

Table 1 Comments Register

Section/Reference	NIRC Comment	DITCRD Comment	AECOM Response
Figure 1	Various capitalisation errors. Addition of DCP 6 to left hand column		Amended as per comments
1.3	Not sure how this works, Council may not necessarily adopt the DCP, Council does not have a statutory role in making the DCP	Delete reference to Council adoption	Reference deleted
1.4	Refer to Figure 1, & Control 225 (as examples) - DCP 2 applies, so this DCP does not replace all DCP's in KAVHA ?		Wording amended as follows: "This plan applies to land within the KAVHA site as defined by the World Heritage Listing boundary, as shown in Error! Reference source not found. This plan replaces DCP Numbers 1, 3, 4 and 5 currently in operation on Norfolk Island within KAVHA. DCP Numbers 2 and 6 will remain in force within KAVHA."
Figure 3	Amend reference from 'heritage item' to 'heritage element'. Add reference to HIS required under NI Heritage Act		Amended as per comments
1.7.1	Suggest delete 'all' NIRC does not have all local functions other Councils have under LG Act, e.g. planning / development approvals are specifically excluded in LG Act as it applies to NI.		'all' deleted
1.7.1		Full stop after Australian Government. Department name has change again recently and will continue to change. Or alternatively use Australian Government department with responsibility for the Territories.	Amended to reference Australian Government only
1.7.3	Not correct; suggest delete this sentence as it does not seem necessary.		Sentence deleted

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1.7.4	I understood the title is currently Commonwealth Heritage Manager? Suggest more generic title reference or role reference as the title and role may change during life of DCP.	Can we define this generically as discussed?	KAVHA Heritage Manager has been selected to be generic. Definition has been added to administrative definitions
2.3		1450 not 1540. Typo in CLMP so may have been replicated here.	Amended
2.5	Refer to section 28(3) of Heritage Act (NI)		Text amended to include reference
2.5		Paragraph spacing.	Paragraph spacing fixed
2.7	Replace with "'applicable' or 'relevant' development control plans..."		Replaced
2.8		References to the Department of Environment and Energy throughout should be replaced with the Department responsible for the Environment to future proof against name changes.	Replaced throughout with 'Department responsible for the environment and / or heritage' to safeguard against the division of heritage from the environment
3.0	Replace with 'the' - there is only one Heritage Overlay.		Replaced
3.0	(Part B2 of the Norfolk Island Plan 2002)		Reference added
3.0	Replace 'a' with 'the', wherever this reference occurs throughout this section		Replaced throughout
3.0	add 'of the Norfolk Island Plan 2002'		Reference added
3.0	suggest replacing 'works' with 'use and development' to be consistent with the Plan and also 'works' does not clearly cover 'use'		Amended as suggested
3.0	suggest delete 'ordinarily'		Amended as suggested
3.0	Suggest replacing this sentence along the lines of 'Clause 74 applies to all land in the Heritage Overlay and requires development consent for all		Sentence modified based on suggestion to: 'Clause 74 applies to all land in the Heritage Overlay and development consent is required for

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	activities at such land, unless the use, development or activity is allowed exempt under specified circumstances.		all use and development unless the use and / or development is exempt under specified circumstances. NIRC can advise whether the use and / or development is exempt.'
3.0		Typo – delete 'and'	Sentence re-written as per row above
3.0	General comment - since all use, development and activities in KAVHA are permissible with consent (unless exempt), is it necessary to include explanation of as or right and permitted use and development ? These categories do not apply in KAVHA and may not be necessary in the DCP, they are explained in the NI plan		DITCRD and AECOM's preference is to step applicants through the process – it is an education exercise as well as a DCP.
Figure 7	Multiple comments as per file received from NIRC		Amended in consultation with DITCRD and NIRC
3.1	I don't understand this heading / title ? There is no provision for 'exempt' and 'complying' development in NI Planning Act.		Section deleted, as per row below
3.1	Query the need for this in DCP. Applicants can and should refer to NI Plan especially Zone Sections as the Tables are Step 1 in determining permissibility. Development standards need to be considered also, this summary list can be misleading.		Section deleted and zoning plan rolled into section 3.0
Figure 8	Need to indicate that each Special Use Zone is specific as described on the Zoning Map. Need to encourage potential Applicants to also consult the NI Plan and full Zoning Map and not rely solely on the DCP.		Figure amended
3.2	Delete 'permitted as of right' and replace with 'prohibited'.		Inserting 'prohibited' may lead to misconceptions. Have deleted 'permitted as of right' to correct sentence
3.3	Correction - Council does not have an Approval role. Could be retitled ' Development Application Determination'		Amended as suggested

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4.2.4	Generally as noted previously - all references to KAVHA Heritage Manager - current term is Commonwealth Heritage Manager ? Is there another position or should this title be more generic ? (applies to whole document)		KAVHA Heritage Manager has been selected to be generic. Definition has been added to administrative definitions
4.2.4	Correction - Need to add in each Table where Special Use Zone applies 'OR The use or development identified on the Zoning Map' as described in Special Use Zone Table in NI Plan.		This is stated in the text above the table. Text "OR the use or development identified on the Zoning Map in the <i>Norfolk Island Plan 2002</i> " added to tables. Tables deleted throughout as per recommendation in version without guidance.
4.3.4	Correction - delete 'use' - applies throughout the document Suggest changing the title of the Tables throughout this section - for all Zone extract Tables to "Precinct x - Permissible Use or Development - x Zone' so in this case it would be 'Precinct B - Permissible Use or Development - Open Space Zone'		Amended
4.3.4	Add "Special Use Zone - Cemetery'		Text "OR the use or development identified on the Zoning Map in the <i>Norfolk Island Plan 2002</i> " added to tables.
4.3.4	Correction - add "Or the use..." etc as previous commented		Text "OR the use or development identified on the Zoning Map in the <i>Norfolk Island Plan 2002</i> " added to tables.
4.4.4	Add the relevant type of Special use Zone		Text "OR the use or development identified on the Zoning Map in the <i>Norfolk Island Plan 2002</i> " added to tables.
4.4.4	Add 'OR the use ... ' as previous comment		Text "OR the use or development identified on the Zoning Map in the <i>Norfolk Island Plan 2002</i> " added to tables.
4.4.4	It is "Open Space' only not 'Open Space Use Zone', correct throughout wherever occurring - Delete 'Use'		Amended throughout

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4.4.4	AS above - it is 'Conservation Zone' not 'Conservation Use Zone' - correct throughout wherever occurring - Delete 'Use'		Amended throughout
4.4.4	Why is there an asterisk here and also at 'Wharf' ? Occurs in several Tables - is there a reason or left over from previous draft ?		Deleted. Yes, from previous draft
4.5.4	Correction - appears on Fig 24 there is land zoned Open Space within the Precinct behind Quality Row ?		Amended
4.5.4	Delete use		Deleted
4.5.4	Asterisk here and at Wharf ?		Deleted
4.5.4	Delete Use		Deleted
4.5.4	asterisk ?		Deleted
4.5.4	Need to add Table for Open Space Zone		Added
4.6.4	Delete 'use'		Deleted
4.6.4	Asterisk here and at Wharf ?		Deleted
4.6.4	Delete 'use'		Deleted
4.7.4	Delete use		Deleted
4.7.4	Asterisk here and at Wharf ?		Deleted
4.7.4	delete use		Deleted
4.8.4	Correction - delete 'Space' and 'Use'		Deleted
4.9.4	Delete use		Deleted
4.9.4	Delete 'space' and 'use' Check back over other Conservation Zone Tables		Deleted and checked

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	to ensure the name of the Zone is correct and consistent with NI Plan where ever occurring		
4.10.4	Delete use		Deleted
4.10.4	Correction - delete 'major' here; add separate use to the Table "Subdivision - Major' as shown in the Open Space Land Use Table in NI Plan Need to go back and check other references in Land Use Tables and make correction if necessary.		Amended and checked
4.11.4	Delete use		Deleted
4.11.4	Correction as per previous comment - Subdivision - Major is separately listed, refer to Land Use Tables i NI Plan		Amended
4.12.4	Delete use		Deleted
4.12.4	Correction as previously shown		Amended
4.12.4	Delete use		Deleted
4.12.4	Correction as previously shown		Amended
4.13.4	delete use		Deleted
4.13.4	Correction as previously described		Amended
4.13.4	Correction add "OR the use....'		Amended
4.13.4	delete use		Deleted
4.13.4	Correction as previously described		Amended
5.1	Can these be made more readily available ? Website ? ? Appendix to the DCP ?	I think leave as is. We discussed not including them in the DCP in	Left as is per DITCRD advice

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		case they needed to be updated. It is mostly relevant to Aus Govt applications. We can place on website - but websites may change.	
5.8.1	Should this be 'heritage element's' ? Need to check other references throughout this section 5 to ensure references are to 'heritage element' not 'heritage item' and potentially confused with existing definition and understanding of 'heritage item'		Yes. Amended to heritage elements
6.3.2	This is not appropriate in the DCP as a sub plan of the NI Plan. An amendment needs to be initiated through relevant section s of Planning Act; not a comment made in the DCP.		
6.3.2	as previously commented - need to be sure this does not restrict activities on Cruise Ship days when 1800 people may come ashore and need facilities on shore temporarily set up for 3 days or so, specifically for the cruise ship visits. Eg more then 20 tables may be required. I note the definition of 'temporary' and assume this control does not apply to cruise ship visits and the like ?		
	Can't find C2 ? is this a typo ? assume it refers to waste management requirements for temporary facilities		Deleted
6.6	Query this heading - every building in KAVHA is heritage listed ? I don't understand the intent here ?	My understanding is the site is listed, not the individual buildings. Perhaps use terminology of "Buildings that are not heritage elements"? I assume it means buildings like the green toilet blocks at Slaughter Bay and Emily Bay that may in fact detract from the	Heading amended to 'Alterations and additions to non-heritage elements'

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		heritage values of the site, and sheds/garages on private properties etc.	
6.7.2.4	There is no land in KAVHA zoned "Residential " so these clauses do not apply in KAVHA ad should be deleted.	I understand this was provided as guidance on what might be appropriate in zones where no standards exist. Perhaps lead with the bottom paragraph, and then add For guidance, the NI Plan sets out.... Check if Jodie ok with that.	Amended to refer to the sections of the NI Plan that outline the development standards
6.8.2	Correction - 2002		Corrected
6.18	This looks like a typo - should not be in this section - repeated below as Control 300 appropriately under 'Community Title'		Amended
7.2, table 25	Correction - the terminology needs to be consistent with Planning Act & NI Plan - i.e. 'permissible with consent' - needs to be checked and corrected throughout.		Amended
7.2, table 25	Control 7.2.2(g) refers to these signs and makes them 'permitted' but here they are 'permissible with consent' - need to check intent ? Also all development in KAVHA is permissible with consent so i don't understand the purpose of Control 7.2.2 ?		Control 301 amended to comply with NI Plan
7.2, table 25	This is a separate to above conditions and should be paragraph 'e.'		Amended
7.2, table 25	Please see comment under Pole or freestanding etc -- same comment, ref Control 7.2.2 (f); and not sure of intent of 7.2.2 making some signs permitted ?		Control 301 amended to comply with NI Plan
7.2.2	I don't see how this is possible ? Not consistent with NI Plan or rest of DCP ?	My understanding is that permitted use here refers to "not prohibited". Can either replace with not	Control 301 amended to comply with NI Plan

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		<p>prohibited, or use permissible with consent (as long as using permissible with consent doesn't override the ability to use some of the Clause 74 exemptions to a DA if appropriate (eg consistent with HMP, or exec member satisfied not adversely effect...))</p> <p>Raises an issue re the interaction of CI 74 with 101 (t). I'll raise with Jodie.</p>	
7.2.2	<p>permissible with consent ?</p> <p>meaning of 'permissible' needs to be clarified</p>		Amended to permissible with consent
7.2.2	I don't understand how some signs can be as of right or permitted - need to be consistent with NI Plan. This looks to be inconsistent.	<p>Perhaps delete "that is normally classified as...permitted use or development"</p> <p>and delete "and the proposal will be treated....development."</p> <p>It then broadly carries on from 307.</p>	<p>Amended to the following to keep AECOM's original intent:</p> <p>'Where it is proposed to vary a development standard relating to advertising display area for an advertising structure or sign, the assessment must take into consideration the opinion of the KAVHA Heritage Manager and a Heritage Impact Statement.'</p>
Appendix A	Suggest use definition in Planning Act - it has been updated		Amended
Appendix A	<p>Query need for this is DCP ?</p> <p>I would encourage reference to the NI Plan to be thorough.</p> <p>Including/ repeating sections of the NI Plan in DCP means any amendment to the NI Plan that affects the DCP wording will require amendment to DCP.</p>		Removed