmos Archaeology 2020).

Name	Where Lost	When
Not known – small boat	Kingston	1788
Not known – cutter from *HSM Sirius*	Kingston	1790
HSM Sirius	Kingston	1790
Not known – whaleboat	Offshore, approximately one mile	1826
Friendship	Kingston, near Kingston Pier	1835
Not known – small boat	Kingston	1840

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FOI 26-287 - Document 28

Name	Where Lost	When
Bittern	Kingston and possibly Beefsteak Point	1863
Mary Hamilton	Kingston, near Landing Place	1873
Oscar Robinson	Emily Bay	1898
Not known – whaleboat	Kingston, off the reef point	1907
Wanderlust	Emily Bay	1914
Warragal	Offshore, between Norfolk and Phillip Islands	1918
Not known – whaleboat	Not know, probably at Kingston or Cascade	1922
Ronaki IX-94	Kingston, on reef east of Kingston Pier	1943
Jan	Emily Bay	1948
Iris	Beefsteak Point, west of Kingston Pier	1962

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FOI 26-287 - Document 28

5 Environmental Risk Assessment

This section assesses the potential risks associated with the rock extension works. A risk workshop was held with Advisian and DITRDCA on the 30 November 2022 using DITRDCA risk template. The risk matrix, likelihood and consequence definitions, and the completed risk register developed as part of the workshop are provided in Appendix A. The risk workshop covered the potential causes of risk, impacts of risk, existing controls and planned treatments. The presentation for the risk workshop is provided in Appendix B. A summary of the outcomes of the risk workshop are provided in the below sections.

5.1 Key Environmental Risk Areas

The following key environmental risk areas are considered relevant to the rock extension works:

- Marine water quality
- Aquatic ecology
- Terrestrial ecology
- Air quality and greenhouse gases
- Noise and vibration

5.2 Potential Sources and Impact of Risk

The potential sources of risk and impact from the works could include the following:

- Spills of fuel, oil and other harmful substances from construction plant, equipment and vehicles which may impact the marine environment.
- Pollution of the harbour with construction waste and general waste.
- Noise and vibration impacts on underwater aquatic ecology and above water sensitive receivers.
- Impacts on aquatic ecology and the marine water quality in the harbour associated with sediment plumes and elevated levels of turbidity from the works.

5.3 Mitigation and Controls to Remove/Reduce Risk

Specific environmental control measures are required to:

- Manage environmental impacts from the construction
- Outline the procedures to achieve the environmental performance outcomes and the mitigation measures
- Ensure compliance with Project approvals and permits

Control measures will be complied with by the Contractor as relevant.

All activities will be carried out in a competent manner. Suitable equipment, facilities, training, work practices and other necessary precautions will be taken to minimise impacts to the environment and

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FOI 26-287 - Document 28

the risk of pollution. All plant and equipment installed and used for the Project must be maintained and operated in a proper and efficient manner.

The below sections detail the risks identified during the workshop and the planned mitigation measures to be adopted for the works.

5.3.1 Marine Water Quality

Risk Description	Mitigation Measure/Risk Treatment
Sediment plumes generated during placement of armour rock.	Rock source to be inspected prior to use and water blasted away from the waterway to remove any dirt if required. Initial placement of rock on the sand would be restricted to periods of lower tides and wave action. A silt curtain shall be kept onsite on standby and used locally if a sediment plume is generated.
Accidental spills of fuel, oil and other harmful substances from construction plant and equipment into the harbour	An emergency spill kit will be kept on site and maintained throughout the construction work and going forward. The spill kit will contain adequate quantities of material and will be suitable for the specific project application and site use. All construction workers and regular users of Kingston Pier will be advised of the location of the spill kit and trained in its use. Emergency contact details will be kept in an easily accessible location in vehicles, plant and site office. All workers will be advised of these contact details and procedures. All machinery and equipment to be maintained and in good working order. Procedures on vehicle and plant maintenance and inspection for fluid leaks will be implemented. Vehicle wash-down and re-fuelling will not occur on site. Construction tender documentation will include requirement that vehicles/equipment to be properly maintained and services to ensure machinery is in good working order.
Sediment runoff into waterway	Erosion and sediment control measures will be implemented and maintained (in accordance with Queensland Department of Environment and Science Procedural Guide, Release to waters from building sites and small construction sites (less than 2500m2)) to: ▪ Prevent sediment moving off-site and sediment-laden water entering any water course, drainage lines, or drain inlets. ▪ Reduce water velocity and capture sediment on site. ▪ Minimise the amount of material transported from site to surrounding pavement surfaces. ▪ Divert clean water around the site.
Incorrect disposal of general waste and construction waste	General waste management - all surface material and rubbish to be removed from site. Workers to remove general rubbish from site. Excess rock to be removed from site.
Transport of mud/dirt from vehicle movements	All equipment to be visually inspected and washed down prior to entering the site.

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Risk Description	Mitigation Measure/Risk Treatment
	Equipment to be kept clean throughout the works and to avoid tracking excessive material throughout the work site.

5.3.2 Aquatic Ecology

Risk Description	Mitigation Measure
Damage to sensitive marine habitats (intertidal and subtidal rocky reefs) and the fauna they support	All habitats beyond the approved construction footprint would remain no-go zones for the duration of the construction. No vehicle movements, material stockpiling or other construction related activities are permitted outside the approved land-based footprint during construction. Excavator operator to be appropriately qualified. Operator to ensure not distracted during works to prevent accidents and/or equipment falling into the harbour.
Potential for sedimentation and/or smothering of nearby sensitive marine habitats and associated flora and fauna	Erosion and sediment control measures will be implemented and maintained in accordance with the blue book to prevent sediment moving off site and sediment laden water entering any water course, drainage lines or drain inlets. Works would be undertaken at low tide to minimise disturbance of sediment into waterway. A silt curtain shall be kept onsite on standby and used locally if a sediment plume is generated.
Damage to aquatic ecology due to poor water quality	Visual monitoring of water quality, particularly turbidity, will be undertaken and construction activities ceased if levels of suspended sediment become evident. Minimal works to be undertake in the water and rocks placed at the based of the revetment will be done so at low tide to minimise any impact to water quality and subsequently aquatic ecology.
Lighting disturbance to aquatic ecology	To reduce the potential for lighting-related impacts on marine fauna during construction all work to be undertaken in daylight hours.
Noise/vibration disturbance to aquatic ecology	Plant and equipment that generate substantial noise and vibration that would impact on ecology would not be used. No piling related activities - minimal equipment (excavator/truck only) and majority of work is above water.
Damage to aquatic ecology due to invasive marine species (IMS)	Construction is to be land based using local plant and equipment - there will be no vessels used for the works.
Transport of mud/dirt from vehicle movement impacting on aquatic ecology	All equipment to be visually inspected and washed down prior to entering the site. Equipment to be kept clean throughout the works and to avoid tracking excessive material throughout the work site.

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FOI 26-287 - Document 28

5.3.3 Terrestrial Ecology

Risk Description	Mitigation Measure
Damage to terrestrial habitats in the area and the fauna they support	All habitats beyond the approved construction footprint would remain no-go zones for the duration of the construction. No vehicle movements, material stockpiling or other construction related activities are permitted outside the approved land-based footprint during construction.
Lighting disturbance to terrestrial ecology	To reduce the potential for lighting-related impacts on terrestrial fauna during construction all works to be undertaken in daylight hours.

5.3.4 Air Quality and Greenhouse Gases

Risk Description	Mitigation Measure
Air quality impact to Norfolk Island	The Contractor will prepare and implement measures to minimise air quality impacts during construction such as: • all trucks used for the transportation of spoil will be securely covered to contain the material • any temporary stockpiling of spoil will be securely covered and located in an area not exposed to high winds where practical • construction works will be reduced or stopped during strong winds and other adverse weather conditions. • Vehicles used for the works to be in good working order with up to date service history to minimise excessive fumes.

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FOI 26-287 - Document 28

Appendix A
Risk Matrix and Register

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FOI 26-287 - Document 28

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Risk matrix

		Consequence				
		Insignificant	Minor	Moderate	Major	Extreme
Likelihood	>75% Almost certain	Low – 11	Medium – 16	High – 20	Severe – 23	Severe – 25
	51 – 75% Likely	Low – 7	Low – 12	Medium – 17	High – 21	Severe – 24
	26 – 50% Possible	Low – 4	Low – 18	Medium – 13	Medium – 18	High – 22
	6 – 25% Unlikely	Very Low – 2	Low – 5	Low – 9	Medium – 14	High – 19
	0 – 5% Rare	Very Low – 1	Very Low – 3	Low – 6	Low – 10	Medium – 15

Risk likelihood

Rating	Qualitative probability	Quantitative probability
Almost certain	Almost certain will occur	>75%
Likely	More likely to occur than not	51-75%
Possible	Fairly likely to occur	26-50%
Unlikely	Unlikely to occur	6-25%

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Rating	Qualitative probability	Quantitative probability
Rare	Extremely unlikely, virtually impossible	0-5%

Consequence definitions

People

	Insignificant	Minor	Moderate	Major	Severe
Workforce	Almost optimal level of availability of core skills and capability supporting delivery (policy, program and service delivery). Underperformance issues systematically managed with performance conversations adding value to business outcomes.	Staff availability decreases sufficiently to cause minor delays that are accommodated so that output quality is not compromised. Underperformance issues well managed with performance conversations adding some value to business outcomes.	Moderate additional costs (time and money) incurred due to loss/unavailability of skills and capability with output quality somewhat compromised. Underperformance partially addressed with performance conversations completed as a routine task.	Skilled staff shortages leads to significant additional costs with poor quality outputs. Underperformance addressed in an ad hoc manner with performance conversations perceived as an unpleasant task.	Substantial cost and quality implications on policy development, program implementation and/or service delivery due to loss/unavailability of core skills and capability. Poor output quality impacts on reputation. Underperformance rarely addressed with issues ignored.
Work, Health and Safety	Insignificant injury or ailment, no treatment required. No allegations or incidences of breaches of child safety policies reported. Staff are vigilant about their and others health and safety and report all WHS incidents through	Minor injuries or ailments with first aid treatment required. One or two allegations of breaches of child safety policies that are promptly followed up, none are substantiated, set procedures followed. Employees report almost all WHS incidents through the iReport system, which	Medical treatment required for one or more persons. Short – medium term, largely reversible disability to one or more persons. Procedures occasionally not followed once allegations of breaches of child safety policies are reported, no cases substantiated.	A single fatality, or extensive injuries, irreversible disability or impairment to multiple people. Medium term, largely reversible disability to one or more persons. Medical treatment required. Multiple reports of breaches of child safety	Multiple fatalities and/or irreversible disability or impairment of numerous people. Multiple breaches of child safety policies with more than one case substantiated, one being long term in nature. Employees almost never report hazards or incidents either verbally

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FOI 26-287 - Document 28

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	Insignificant	Minor	Moderate	Major	Severe
	the iReport system, which are promptly resolved.	are quickly followed up and resolved.		policies with one case substantiated. Breakdown of reporting procedures. Employees sometimes report hazards & incidents but rarely through the iReport system & resolution is slow	or through the iReport system with resolution rarely reached even when reported.

Governance

	Insignificant	Minor	Moderate	Major	Severe
Integrity & fraud	Low incidences of unintended bias detected when conducting departmental business. Low incidence of inappropriate behaviour and Code of Conduct. Fraud, theft & loss incidents regularly reported through set channels (iReport).	Some failure to comply with probity & ethical rules & guidelines. Minor incidence of inappropriate behaviour & breaches of the Code of Conduct. Small number of suspected cases of fraudulent behaviour referred for investigation. Set processes mostly used to report fraud, theft & loss.	Deliberately perpetrated probity issues and unethical behaviour. Moderate level of fraudulent activity of significant value localised to certain areas of the department or programs. Set processes rarely used to report fraud, theft & loss.	Undetected long-term fraud (discovered by accident rather than process) in a small area of the department or programs. Major breaches of Code of Conduct. Set channels never used to report fraud, theft & loss.	Major financial and/or reputational damage to the department and programs as a result of widespread fraudulent activity. Routine breaches of the Code of Conduct. No channels/processes available to report fraud, theft & loss.
Legal / non-compliance	Sound administrative practices followed. Breaches of legislation or of regulatory requirements has	Isolated complaints received about the department's administrative practices. Breaches of legislation or regulatory requirements	Breaches of legislation or regulatory requirements with moderate consequences such as investigations, threat of litigation, moderate fines,	Breaches of legislation or regulatory requirements with major consequences such as litigation, major fines, and external inquiries.	Breaches of legislation or regulatory requirements with severe consequences such as prosecution, major litigation and severe fines.

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FOI 26-287 - Document 28

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	Insignificant	Minor	Moderate	Major	Severe
	immaterial consequences	results in minor legal consequences such as minor legal issues and/or lowest possible fine.	additional reporting or external scrutiny.		
Financial & resources	Variation to the department's net financial position involves less than $0.5M or < 2% of the program budget. Loss or irreparable damage to small number of assets. Insignificant impact on targets.	Variation impacting the department's financial position up to $1M or 2.0 – 5% of the program budget. An indemnity below $5M eventuates. Damage to, or other impairment of, a small proportion of assets.	Variation impacting the department's financial position up to $5M or 5% -10% of the program budget. Loss as a result of an indemnity of $5-$10M. Damage to, or other impairment of, a moderate proportion of assets.	Variation impacting the Department's financial position up to $10M or 10 – 15% of the program budget. Loss as result of an unreported indemnity of $10- $30M. Destruction/loss of a large proportion of the Department's assets.	Variation impacting the Department's financial position is greater than $10M or > 15% of the program budget. Loss as a result of an unreported indemnity exceeding $30M. Destruction/loss/ permanent impairment of significant departmental assets.
Information, systems & security	An integrated, department-wide approach to safeguarding information from cyber threats. Physical security policies & procedures are followed in practice. Outcome of disclosure of negligible consequence to individual's privacy & readily rectified. No measurable operational delays. Minor localised	Disruptions or corruption of routine 'administrative' information resources. Security breach causes limited damage to national interest / department / individuals. Minor privacy and/or data breach. Tailored but incomplete security plan in place. Majority of employees follow physical security procedures. Local management intervention required with locally available resources to	Corruption of key information systems & resources impacting operations. Security breach causes some damage to national interest / department / individuals. Moderate privacy and/or reportable data breach. Generic, security planning informally documented. Physical security policies & procedures unclear. Some employees do not follow physical & /or personnel security procedures. Business	Loss or irrecoverable corruption of critical or significant information systems for a period. Security breach that may cause significant damage to national interest / department / individuals. Major privacy and/or reportable data breach. Security planning verbally discussed. Physical &/or personnel security policies & procedures regularly breached. Business interruption impacting multiple areas of the organisation &	Loss or irrecoverable corruption of critical information systems and resources impacting business continuity for a period. Severe privacy and/or data breach. Outcome of disclosure would cause serious damage to national interest & damage to a number of individuals' reputation or finances. Security planning not considered with multiple security breaches. Physical security policies & procedures non-

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FOI 26-287 - Document 28

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	Insignificant	Minor	Moderate	Major	Severe
	interruptions due to business interruption.	manage business interruption.	interruption threatens the effective function of program / project with substantial management support required.	may require external assistance to resolve.	existent / are outdated. Destruction or serious damage to key physical or information assets

Performance and delivery

	Insignificant	Minor	Moderate	Major	Severe
Policy development & advice	Well thought out policy solution developed with internal and/or external consultation, informed by data, incorporating government policy positions and benchmarked against established best practice.	Policy solution has an adequate basis in evidence / research and takes an adequate account of government policy positions and the impact on those directly or indirectly affected by the policy.	Policy solution has a limited basis in evidence / research, collaborates with a limited group of relevant stakeholders, which may include the policy implementation team(s) resulting in unintended impacts.	Policy solution is poorly researched, with consultations with only those stakeholders that will support a pre-determined policy position and with cursory regard for previous policy impacts. Policy initiative(s) fail to meet the intended outcome(s).	Policy developed 'on the run'. Insufficient time devoted to the development process with very little basis in evidence and no consultation or collaboration. Implemented policy initiative(s) result in disastrous/tragic outcomes.
Business outcomes (program, project, service delivery)	Delivery milestones / outcomes overseen using formal oversight arrangements. Product slippage does not affect key milestones. Scope change does not affect the effectiveness of the product. Benefit degradation is tolerable. No adverse	Minor milestone slippage. Scope change requires manageable changes. The value of the benefits equals the cost of the project/program. Minor / localised interruption to non-critical services. Manageable by local intervention	Ad hoc formal arrangements in place to oversee delivery milestones.	Informal governance arrangements in place to oversee delivery milestones. Schedule variance impacting program business case validity. Scope change drastically affects program objectives. The program cost outweighs the benefits substantially.	No formal or informal arrangements in place to oversee delivery milestones. Schedule variance or scope change impact strategic performance often resulting in delivery failure. Cost variation affects program/business case validity resulting in

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	Insignificant	Minor	Moderate	Major	Severe
	impacts on programs/projects / services.			Service delivery inefficient and regularly behind schedule. Numerous client complaints. Past lessons ignored to improve delivery of the service.	poor value for money. External/Parliamentary criticism. Extreme disruption to critical services.
Regulatory	Quality regulatory frameworks in place and updated in a timely manner. Insignificant non-compliance. No enforcement action required	Minor non-compliance. Small number of infringement notices. Addressed through increased education, advice and voluntary compliance.	Moderate non-compliance resulting in enforceable undertakings and/or warning notices.	Regulatory frameworks out of date. Major and regular non-compliance resulting in enforceable undertakings, revocation of licenses and/or referred for criminal investigation.	No regulatory framework exists. Extreme and systemic non-compliance. Criminal investigations and action.
Operations	Insignificant effects on heritage or environmental assets. Comprehensive legal and governance frameworks assists decision-making. Services to our territories are equivalent to those on mainland Australia.	Minor environmental impacts, any environmental on-site releases or heritage resources damages are contained. Services to our territories are to a large extent equivalent to those on mainland Australia.	On-site environmental releases contained with outside assistance, medium-term environmental effects. Moderate damage to heritage resources. Adequate use of legal and governance frameworks to assist the operational environment. Many services to our territories are equivalent to those on mainland Australia.	Major detrimental damage to heritage or environmental resources or long-term effects. Ad hoc use of legal and governance frameworks. Only some services to our territories are equivalent to those on mainland Australia.	Destruction or serious permanent damage to significant heritage or environmental resources. Legal and governance frameworks are of poor quality & almost never used. Services to our territories are significantly lower to those available on mainland Australia.

Reputation

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	Insignificant	Minor	Moderate	Major	Severe
Ministers	Confidence in the department is high to deliver on government initiatives/policy. All ministerial objectives are met and advice to Ministers is of a high standard.	Satisfactory level of confidence in the department to deliver on government initiatives/policy. Ministerial objectives are met and advice is of a good standard.	Temporary reduction of confidence in the department. Most objectives are met, some improvements to timeliness and quality are required.	Reduced confidence in the department due to significant deficiency in delivery of a major government initiative. Potential for public inquiries into the administration of the department.	Total loss of confidence in the department due to sustained, longer term questioning of the Minister in Parliament / by the media on department's administrative processes and/or management of programs.
Stakeholders	Exemplary consultation with internal and external stakeholders during policy development and program/service delivery. Mostly positive stakeholder feedback. No loss of reputation to any party. Number of complaints limited. Minimal negative media interest.	Some stakeholder complaints over a short time period. Relationships quickly re-calibrated when issues arise with internal or external stakeholders. Some reputational damage to parties. Some complaints, limited to minor community segments. Some media interest.	Communication/consultation with Internal & external stakeholders is ad hoc. Sustained stakeholder complaints. Divisional level intervention required. Moderate reputational damage to parties. Significant complaints from limited community segments or some complaints from multiple community segments. Moderate media interest.	Little communication between stakeholders. Rebuilding relationships with external stakeholders requires intervention by the Executive/Secretary. Significant reputational damage to parties. Significant complaints from wide segments of the community. Significant media interest.	No communication between internal stakeholders. Rebuilding the relationship with external stakeholders may require Ministerial intervention or the relationship is abandoned. Irreparable reputational damage to parties. Widespread complaints nationally. Consistent & sustained media interest.
Other government (local, state, territory, federal, international)	Other government bodies actively seek out the department's advice and participate collaboratively in strategic policy discussions for mutual benefit. No loss of	Other government bodies consider department's advice and participate willingly in strategic policy discussions. Some reputational damage to parties. Some complaints,	Other government bodies unwillingly consider department's advice and only participate in policy discussion where only they benefit. Moderate reputational damage to parties. Significant	Other government bodies have little confidence in much of the department's advice and only participate in policy discussions where mandated by intergovernmental or	Other government bodies have no confidence in the department's advice and actively seek to avoid discussing or participating in strategic policy discussions.

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	Insignificant	Minor	Moderate	Major	Severe
[redacted]	reputation to any party. Number of complaints limited. Minimal media interest.	limited to minor community segments. Some media interest.	complaints from limited community segments or some complaints from multiple community segments. Moderate media interest.	interdepartmental agreements. Significant reputational damage to parties. Significant complaints from wide segments of the community. Significant media interest.	Irreparable reputational damage to parties. Widespread complaints nationally. Consistent, sustained media interest.

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DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT, COMMUNICATIONS AND THE ARTS- RISK REGISTER

KINGSTON PIER CHANNEL CONSTRUCTION PROJECT - ROCK REVETMENT EXTENSION MARINE PARK PERMIT	Register Creation Date:	30/11/2022	Approved by:	Ben Morgan	Last review date	30/11/2022	This review date	30/11/2022	Review approved by:	Ben Morgan	Revision	A

Category	Risk no.	Risk description	Risk Owner	Risk causes and Impacts /Consequences (if risk eventuated)	Existing Controls (and Owner & Effectiveness)	Shared risk?	Current (Initial) Risk Rating (post controls)			Consequence Category	Accept? Yes/No	Risk Treatment, Owner & Target date	Target Risk Rating (post treatments)			Mitigation Measures Implemented	Risk Review / Status update			
							Likelihood (L)	Consequence (C)	Initial Risk Rating				Likelihood (L)	Consequence	Residual Risk Rating		Risk Description	Change Comments	Risk Category	Ranking Change
Marine Water Quality	R1	Sediment plumes generated during placement of armour rock	Shared	CAUSES - Rock could be covered sediment. Sediment plume mitigation measures not put in place. - Sediment generated from disturbance of seabed - predominantly sand will dissipate. IMPACTS Visible plume created - resident backlash Harm to the marine environment and water quality	**C1:** Wave action disperses sediment	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	Rock source to be inspected prior to use and water blasted away from the waterway to remove any dirt if required. Initial placement of rock **on the sand** would be restricted to periods of lower tides and wave action. A silt curtain shall be kept onsite on standby and used locally if a sediment plume is generated. Contractor to provide erosion, sediment control plan which would be reviewed prior to construction commencing. The erosion and sediment control plan will be based on the mitigation measures from this risk assessment.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Marine Water Quality	R2	Accidental spills of fuel, oil and other harmful substances from construction plant and equipment into the harbour	Shared	Causes: - Machinery not maintained and not in good working order leaking fuel, oil etc. - Accident when refuelling machinery leading to fuel spill Impacts: Damage to water quality and marine environment	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Major	Medium - 18	Regulatory and Operations	No	An emergency spill kit will be kept on site and maintained throughout the construction work and going forward. The spill kit will contain adequate quantities of material and will be suitable for the specific project application and site use. All construction workers and regular users of Kingston Pier will be advised of the location of the spill kit and trained in its use. Emergency contact details will be kept in an easily accessible location in vehicles, plant and site office. All workers will be advised of these contact details and procedures. All machinery and equipment to be maintained and in good working order. Procedures on vehicle and plant maintenance and inspection for fluid leaks will be implemented. Vehicle wash-down and re-fuelling will not occur on site. RFT documentation will include requirement that vehicles/equipment to be properly maintained and services to ensure machinery is in good working order.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Marine Water Quality	R3	Incorrect disposal of general waste and construction waste	Shared	Causes: - Rubbish from workers - Unused rock Impacts: Damage to water quality and marine environment	C1: No existing controls	If yes, shared with whom? or NA	Almost Certain (>75%)	Moderate	High - 20	Regulatory and Operations	No	General waste management - all surface material and rubbish to be removed from site. Workers to remove general rubbish from site. Excess rock to be removed from site.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Marine Water Quality	R4	Sediment runoff into waterways	Shared	Causes: No erosion or sediment control measures put in place. Impacts: Damage to water quality and marine environment	C1: No existing controls	If yes, shared with whom? or NA	Likely (51-75%)	Major	High - 21	Regulatory and Operations	No	Erosion and sediment control measures will be implemented and maintained (in accordance with Queensland Department of Environment and Science Procedural Guide, Release to waters from building sites and small construction sites (less than 2500m2) to: □Prevent sediment moving off-site and sediment-laden water entering any water course, drainage lines, or drain inlets. □Reduce water velocity and capture sediment on site. □Minimise the amount of material transported from site to surrounding pavement surfaces. □Divert clean water around the site.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R5	Damage to sensitive marine habitats (intertidal and subtidal rocky reefs) and the fauna they support	Shared	Causes: - Construction plant and equipment going into identified sensitive marine habitat. - Plant/equipment falling into harbour Impacts: Damage to marine habitat	C1: No Existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	All habitats beyond the approved construction footprint would remain no-go zones for the duration of the construction. No vehicle movements, material stockpiling or other construction related activities are permitted outside the approved land-based footprint during construction. Excavator operator to be appropriately qualified. Operator to ensure not distracted during works to prevent accidents and/or equipment falling into the harbour.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R6	Potential for sedimentation and/or smothering of nearby sensitive marine habitats and associated flora and fauna	Shared	Causes: Poor site setup and erosion and sediment controls Impacts: Damage to aquatic ecology	C1: No Existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	Erosion and sediment control measures will be implemented and maintained in accordance with the blue book to prevent sediment moving off site and sediment laden water entering any water course, drainage lines or drain inlets. Works would be undertaken at low tide to minimise disturbance of sediment into waterway. A silt curtain shall be kept onsite on standby and used locally if a sediment plume is generated.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R7	Damage to aquatic ecology due to poor water quality	Shared	Causes: poor construction methods and no water quality monitoring Impacts:	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	Visual monitoring of water quality, particularly turbidity, during water-based construction activities will be undertaken and construction activities ceased if levels of suspended sediment become evident.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R8	Lighting disturbance to aquatic ecology	Shared	Causes Night time construction causing light disturbance Impacts impact to light sensitive aquatic ecology	C1: No existing controls	If yes, shared with whom? or NA	Almost Certain (>75%)	Moderate	High - 20	Regulatory and Operations	No	All work to be undertaken during daylight hours.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R9	Noise/vibration disturbance to aquatic ecology	Shared	Causes Construction activities causing noise related impacts on marine faua during the works Impacts impacts to noise sensitive marine mammals	C1: No existing controls	If yes, shared with whom?	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	Plant and equipment that generate substantial noise and vibration that would impact on ecology would not be used. No piling related activities - minimal equipment (excavator/truck only) and majority of work is above water.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Aquatic Ecology	R10	Damage to aquatic ecology due to invasive marine species (IMS).	Shared	Causes Contractors not undertaking a vessel risk assessment prior to deployment to site in order to undertake inspection for invasive marine species. Impacts Disturbance to native aquatic ecology	**C1**: Government regulations in place	If yes, shared with whom? or NA	Possible (26-50%)	Major	Medium - 18	Regulatory and Operations	No	Construction is to be land based using local plant and equipment - there will be no vessels used for the works.	Unlikely (6-25%)	Moderate	Low - 9	Complete				
Terrestrial Ecology	R11	Damage to terrestrial habitats in the area and the fauna they support	Shared	Causes Site and construction work causing damage to terrestrial habitats Impacts damage to terrestrial ecology and habitat	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	All habitats beyond the approved construction footprint would remain no-go zones for the duration of the construction. No vehicle movements, material stockpiling or other construction related activities are permitted outside the approved land-based footprint during construction.	Unlikely (6-25%)	Minor	Low - 5	Complete				
Terrestrial Ecology	R12	Lighting disturbance to terrestrial ecology	Shared	Causes Construction activities causing lighting related damage to terrestrial fauna Impacts damage to terrestrial fauna	C1: No existing controls	If yes, shared with whom? or NA	Likely (51-75%)	Moderate	Medium - 17	Regulatory and Operations	No	All work to be undertaken during daylight hours.	Possible (26-50%)	Minor	Low - 8	Complete				
Air Quality	R13	Air quality impact to Norfolk Island	Shared	Causes impacts from vehicles and transport of material Impacts damage to the local air quality	**C1**: Government regulations in place	If yes, shared with whom? or NA	Possible (26-50%)	Major	Medium - 18	Regulatory and Operations	No	All trucks used for the transportation of material are to be securely covered to contain material. Any temporary stockpiling of material will be securely covered and located in an area that is not exposed to high winds where practical. Construction works will be reduced or stopped during high winds and other adverse weather conditions. Vehicles used for the construction to be in good working order to minimise fumes.	Possible (26-50%)	Minor	Low - 8	Complete				
Marine Water Quality	R14	Transport of mud/dirt from vehicle movements	Shared	Causes Vehicles tracking mud/dirt into the site Impacts Impact to marine water quality if enters the water	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	No	All equipment to be visually inspected and washed down prior to entering the site. Equipment to be kept clean throughout the works and to avoid tracking excessive material throughout the work site.	Unlikely (6-25%)	Minor	Low - 5	Complete				
Aquatic Ecology	R15	Transport of mud/dirt from vehicle movements	Shared	Causes Vehicles tracking mud/dirt into the site Impacts Impact to aquatic ecology if the mud/dirt enters the waterway	C1: No existing controls	If yes, shared with whom? or NA	Possible (26-50%)	Moderate	Medium - 13	Regulatory and Operations	no	All equipment to be visually inspected and washed down prior to entering the site. Equipment to be kept clean throughout the works and to avoid tracking excessive material throughout the work site.	Unlikely (6-25%)	Minor	Low - 5	Complete				

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Appendix B
Risk Workshop Slides

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ROCK REVETMENT EXTENSION
MARINE PARK PERMIT
RISK ASSESSMENT



30 November 2022

Advisian
Worley Group

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Background

- Submitted an application for Marine Park Permit associated with rock revetment extension 19 May 2022
- 2 September meeting held with Parks Australia regarding progressing the permit application
- Outcome of the meeting additional scope - required to complete a risk assessment – sources of risk (causes), impacts of risk (effect), existing controls and planned treatments



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Proposed Work for Which Permit Applies

- Adjacent to western end of existing rock revetment – scalloped area of foreshore requires rock protection
- New rock armour section (approximately 10m long) designed to match existing
- Reduce undermining of Flagstaff Hill and provide protection
- Construction of existing rock revetment falls under maintenance thus does not require marine park permit – permit only relates to the extension



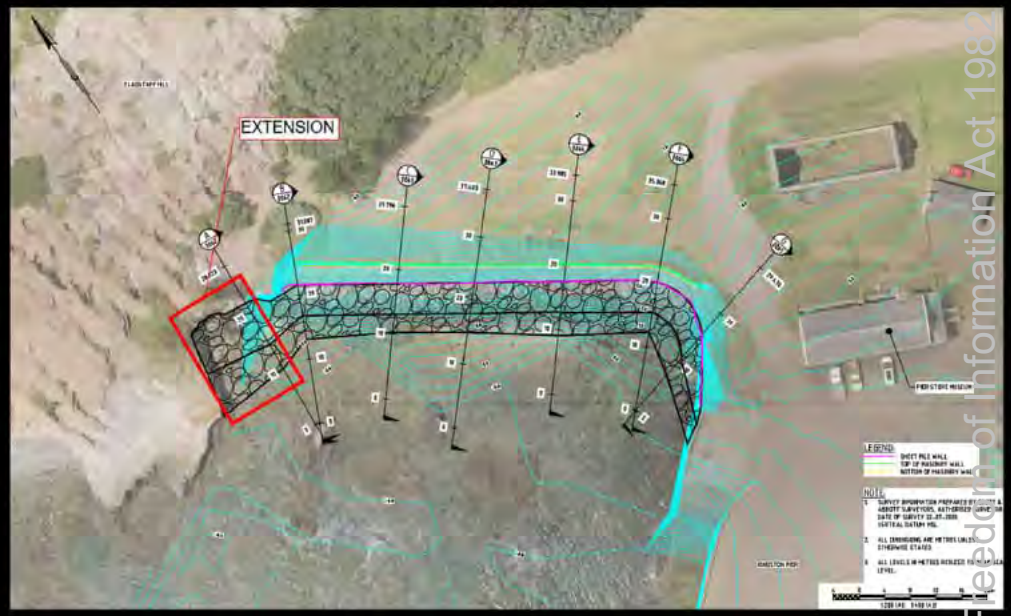


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Construction

- Extension will use existing rock as much as practicable
- ~10m long – 180m^3
- Rock moved or placed with an excavator – no vessels associated with the work
- Rock placed to design slopes and levels to match existing
- Toe rock placed at low tide to minimise impact to marine environment



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Environmental Risk Assessment

- Key environmental risk areas
  - Marine Water Quality
  - Aquatic Ecology
  - Terrestrial Ecology (not marine)
  - Air Quality (not marine)

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WorleyParsons Group

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ATTACHMENT D – DESIGN DRAWINGS

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Design Drawings exempt section 47 and section 47F (part)

7 x pages removed from document pack (section 22(1)(b)

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Australian Government
Director of National Parks

Permit Conditions Variation for Australian Marine Park Activity Permit

This decision is made in accordance with subregulation 17.09 of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

Permit Number	PA2022-00067-1 (variation PA2022-00067-2)

Permitted Activity	Structures and works to repair and extend the rock revetment including a new rock armour section to the scalloped area to prevent future erosion authorised under sections 354-354A of the *Environment Protection and Biodiversity Conservation Act 1999* and regulation 12.11 Excavating, building and works of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

Marine Park	Norfolk Marine Park

Commencement Date	17 January 2023

Expiry Date	20 January 2026 (varied expiry date 20 January 2028)

Permittee	Organisation: Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts Address: GPO Box 594 Phone: s 47F Email: sarah.vandenbroek@infrastructure.gov.au

Variation to Condition	Australian Marine Park Activity Permit PA2022-00067-1 expiration date is varied to 20 January 2028. Australian Marine Park Activity Permit PA2022-00067-1 condition 2 is replaced in its entirety with the below condition, in accordance with the additional information provided to the Director of National Parks on 27 August 2025: 2. The Permitted Activity must be undertaken in accordance with Schedule 1 (PA2022-00067 submitted application and additional information), except where inconsistent with this permit and Schedule 2 (Request for permit variation to PA2022-00067-1 and additional information).

Failure to adhere to this permit and the conditions above is an offence which may result in a variation to or cancellation of this permit or the imposition of criminal penalties under the EPBC Regulations. A person convicted under the EPBC Regulations may be ineligible for future permits in Australian Marine Parks.

s 47F

s 47F

Director
Authorisations and Compliance

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Marine and Island Parks Branch
Delegate of the Director of National Parks
17 October 2025

Interpretation

In the permit and permit conditions:

Agreement means the agreement executed by the Permittee when applying for this permit.

Director means the Director of National Parks and the Director's delegates, and includes any statutory successor to the Director.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

EPBC Regulations means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth).

Indigenous Cultural and Intellectual Property means all aspects of Aboriginal or Torres Strait Islander people's cultural products, expressions knowledge and heritage, whether (a) intangible, such as songs, dances, stories, and ecological and cultural knowledge; or (b) tangible, such as human remains, artworks and artefacts.

Marine Park means the Australian Marine Parks under the EPBC Act for which this permit is issued.

Management Plan means the management plan or management plans made under the EPBC Act in operation from time to time for the Marine Parks specified by this permit.

Participants means the Permittee's employees, contractors, other agents and other individuals who take part in the Permitted Activity.

Permittee means each person (individual, company or other legal entity) to whom this permit is issued.

Permitted Activity means the specified activity or activities for which this permit is issued.

Warden means a person appointed as a warden under s.392 of the EPBC Act.

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NORFOLK ISLAND
Regional Council

1 December 2025

Kim Forbes
First Assistant Secretary
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
PO Box 201
NORFOLK ISLAND 2899

DEVELOPMENT AND BUILDING APPLICATION DA.BA 48/2021-2:
PORT & WHARF FACILITIES – KINGSTON PIER AUGMENTATION PROJECT: 'REPAIRS TO SEAWALL SLAUGHTER BAY'
AT Por: KINGSTON COMMON RESERVE; LOT: 9; SEC: 4 , Pier Street NORFOLK ISLAND 2899

I refer to your above application for PORT & WHARF FACILITIES – KINGSTON PIER AUGMENTATION PROJECT: 'REPAIRS TO SEAWALL SLAUGHTER BAY' at your land, Por; Kingston Common Reserve, LOT: 9, Sec: 4 in Pier Street NORFOLK ISLAND 2899 and the Building Approval issued on 17 July 2022.

Please find enclosed the Occupancy Certificate issued by the Acting General Manager under Section 40 of the *Building Act 2002 (NI).* The Occupancy Certificate authorises the use of the structure for the purposes specified in the certificate and completes the building approval process.

Yours sincerely

s 47F

Building Inspector/Compliance and Enforcement Officer

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NORFOLK ISLAND
Regional Council

OCCUPANCY CERTIFICATE ISSUED UNDER SECTION 40 OF BUILDING ACT 2002

BUILDING APPROVAL NO.	48/2021-2

1. NAME OF THE OWNER			
Name	Department of Infrastructure, Transport, Regional Development, Communications and the Arts		
	First Name	Last Name	
Phone No.		Email	

2. PROPERTY DESCRIPTION			
Portion No.	RES – Kingston Common Reserve Lot 9 – Section 4 (Slaughter Bay)	Address	Bay -Street – Kingston Common Reserve – Slaughter Bay – Norfolk Island 2899

3. IN ISSUING THIS OCCUPANCY CERTIFICATE THE ACTING GENERAL MANAGER CONFIRMS THAT THE FOLLOWING HAS BEEN RECEIVED:	*Mark as applicable*
• A Compliance Declaration/s in relation to all the building work approved under the building approval; and	✓
• A list of all inspections of the building work made in relation to the inspection stages specified in the building approval for the work; and	✓
• Notification that an authorised officer is satisfied that the building complies with the approved plans.	✓

4. THIS OCCUPANCY CERTIFICATE SPECIFIES THE CLASSIFICATION OF THE BUILDING AS FOLLOWS:	*Mark as applicable*	*Building Classification*
• The whole building	☐	
• Part/s of the building: specified as follows: (Repairs to Slaughter Bay Seawall)	✓	10b Structure (Retaining Wall – Seawall)

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5. SPECIFIED PRESCRIBED CONDITIONS TO APPLY IN RELATION TO THE BUILDING OR PARTS OF THE BUILDING TO WHICH THIS OCCUPANCY CERTIFICATE RELATES*: (if applicable)*
This Occupancy Certificate applies only to the works completed for the 'Repairs to Slaughter Bay Seawall.' It does not cover any other components of Building Approval DA.BA 48/2021.

6. THIS OCCUPANCY CERTIFICATE AUTHORISES THE BUILDING TO WHICH THIS OCCUPANCY CERTIFICATE RELATES FOR THE FOLLOWING PURPOSE:
This Occupancy Certificate applies only to the works completed for the 'Repairs to Slaughter Bay Seawall' as shown in the approved plans.

This Occupancy Certificate does not in any way act as a warranty or guarantee by the Norfolk Island Regional Council, the Acting General Manager or any other person performing a function under the Building Act 2002 (NI).

s 47F

Delegate to Acting General Manager

1/12/2025

Date

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NORFOLK ISLAND
Regional Council

10 December 2025

Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
CANBERRA ACT 2601

APPLICATION TO MODIFY DEVELOPMENT APPROVAL DA.BA 48/2021- 3:
PORT & WHARF FACILITIES – KINGSTON PIER AUGMENTATION PROJECT, NORFOLK ISLAND

Thank you for your Application to Modify Development Approval, registered as DA.BA 3/2021-2, seeking to modify the development approval for DA.BA 48/2021 as follows:

- Add 'Kingston Pier Rock Revetment Remediation' as an approved component of the Kingston Pier Augmentation Project, as presented in Development Application DA.BA 48/2021 and DA.BA 48/2021-3.

In considering your Application, regard was had by the Administrator as delegate to the Minister to the matters required to be considered under relevant planning legislation and policies. Subsequently, as delegate of the Minister, the Administrator has modified the original development approval for DA.BA 48/2021 under section 56(2)(a) of the *Planning Act 2002 (NI)* to include Kingston Pier Rock Revetment Remediation. The Notice of Decision is attached.

Please do not hesitate to contact Planning and Development on email planning@nirc.gov.nf if you have any queries.

s 47F

Senior Strategic Planner

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FOI 26-287 - Document 31

NORFOLK ISLAND
Regional Council

MINISTERIAL SUBMISSION

To: Geore Plant, Administrator of Norfolk Island

From: s 47F , Senior Strategic Planner

Date: 4 December 2025

Subject: Determination on Application to Modify Development Approval for Declared Significant Development

DA.BA 48/2021-3 APPLICATION FOR MODIFICATION OF DEVELOPMENT APPROVAL

DA.BA 48/2021

KINGSTON PIER CHANNEL CONSTRUCTION PROJECT – LAND BASED COMPONENTS:

KINGSTON PIER ROCK REVETMENT REMEDIATION

PURPOSE

To seek a determination on Application to Modify Development Approval (DA.BA) 48/2021 for declared significant development (Section28E Notice attached).

CONSIDERATION/ISSUES

DA.BA 48/2021-3 has been assessed as presented in the attached Planning Assessment Report (Attachment A) with the concluding recommendation that the development approval for DA.BA 48/2021 be modified as described in the recommended Notice of Decision (Attachment B). The current approval for DABA 48/2021 is at Appendix B to the Planning Assessment Report.

Section 56 of the *Planning Act 2002(NI)* ('the Act') – ***Processing development approval modification applications for permitted use or development, declared significant development or ancillary project*** – provides that

> ***56. (1)*** *If the original development approval was for permitted use or development, a declared significant development or an ancillary project for a declared significant development, the Chief Executive Officer shall refer a development approval modification application made in accordance with section 52 to the Minister together with a recommendation by the Chief Executive Officer.*
>
> ***(2)*** *Upon reference of the application, the Minister may —*
>
> *(a) modify the approval; or*
>
> *(b) refuse to modify the approval.*

Accordingly the Planning Assessment and recommended Notice of Decision is referred by the General Manager's delegate to the Minister's delegate for determination.

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NORFOLK ISLAND
Regional Council

NOTICE OF DECISION ON DEVELOPMENT APPROVAL MODIFICATION APPLICATION

Pursuant to Section 59(1) of the Planning Act 2002 (NI)

I, George Plant, Administrator of Norfolk Island and delegate of the Commonwealth Minister under paragraph 1.66 of the *Minister's Norfolk Island Delegation Instrument 2019 (Cth)*, under section 56(2)(a) of the *Planning Act 2002 (NI)*, modify the development approval for DA.BA 48/2021 as described in Schedule 1 in the manner described in Schedule 2.

The reasons for the decision are that in considering this Application, I regarded the matters required to be considered under the *Planning Act 2002 (NI)* and determined that the modified development approval is consistent with and c of the Norfolk Island Plan 2002.

s 47F [redacted]

George Plant
Administrator of Norfolk Island & Commonwealth Minister's delegate

Date of decision: 8/12/2025

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SCHEDULE 1 – THE APPLICATION

DEVELOPMENT APPROVAL MODIFICATION APPLICATION NO.:	DA.BA 48/2021-3
ORIGINAL DEVELOPMENT APPLICATION NO:.	DA.BA 48/2021
APPLICATION MADE BY: (THE APPLICANT)	Department of Infrastructure, Transport, Regional Development, Communications and the Arts
MODIFICATION OF DEVELOPMENT APPROVAL	To add 'Kingston Pier Rock Revetment Remediation' as an approved component of the Kingston Pier Augmentation Project as presented in Development Application DA.BA 48/2021 and DA.BA 48/2021-3.
LAND TO BE USED OR DEVELOPED: (SUBJECT LAND)	• Portion RES – Kingston Common Reserve Lot 7 Section 4 (Kingston Pier Revetment area) • Portion 164 Pier Street (Jetty foreshore area) • Portion 182 Pier Street (Kingston Jetty)
DECISION:	Modification app
DATE OF DECISION:	8 December 2025
DATE THE DEVELOPMENT APPROVAL LAPSES:	1 July 2027

SCHEDULE 2 – DESCRIPTION OF MODIFIED DEVELOPMENT APPROVAL

The Notice of Decision on Development Application DA.BA 48/2021 is modified as follows:

1. Modify Schedule 1 – Development Application, adding to 'Approved Use or Development (the Development)' – *'Kingston Pier Rock Revetment Remediation'.*

2. Modify Condition 1(a) by adding *'and the stamped approved documents and plans attached to this Notice of Decision'.*

3. Deleting Conditions 3 and 4 , 'Specified part of the development subject to another development approval'.

4. Modify Condition 5 by:

   i. deleting the following words
   'with the exception of the proposed remediation of the rock revetment and extension to Flagstaff Hill; and the exception of the proposed repairs to Slaughter Bay Seawall, which shall be subject to another development approval as described in Conditions 3 and 4 above'.
   and
   ii. Adding the following words
   'This does not permit any rock breaking activities, meaning use of a rock breaker or hydraulic hammer to break rocks, to be conducted at the Contractor's Working Area.

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5. Adding the following conditions:

'CONDITIONS SPECIFICALLY RELATING TO KINGSTON PIER ROCK REVETMENT REMEDIATION

'Construction Traffic Management Plan (CTMP)

'23. Prior to the commencement of the transport and delivery of rock from Youngs Road Quarry to the Contractor's Working Area, a Construction Traffic Management Plan must be prepared and submitted to the General Manager for approval. Transport of rock cannot commence until approval is provided. Matters to be addressed in the Construction Traffic Management Plan include, but not is not limited to, the following:

- *All traffic movements and routes to and from the Youngs Road Quarry at Cascade to the Contractor's Working Area at Kingston Pier*
- *Proposed traffic control measures (signs/guidance/fences) to inform the public of any exclusion zones in the vicinity of Kingston Pier*
- *Proposed safety measures to manage heavy vehicle traffic on Cascade Road in the vicinity of Norfolk Island Central School*
- *Measures to manage adjustments to Contractor's Working Area for lighterage activities when unloading ships at Kingston Pier*
- *Measures to address potential cumulative impacts of construction traffic associated with the Bounty Street Bridge repairs and Kingston Rock Revetment remediation work*
- *Measures to monitor Pier Street Bridge to ensure it is capable of withstanding the heavy vehicle loads such as fixing established targets to the bridge to be surveyed for settlement once a month.*

'Preparation of a Road Condition (Dilapidation) Survey and Report

24. Prior to the commencement of the transport and delivery of rock from Youngs Road Quarry to the Contractor's Working Area, a pre-haulage Road Condition Report must be prepared and submitted to the General Manager for information. The report must address all roads proposed to be used by heavy vehicles for transport of rock from the Youngs Road Quarry to the Contractor's Working Area.

25. Within one month after the conclusion of the transport and delivery of rock from Youngs Road Quarry to the Contractor's Working Area, a post-haulage Road Condition Report must be prepared and submitted to the General Manager for information.

26. If the Road Condition Report shows that damage to roads has occurred as a result of the Development, the damage must be rectified to ensure road safety as soon as possible. The Applicant will be responsible for the costs of such repairs.

27. Heavy vehicle movements are to be of significantly higher frequency to typical traffic experienced on roads owned by Council. If it is determined that there is significant increase in road deterioration and a requirement for elevated maintenance of roads owned by Council beyond the frequency currently attended, the Applicant will be responsible for a proportion of the cost of the maintenance of impacted roads owned by Council to ensure the roads can safely sustain the proposed traffic.

'Measures to monitor and mitigate potential impacts on heritage features

28. The proposed expanded Contractor's Working Area shown in 'Figure 5 – Revised Contractor's Working Area' attached to this Notice of Decision must be modified to exclude the area encompassing the recently exposed remains of a section of the Coxswains Duplex (Item ID 'H10'). An alternative area to compensate for the exclusion of that area to add to the land to be used for the expanded Contractor's Working Area must be identified in consultation with the KAVHA Archaeologist and agreed by the KAVHA Advisory Committee.

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29. Prior to the establishment and use of the Contractor's Working Area:

a. *Measures must be put in place, as agreed by the KAVHA Archaeologist, to barricade the Coxswains Duplex ('H10') and its curtilage, including the recently exposed remains to provide certainty of protection from the potential impacts of machinery and stockpiling of materials on the remains; and*
b. *A photographic record of the ruins of the Coxswains Duplex ('H10') must be created and provided to the KAVHA Archaeologist.*

30. Prior to the commencement of the transport and delivery of rock from Youngs Road Quarry to the Contractor's Working Area, a program to monitor and mitigate potential impacts of heavy vehicle traffic at Pier Street on the Civil Hospital structure must be developed in consultation with and agreed by the KAVHA Archaeologist. The program may include measures such as

- *mounting of 'crack tell tales' to the structure*
- *the installation of vibration monitors near the Civil Hospital structure*
- *Modification of the cattle grid immediately adjacent to the north east of the structure with heavy rubber to dampen vibrations*
- *Restrictions on heavy vehicle speeds over the cattle grid*
- *Photographic recording of the Civil Hospital walls prior to the commencement of transport and delivery of rock; and at the conclusion of the transport and delivery of rock, to assess any damage to the structure and identify any remedial actions required to rectify any damage.*

End

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DESIGN DRAWINGS

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Design Drawings exempt section 47

7 x pages removed from document pack (section 22(1)(b)

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Supporting DA information - exempt section 47

21 x pages removed from document pack (section 22(1)(b)

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FOI 26-287 - Document 31
NORFOLK ISLAND Regional Council
APPROVED PLANS
Application Number: DABA 48/2021-3
Approved HIA
[redacted]
31/08/2025
NORFOLK ISLAND

Heritage Impact Assessment of Rock Revetment Remediation

s 47F

1 August 2025

1. Background

Worley Consulting is undertaking remediation of the rock revetment west of Kingston Pier on behalf of the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts. This heritage assessment is in support of pre-works documentation being prepared for Norfolk Island Regional Council (NIRC) by Worley Consulting; the documentation describes additional works that were not previously part of development planning. Those works comprise:

- Extending and raising the rock revetment towards the pier, to conceal exposed sheet piling
- Expansion of the contractors' working area
- Formalisation of the repairs of the upper wall west of the pier

Figure 1 shows a plan of the proposed additional works areas.

Several mitigations are suggested to avoid negative impacts from some works; those mitigations are discussed in more detail in sections **6.2.1** and **6.5.1**. The suggested mitigations are:

- **Creating a photographic record of ruin H10 – Coxswain's Hut.**
- **Erecting an obvious temporary fence to barricade H10 from project machinery and materials.**
- **Creating a photographic record of the Civil Hospital before, after and at regular intervals during the project.**

2. Heritage listings and heritage values

The entirety of KAVHA is listed on four heritage registers, as detailed below.

Name	Listing ID	Listing date	Notes
UNESCO World Heritage List	106209	31 July 2010	KAVHA is listed together with 10 other sites that together comprise the Australian Convict Sites serial listing.
National Heritage List	105962	1 August 2007	
Commonwealth Heritage List	105606	22 June 2004	This listing applies only to Commonwealth-owned land within KAVHA.
Norfolk Island Heritage Register	*(Register has no identification codes)*	2003	

All works are to occur in land zoned in KAVHA as Precinct H.

The following heritage values are those that are in the vicinity of the proposed works, and which may **potentially be impacted by the proposed works.**

- Civil Hospital ruins
- Ruins
- Archaeological remains
- Kingston Pier
- Working waterfront at Kingston Pier

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FOI 26-287 - Document 31

- Crankmill (H28)
- Pier Store (H23)

There are also specific heritage features in the KAVHA heritage inventory that have the potential to be impacted by the proposed works (see **Figure 1** and **Figure 2**). These features are not identified as specific heritage values in any KAVHA listings, but impacts to any such features should still be avoided. The features are primarily identified through their alphanumeric codes, which comprise a letter followed by a number (e.g., H52).

3. Archaeological zoning and management

Per KAVHA's archaeological zoning and management plan (AZMP; Extent Heritage 2020), the pier area is almost entirely zoned as having high archaeological potential (**Figure 3**). In these areas, the AZMP specifies that:

> *"The management process for [high potential areas] emphasises retention in situ and avoidance of ground disturbance works whenever possible. Archaeological interventions may include test excavation, monitoring, or full salvage with conservation. Impacts with potential to damage and/or remove fabric would be tolerated only in situations involving public safety or where loss is imminent due to environmental factors."* (page 41)

The proposed works will not involve any earthworks with the potential to impact fabric or archaeological remains, and as a result no archaeological mitigations are proposed here.

4. KAVHA Development Control Plan (DCP)

The proposed works are designed in support of the Wharf, and as such comprise a development that is permissible with consent in Precinct H.

The proposed works directly support several of the DCP Objectives for Precinct H:

- Objective 36: To conserve and protect the elements that contribute to the heritage significance of [Precinct H].
- Objective 37: To protect heritage elements/archaeological elements that are fragile and susceptible to impact from visitors to the site.
- Objective 40: Ensure that … foreshore stability in the coastal protection zone is maintained.

The proposed works do not contravene any of the Controls for Precinct H, but do directly support several of the Controls:

- Control 57: Development shall conserve and maintain the Landing Place and associated elements that contribute to the Precinct's heritage significance.
- Control 59: Development shall prioritise conservation and protection of heritage elements and archaeological features that are fragile, unstable and susceptible to visitor impact.
- Development shall include methods to stabilise soil and reduce erosion.

The proposed works directly support several of the Objectives for the KAVHA site (DCP section 6.0 General Provisions):

- Objective 92: Conservation of the cultural and natural significance of the KAVHA site and its setting.
- Objective 100: To protect archaeological resources from damage.

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FOI 26-287 - Document 31

- Objective 108: To ensure alterations and additions do not have an adverse impact on KAVHA's setting.

The proposed works do not contravene any of the Controls for the KAVHA site (DCP section 6.0 General Provision), but do directly support several of the Controls:

- Control 200: Proposals will ensure that no parking or driving will occur over areas of potential archaeological sensitivity and over known archaeological resources [and ruins].
- Control 228: Alterations and additions shall be located and designed with no adverse impact to key vistas and views identified in KAVHA shown on Figure 5 (see **Section 4.1** below).
- Control 230: Proposed design, materials and finishes shall comply with controls set out in Section 6.8.
- Control 276: When relevant development proposals must (d) provide adequate protection to archaeological and heritage assets where necessary to avoid damage, compaction, erosion.

4.1. Views and Vistas

The proposed works are intersected by an axis identified in DCP Figure 5 as a Visual Focus (**Figure 4**); this axis is the view from Flagstaff Hill across the Pier Precinct and out to Nepean Island.

However, because of the hillside topography and vegetation, the proposed works areas are not visible from either of the Flagstaff Hill lookouts (**Figure 5** and **Figure 6**). As such, they present no threat to the defined key visual areas of KAVHA.

5. KAVHA Cultural Landscape Management Plan (CLMP)

The proposed works conform to the CLMP, and directly support some of the key policies in the CLMP:

- Policy 1: Conserve and manage all identified heritage values and key attributes which contribute to the significance of the cultural landscape of the KAVHA site.
- Policy 32: Maintain and encourage the continuing uses of specific areas within KAVHA.
- Policy 36: Recognise and manage for the archaeological sensitivity of the cultural landscape.

6. Potential impacts and mitigations

The following section discusses the specific impacts that may occur as a result of the proposed works and any additional mitigations that might be required to prevent detrimental impacts from those works.

6.1. Extension and raising of rock revetment towards the pier

Impact assessment: beneficial

These works pose no threat to KAVHA's heritage values and require no mitigations. The implementation of these works will help support and protect several of the heritage values (Kingston Pier, the working waterfront at Kingston Pier, archaeological remains, Crankmill, Pier Store).

As proposed, the works will better protect the pier from storm surges. The works will deflect large waves back into the sea, and away from the Crankmill and Pier Store. The works will also reduce the potential for further erosion on the eastern side of the landing place, eliminating the major potential risk to the subsurface archaeological remains in the area.

The proposed works will occur over the locations at which former historic structures and features once stood, but no risk is posed to these features. The following describes the features in question, and why they are not at risk from the proposed works:

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H17 – Landing place / slipway: this is the location of the original First Settlement landing place and slipways built early in the Second Settlement era. If any portions of these features still exist, they would be covered by the contemporary Kingston Pier. There is no risk of these being affected by the proposed works.

H19 – Sea wall: this feature no longer exists; it was washed away in the massive erosional occurrences that the mid-20th century works at the landing place were built to address. There is no risk of this being affected by the proposed works.

6.2. Expansion of contractors' works area

Impact assessment (without mitigation): potentially negative
Impact assessment (with mitigation(s)): nil to beneficial

The proposed expansion of the contractors' works area covers a large area. Although many historic features occupy the same areas, only one feature has the potential to be at risk from works activities: H10 – Coxswain's duplex.

H10 was built late in the Second Settlement era (c1849), and historic photographs indicate that it had fallen into disrepair by the early 20th century. It was likely quarried for stone during this period, and by the 1940s no traces of the structure remained above ground. Today, the structure exists only as archaeological remains and the ruins of footings, which are easily seen as they are eroding from the ground at the landing place.

The KAVHA Cultural Landscape Management Plan (GML and Context 2019) has policies specifically regarding the prevention of vehicular damage to ruins (Policy 36: Recognise and manage for the archaeological sensitivity of the cultural landscape, Policy 40: Ensure adverse visual and physical impacts from vehicles within KAVHA are avoided). However, the Coxswain's duplex has been unofficially excluded from these policies because the location is of local cultural importance as a place to view the sea, or watch cargo or fishing operations. In essence, the Department has tacitly decided to contravene the policies of the CLMP at this location for cultural considerations.

Despite that, further damage should be avoided, particularly as a result of construction activities. Any damage to the ruins would be a negative impact, and could trigger a requirement to report the damage to DCCEEW as an unpermitted action. Recommended mitigations are provided in section **6.2.1**.

The other heritage items in the proposed contractors' works area are at no risk from the proposed expansion, for reasons provided below:

Item ID	Name	Notes
H14A, H14B, H14C, H14D	Lt Borough's quarters (main house, kitchen, fowl house, privy)	No trace of these Second Settlement structures has ever been seen, although archaeological surveys have previous tried to locate them. If any evidence of these remains, it is likely several centimetres under the modern ground surface.
H16	Boat shed	Most archaeological traces of this feature eroded into the sea in the first half of the 20th century. If any traces remain, they are several centimetres under the modern unpaved roadway.
H17	Landing place/slipway	If any portions of these features still exist, they would be covered by the contemporary Kingston Pier.
H18	Pier	The concrete surface of the pier will not be impacted by the proposed works.
H20	Beach guard stockade	If any trace of this feature still exists, it is under the concrete surface of the contemporary pier

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FOI 26-287 - Document 31

Item ID	Name	Notes
H22A	Flagstaff (III)	If any trace of this feature still exists, it is under the concrete surface of the contemporary pier
H52	Road behind the crankmill	The western extent of this road has eroded into the sea; the area in the works area, if still extant, is under several centimetres of dirt and soil and will not be impacted.

6.2.1. Suggested mitigations

Mitigating damage to the exposed portions of the ruins should include two approaches.

First, prior to the use of the area as a works compound, the state of the ruined footings should be documented, using extensive photography. These photographs will serve as a record against which the state of the ruins can be compared following the end of the project. The Department would be best placed to undertake such documentation, but there is no reason that the contractor could not undertake the same sort of documentation. GPS should also be used to record the location of the corners and edges of footings.

Second, the footings should be isolated from the works area through the use of orange flexible barricade fencing, which will serve to clearly demarcate the areas to be avoided by project machinery and materials. This fencing can be mounted on star pickets, but the placement of the star pickets and their installation must occur only following discussion with the KAVHA archaeologist.

An explanation of the need to avoid the footings and obey the barricade fencing should form part of the contractor's induction to work on site.

6.3. Formalisation of the repairs of the upper wall west of the pier

Impact assessment: beneficial

These works pose no threat to KAVHA's heritage values and require no mitigations. The implementation of these works will help support and protect several of the heritage values (Kingston Pier, the working waterfront at Kingston Pier, archaeological remains, Crankmill, Pier Store).

As proposed, the works will better protect the pier from storm surges. The works will deflect large waves back into the sea, and away from the Crankmill and Pier Store. The works will also reduce the potential for further erosion on the eastern side of the landing place, eliminating the major potential risk to the subsurface archaeological remains in the area.

The proposed works will occur over the locations at which former historic structures and features once stood, but no risk is posed to these features. The following describes the features in question, and why they are not at risk from the proposed works:

> **H16 – Boat shed**: most of the evidence for this feature eroded into the sea in the first half of the 20th century. Any remaining traces would already be under the wall in the area as it currently exists, and also under the unpaved road west of the Pier Store. The proposed works do not include earthmoving or excavation in the area of H16, and so there is no risk of any archaeological remains being disturbed.
>
> **H52 – Road behind the crankmill**: the portion of this feature in the vicinity of the works eroded into the sea in the first half of the 20th century, and thus it is not possible for the works to pose a risk to it.

6.4. Machinery access to western wall extents

Impact assessment: nil

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FOI 26-287 - Document 31

In order to allow the works to proceed west of the pier, it will also be necessary to provide access to heavy machinery from the road level down to the level of the rock revetment. This access will be constructed in the area shaded red in **Figure 2**.

The machinery access will be provided through a temporary ramp made from fill placed on top of the stones and concrete already in the area. The fill will be removed once there is no longer a need for heavy machinery to drive down to the level of the rock revetment.

Although First Settlement archaeological remains have been documented in this area, there should be no chance of impacts to heritage or archaeological materials because they are already capped by modern construction (concrete sea wall and large stones placed). However, should earthworks be required in this area as part of machinery access, such works should comprise nothing more than turf removal.

6.5. Potential impacts at Civil Hospital

Impact assessment (without mitigation): potentially negative
Impact assessment (with mitigations): nil

Another potential impact occurring as a result of this project is due to the movement of massive quantities of heavy stone over the cattle grid immediately east of the Civil Hospital (**Figure 2**). There is evidence to suggest that vehicular movement over the cattle grid is causing vibrations that shake the Civil Hospital ruins.

Works are already underway to implement mitigations for any potential impacts caused by vibrations from large and heavy vehicles. These works include mounting crack tell-tales to the structure, installing vibration monitors near the structure, modifying the cattle grid with heavy rubber to dampen vibrations, and careful planning of the movement of heavy vehicles into the area.

These mitigations will be regularly monitored over the course of the project. Should any damage to the Civil Hospital become visible, or the tell-tales indicate the cracks are widening, works will need to cease so that other mitigations can be investigated.

6.5.1. Other mitigation recommendations

It is recommended that project officers undertake a detailed photographic recording of the Civil Hospital walls in advance of the project's commencement, and a second detailed photographic recording following projection completion. Depending on the length of the project, it would also be valuable to do additional photographic records of the structure's condition at a semi-regular interval.

These photos will serve as a form of insurance to protect the project against claims that the works caused damage to the Civil Hospital. Any damage brought to the attention of the project could be quickly compared against the photos, with the hope of demonstrating that the damage pre-dated the commencement of the project.

7. Conclusions

The works at the rock revetment are essential to protecting the landing place and pier area, and the results of these works will be significant improvements to the infrastructure that protects highly significant heritage features and archaeological remains. When complete, the repairs to the rock revetment will be highly beneficial to many of the heritage values for which KAVHA was listed.

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FOI 26-287 - Document 31

Despite that, there are several areas in which the works have the potential to negatively impact the site's heritage values, so mitigations should be put in place to counter these impacts. Potential mitigations are suggested in sections **6.2.1** and **6.5.1**.

8. Bibliography

Extent Heritage. 2020. Kingston and Arthur's Vale Historic Area (KAVHA) Archaeological Zoning and Management Plan. Two volumes. Report prepared for the Department of Infrastructure, Transport, Regional Development and Communications.

GML and Context. 2019. Kingston and Arthur's Vale Historic Area Cultural Landscape Management Plan. Report prepared for the Department of Infrastructure, Regional Development and Cities.

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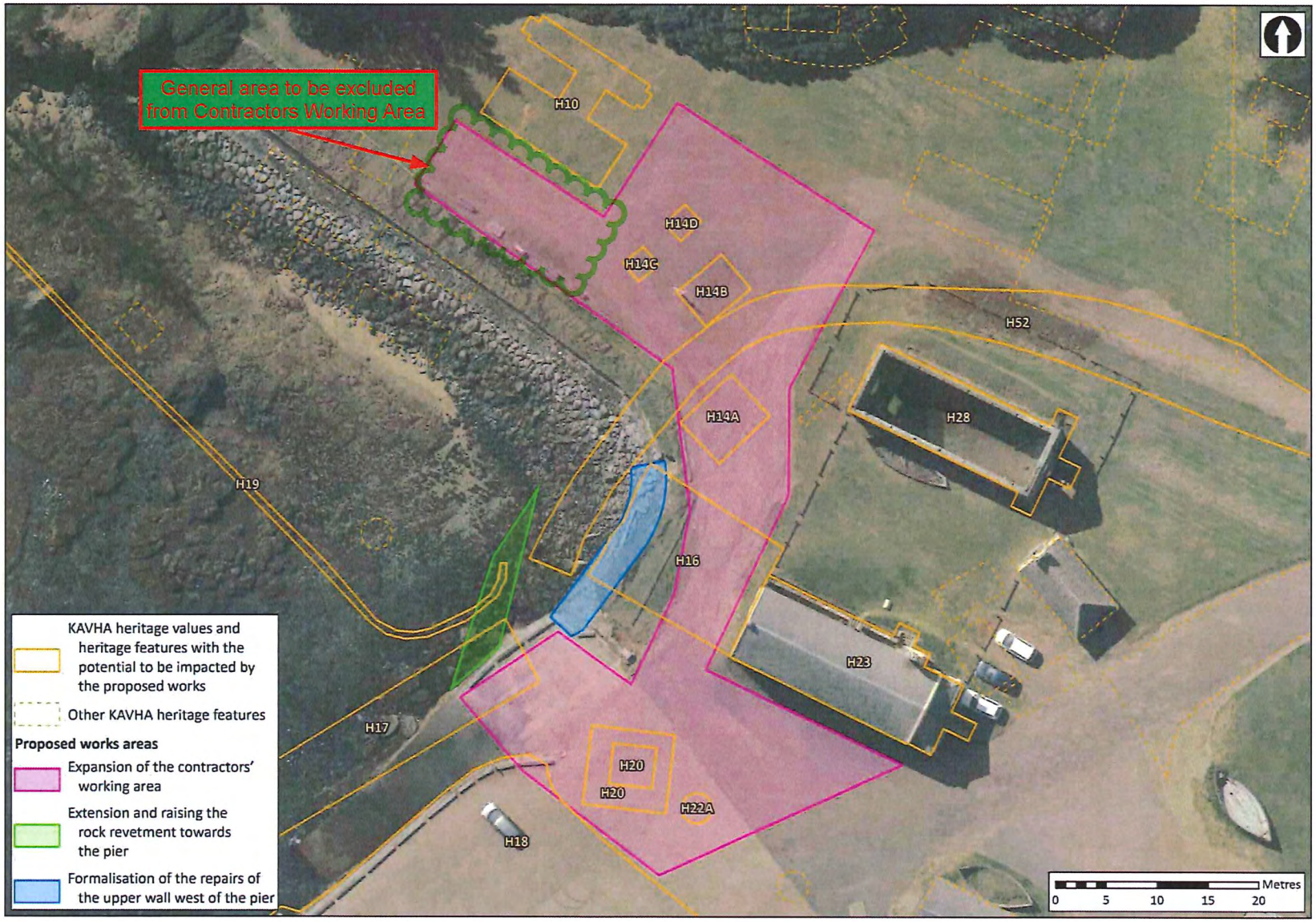


Figure 1. Proposed works areas and the heritage features that have the potential to be impacted.

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FOI 26-287 - Document 31

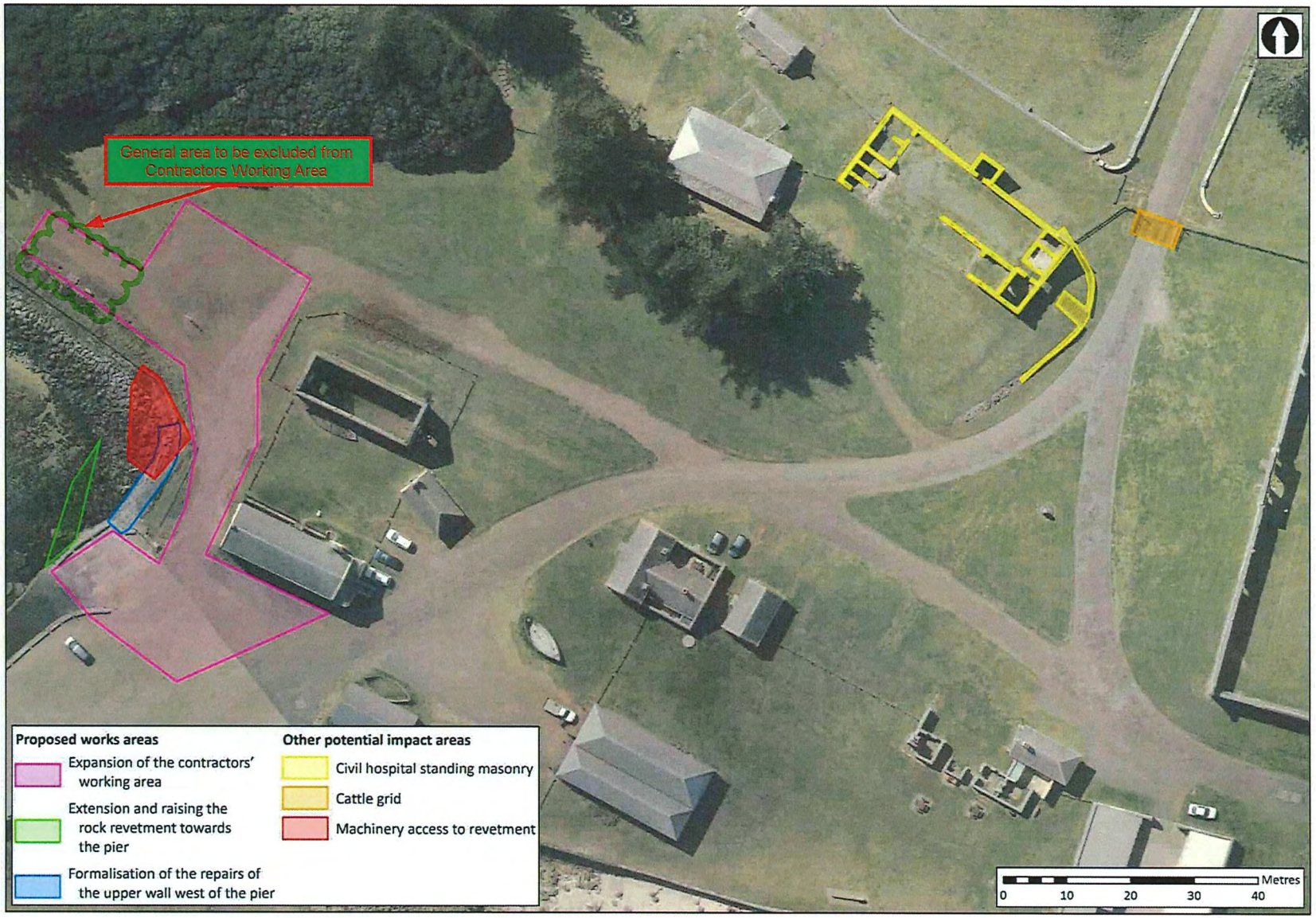


Figure 2. Other areas potentially impacted by project.

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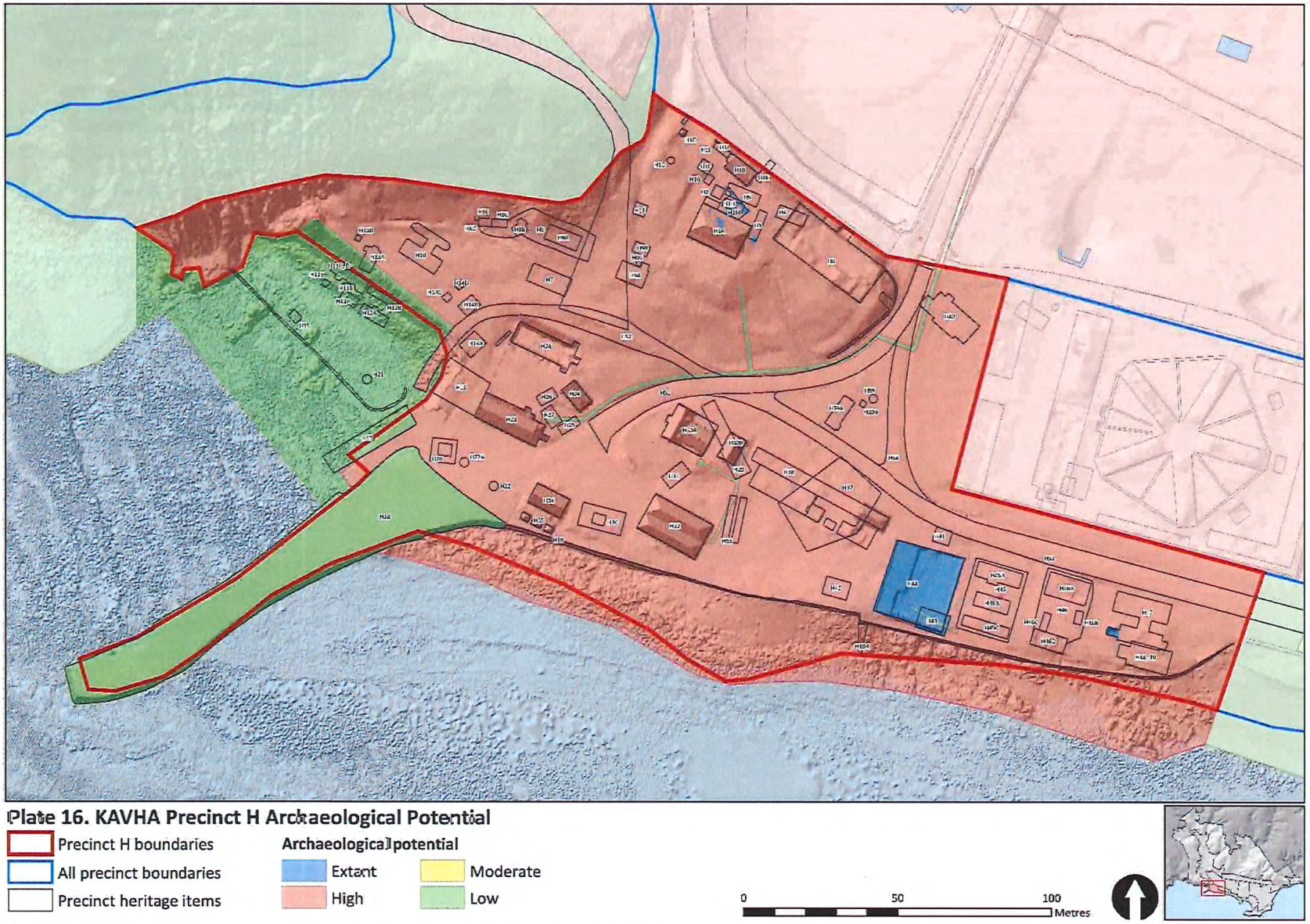


Figure 3. Plate 16 from AZMP, showing archaeological potential zoning of pier area.

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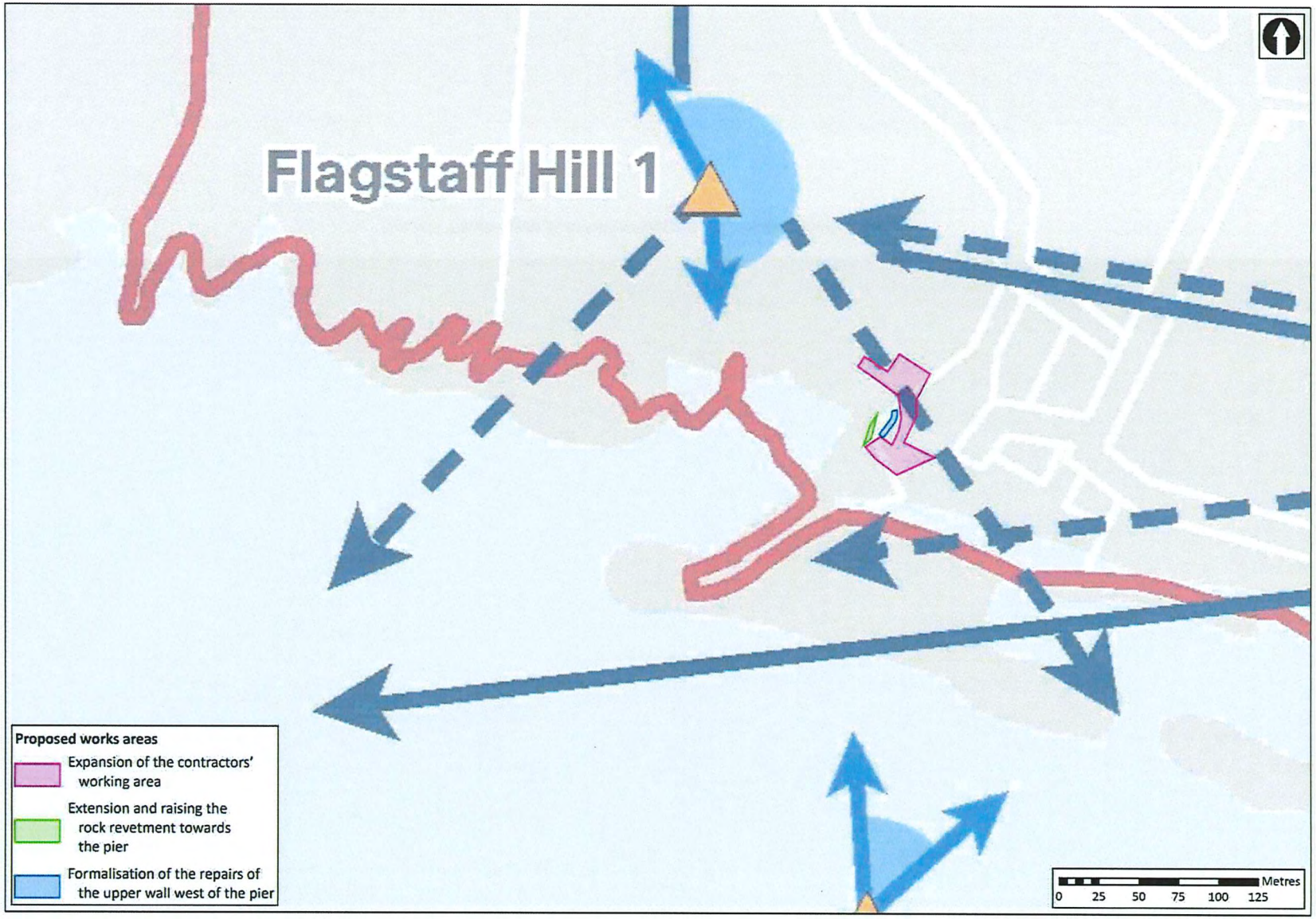


Figure 4. Proposed works areas over KAVHA DCP Figure 5 (Views and Vistas).

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Figure 5. Photo taken from lower Flagstaff Hill lookout showing pier area.

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FOI 26-287 - Document 31



Figure 6. Photo taken from upper Flagstaff Hill lookout showing pier area.

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NORFOLK ISLAND
Regional Council

11 December 2025

Department of Infrastructure Transport, Regional Development, Communications and the Arts
PO Box 5201
NORFOLK ISLAND 2899

Dear s 47F

APPLICATION TO MODIFY BUILDING APPROVAL DA.BA 48/2021-3
PORT & WHARF FACILITIES – KINGSTON PIER AUGMENTATION PROJECT, NORFOLK ISLAND 2899

Thank you for your Application to Modify Building Approval registered as 48/2021-3, seeking to modify the building approval 48/2021 as follows:

- Add Kingston Pier Rock Revetment Remediation; as an approved component of the Kingston Pier Augmentation Project, as presented in development application DA.BA 48/2021 and DA.BA 48/2021-3.

Please contact the Planning and Building office at planning@nirc.gov.nf if you have any questions.

Yours sincerely
s 47F
Building Inspector/Compliance and Enforcement Officer

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NORFOLK ISLAND
Regional Council

NOTICE OF DECISION ON APPLICATION TO MODIFY BUILDING APPROVAL

Pursuant to Section 27 of the *Building Act 2002 (NI)*

I, s 47F , Building Inspector/Compliance and Enforcement Officer, as delegate of the Acting General Manager, under section 60 of the *Building Act 2002 (NI),* under section 26(2)(a) of the *Building Act 2002 (NI),* determine the Building Approval Modification Application DA.BA 48/2021 referred to in Schedule 1 by modifying the original building approval referred to on Schedule 1, in the manner described in Schedule 2.

The reasons for the decision to modify the original building approval is that the modification of the approved building activity as proposed in DA.BA 48/2021-3 would result in substantially the same building activity as the building activity approved in DA.BA 48/2021.

s 47F

Building Inspector/Compliance and Enforcement Officer
Delegate to the Acting General Manager

Note:

A decision on a building approval modification application made under section 26 of the *Building Act 2002 (NI)* is a reviewable decision under section 43(2)(a) of that Act.

Pursuant to section 44(1) of that Act, Application may be made to the Administrative Review Tribunal for the review of this decision.

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FOI 26-287 - Document 32

SCHEDULE 1 – THE APPLICATION

APPLICATION TO MODIFY BUILDING APPROVAL NO.:	DA.BA 48/2021-3
ORIGINAL BUILDING APPROVAL NO.:	DA.BA 48/2021
ORIGINAL APPROVED BUILDING ACTIVITY:	*Port & Wharf Facilities*: Kingston Pier Channel Augmentation Project Land based works components: • Establishment and use of a land based contractor's working area and maritime artefacts screening area • Transfer of spoil from Kingston Pier to the onshore disposal facility at the Old Cascade Quarry • Stockpiling, earthworks and filling at the Old Cascade Quarry
PROPOSED MODIFICATION OF THE BUILDING APPROVAL:	To add 'Kingston Pier Rock Revetment Remediation' as an approved component of the Kingston Pier Augmentation Project as presented in Development Application DA.BA 48/2021 and DA.BA 48/2021-3.
APPLICATION MADE BY:	Department of Infrastructure, Transport, Regional Development, Communication and the Arts
LAND TO BE USED OR DEVELOPED (SUBJECT LAND)	• Portion RES – Kingston Common Reserve Lot 7 Section 4 (Kingston Pier Revetment area) • Portion 164 Pier Street (Jetty foreshore area) • Portion 182 Pier Street (Kingston Jetty)
DECISION:	Approved
DATE OF DECISION:	8 December 2025
DATE THE BUILDING APPROVAL LAPSES:	1 July 2027

SCHEDULE 2 – DESCRIPTION OF APPROVED MODIFICATION OF BUILDING APPROVAL

The *Building Act 2002 (NI)* provides that:

'Division 2- Modification to building approvals –

> "Section 23(7) Without limiting the modifications that may be made, a modification of a building approval under this division may include modification to –
>
> (a) the structure approved under the building approval;
> (b) conditions of the building approval (including times or stages specified in conditions);
> (c) dates specified in the approval under section 17.

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FOI 26-287 - Document 32

Accordingly, Building Approval DA.BA 48/2021 is modified by this approval in the following manner:

Modify Schedule 1 Approved Building Activity add

- To add 'Kingston Pier Rock Revetment Remediation' as an approved component of Kingston Pier Augmentation Project as presented in Development Application DA.BA 48/2021 and 48/2021-3.

End

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Approved Plans - exempt section 47

12 x pages removed from document pack (section 22(1)(b)

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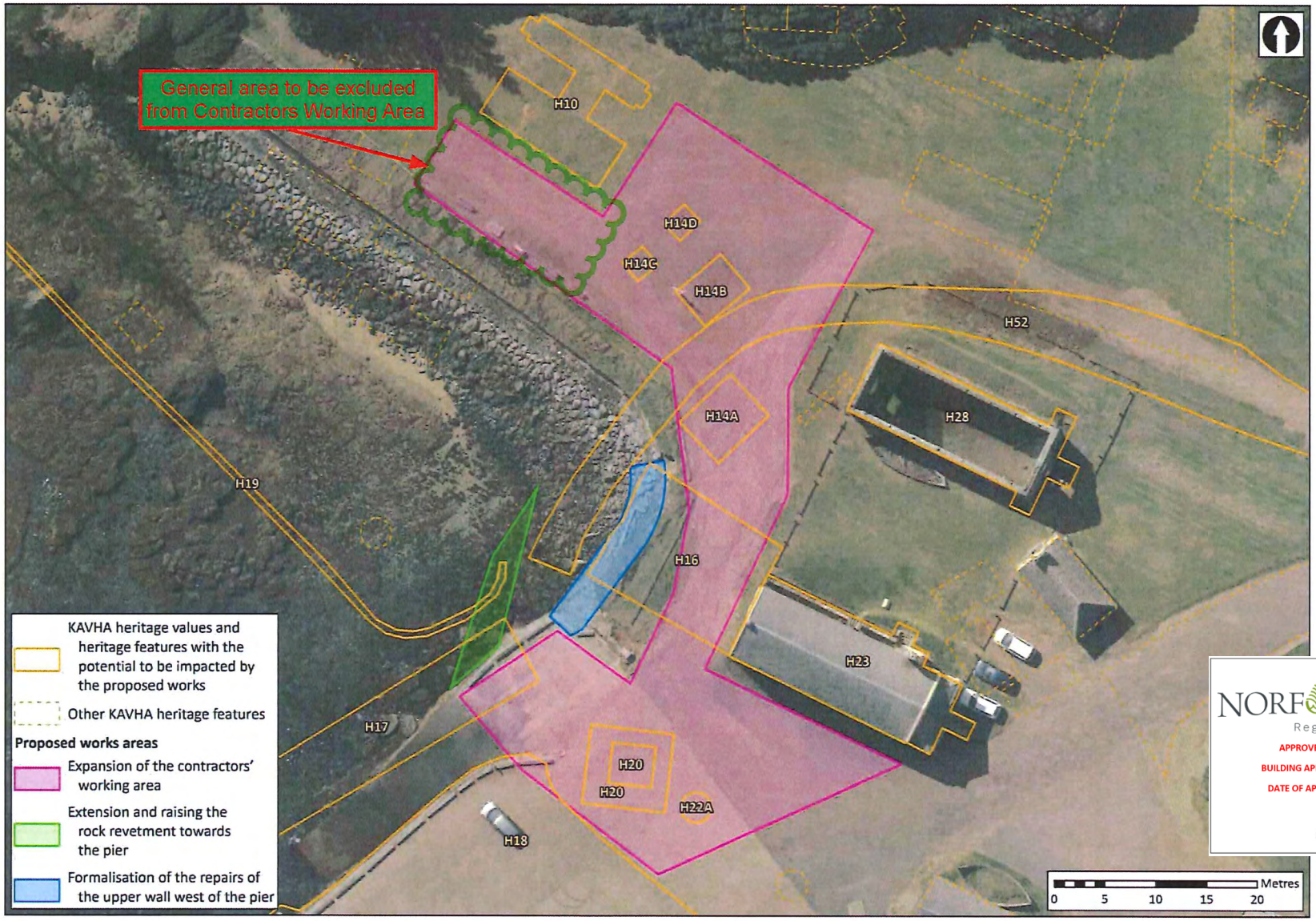


Figure 1. Proposed works areas and the heritage features that have the potential to be impacted.

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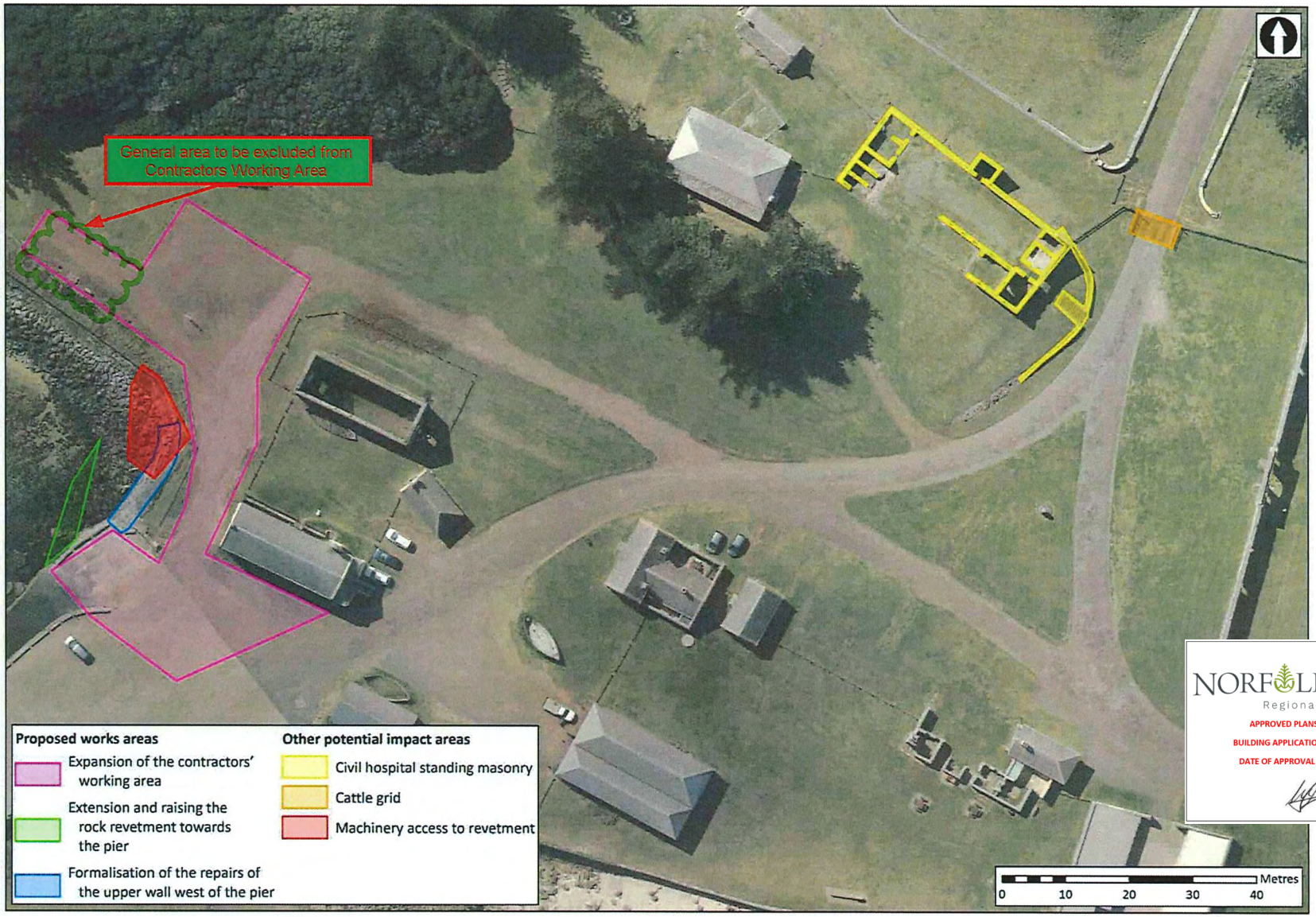
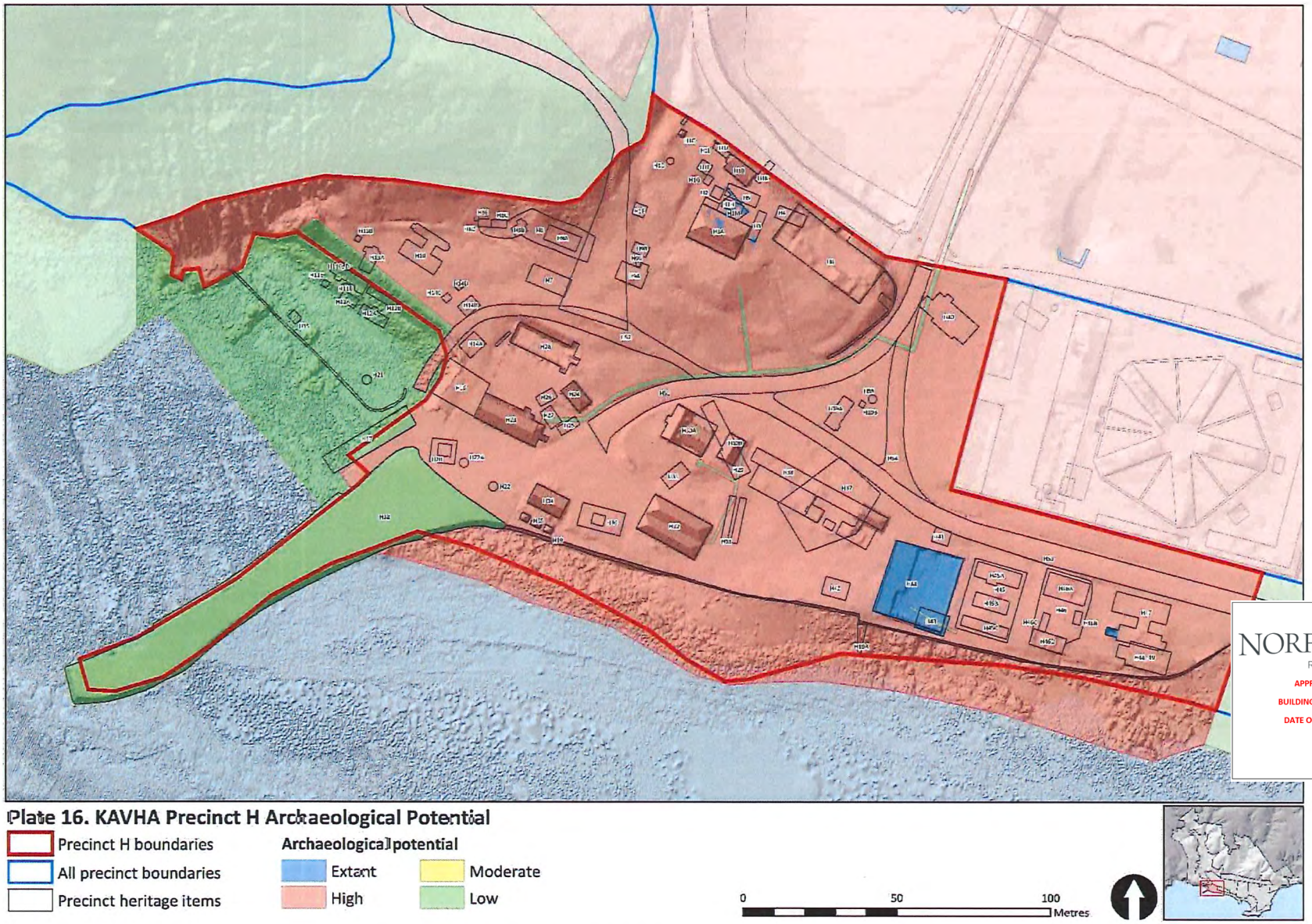


Figure 2. Other areas potentially impacted by project.

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FOI 26-287 - Document 32



NORFOLK ISLAND
Regional Council
APPROVED PLANS AND DOCUMENTS
BUILDING APPLICATION No. DA.BA 48/2021-3
DATE OF APPROVAL 11 December 2025

Figure 3. Plate 16 from AZMP, showing archaeological potential zoning of pier area.

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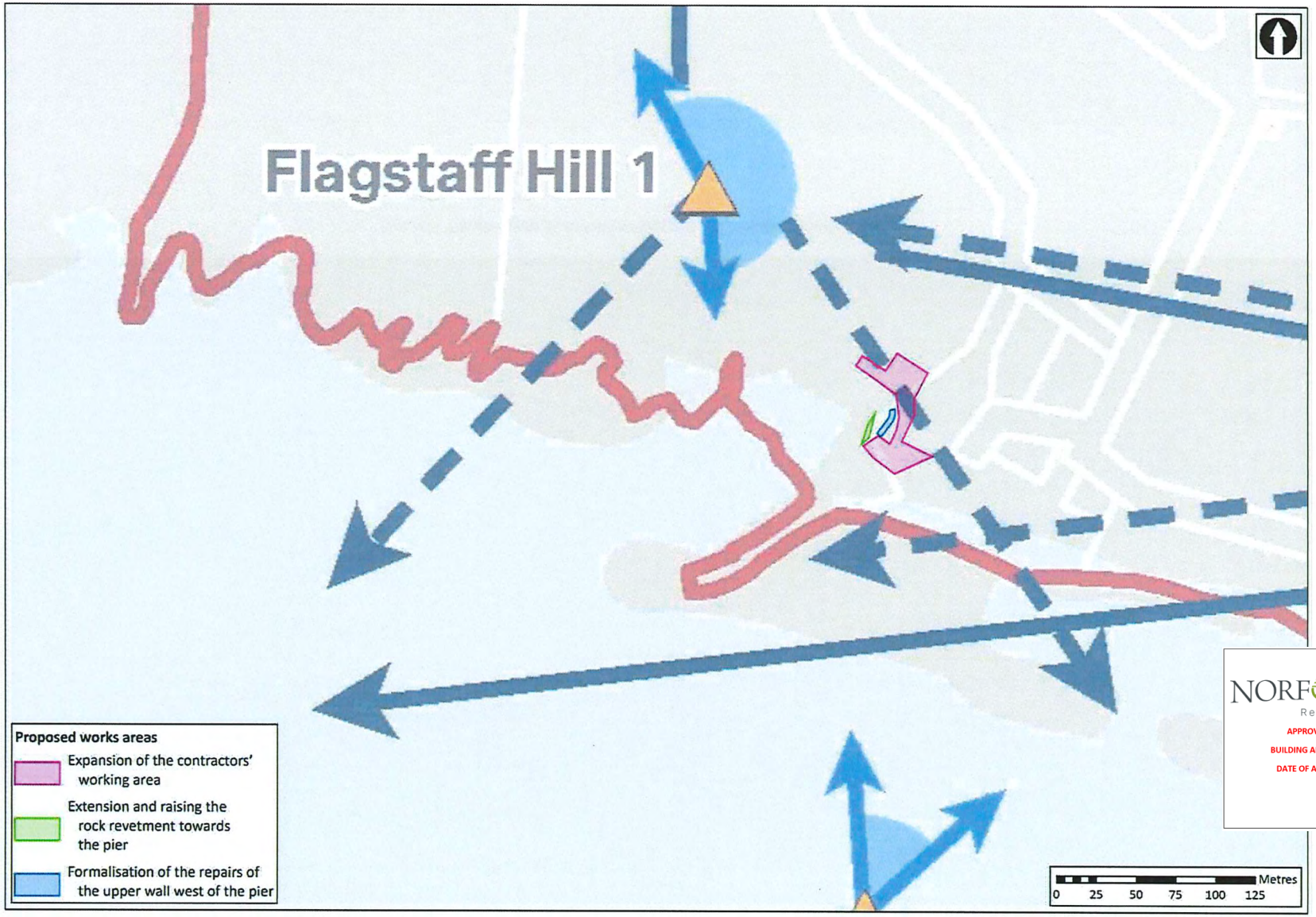


Figure 4. Proposed works areas over KAVHA DCP Figure 5 (Views and Vistas).

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Figure 5. Photo taken from lower Flagstaff Hill lookout showing pier area.

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Figure 6. Photo taken from upper Flagstaff Hill lookout showing pier area.

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