



Norfolk Island Government Gazette

- 12 -

NORFOLK ISLAND GOVERNMENT GAZETTE NO. 11

Friday 5 April 2024

PLANNING ACT 2002 (NI) – SUBSECTION 44C(1) NOTICE **DEVELOPMENT APPLICATION FOR DECLARED SIGNIFICANT DEVELOPMENT**

Development Application No.: DA.BA 8/2024

Applicant: Carmen Jereb for Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594 Canberra ACT

Location: Middlegate Road Reserve, Taylors Road Reserve, Middlegate Road Reserve and Kingston Common Reserve

Proposed Development: *Major Public Infrastructure and Works:* Installation of Stage 2 of a reticulated pressure sewerage system.

Summary of the proposed development

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA) has proposed the development of a reticulated sewerage scheme in the Kingston and Arthur's Vale Heritage Area (KAVHA) and surrounds (the Project) on Norfolk Island. The Project would be delivered in three stages. Stage 1 is currently under construction. Stage 2 is the subject of this Development Application and Stage 3 is in the planning and design phase.

- Stage 1 – Sewerage infrastructure is to collect, transfer and store (in holding tanks) sewage from buildings at Crown land in Kingston including the Golf Club, Emily Bay Bathing Shed, Quality Row houses, Government House, the Old Military Barracks and the New Military Barracks.
- Stage 2 – Sewerage infrastructure (trunk main), the subject of this Development Application, is proposed to connect Stage 1 infrastructure to the existing Norfolk Island Regional Council Water Assurance Scheme; and includes sewerage infrastructure along Middlegate Road between the intersection of Middlegate Road, Country Road, Quality Row and Pier Street and the Panorama Seaside Apartments.
- Stage 3 – Sewerage infrastructure is proposed to collect sewage from various buildings at Crown land in the Kingston Pier area, the Cemetery Toilets and the Lone Pine Bathing Shed.

Public Exhibition

This Development Application and accompanying Environmental Impact Statement may be viewed at Council's website at [Documents for Public Exhibition – Norfolk Island Regional Council \(nirc.gov.au\)](https://nirc.gov.au/documents-for-public-exhibition-norfolk-island-regional-council); and at Customer Care at the Norfolk Island Regional Council, Bicentennial Complex, Taylors Road during business hours.

Submission

Any person may make written submissions to the General Manager about this Development Application. Submissions must be made in writing and either emailed to planning@nirc.gov.nf or posted to PO Box 95 Norfolk Island 2899; or hand delivered to Customer Care. All submissions must state the relevant Development Application number (DABA 8/2024). All submissions must be received by the time twenty-eight days since the publication of this Notice has lapsed and must be signed by at least one person making the submission. If a submission objects to the proposed development, the grounds for objections must be specified in the submission.

Dated: 4 April 2024

JODIE BROWN
SENIOR STRATEGIC PLANNER

RELOCATION OF THE COURT OFFICE

The public is advised that the Court Registry Office that was located in the New Military Barracks is now relocated to the Old Military Barracks with effect from 8 April 2024.

The office is located in the building to the right of the Court House on entry to the OMB compound.

Enquiries for the Supreme Court, the Court of Petty Sessions as well as Tribunals can be made on telephone 23691 or by email to margaret.evans@courts.gov.nf or allen.bataille@courts.gov.nf.

Dated: 02 April 2024

A.V. BATAILLE
CLERK OF THE COURT OF PETTY SESSIONS

COR 2/2023 - INQUEST INTO THE DEATH OF JOHN ROSE

FINDINGS REQUIRED BY SECTION 32(1) OF THE CORONERS ACT 1993 AND SECTION 30 OF THE REGISTRATION OF BIRTHS DEATHS AND MARRIAGES ACT 1963

1. The following findings are made:

- (a) *Identity of the deceased* – John Rose
- (b) *When and where the deceased person came to his death* – Mr Rose died on 16 March 2023. Life extinct was declared at 6.25pm on the roadside at 2 Grassy Road on Norfolk Island.¹
- (c) *The manner and cause of the death of the deceased* – Mr Rose died while driving a vehicle as it was about to turn or was turning from Taylors Road into Grassy Road on Norfolk Island. Mr Rose died as a result of coronary atherosclerosis. Valvular heart disease (which had been surgically treated) contributed to his death.²
- (d) *The particulars needed to register the death under the Registration of Births Deaths and Marriages Act 1963 (Norfolk Island)-*
 - (i) Name of the deceased- John Rose,
 - (ii) Age - 80 years (DOB 09 February 1943),
 - (iii) Sex – male,
 - (iv) Place of residence- ... ,
 - (v) Place of death- Norfolk Island; and
 - (vi) Date of death- 16 March 2023.
- (e) *The particulars required to be provided pursuant to section 30(1) and (2) of the Registration of Births Deaths and Marriages Act 1963 (Norfolk Island)-*
 - (i) Cause of death of the person – (a) Coronary atherosclerosis; (b) Valvular heart disease (had been surgically treated);
 - (ii) Whether or not the cause of death was established or confirmed by a postmortem examination of the body of the person – postmortem examination was conducted by Dr Ma;
 - (iii) Whether or not the death was from natural causes – the death was the result of natural causes.
- (f) *Any relevant circumstance concerning the death-* The following should be noted as relevant:
 - (i) The vehicle driven by Mr Rose was unregistered at the time of the incident, and that registration had lapsed on or about 22 June 2022. The vehicle was a rental vehicle. The vehicle, though in fair condition, was not roadworthy. However, the vehicle's condition is unlikely to have contributed to the incident.

¹ Exhibit 1, page 123, Life Extinct Statement.

² Exhibit 1 page 134, Cause of Death Certificate.

- (ii) Mr Rose died of natural causes. All appropriate care was delivered to him by the staff of NIHRACS.
- (iii) The staff of NIHRACS and St John's Ambulance should be commended for their efforts in attending to Mr Rose, and at the same time to the other three patients involved in this incident. It is remarkable that all three were transferred to an appropriate facility in Queensland within a period of about 12 hours. The prompt response of the Norfolk Island Electrical Team is also noted.
- (iv) During the hearing it became apparent that there are a large number of motor vehicles on Norfolk Island that are not registered. Number plates have not been returned as required by section 14D(6)(b) the *Traffic Act*. Penalties for the failure to return number plates are set out in section 14D(6) and section (7) of that Act and are substantial. To encourage the return and cancellation of number plates that attach to currently unregistered vehicles, NIRC should consider an amnesty on payment of fees.

COMMENTS PURSUANT TO THE *CORONERS ACT 1993* SECTION 32(3)

- 2. Section 32(3) of the *Coroners Act* provides for the making of comments concerning matters of public health and safety and the administration of justice.
- 3. The Registrar of Motor Vehicles is given significant powers and functions as prescribed by the *Traffic Act*.³ The Administrator of Norfolk Island is given powers to make regulations under this Act⁴ and specifically in relation to the operation of private hire vehicles and public hire vehicles.⁵ Many of the suggested changes could be made using these powers.
- 4. The following measures should be considered:
 - a) The re-introduction of a system of registration labels as a priority. The labels should have the year of registration prominently displayed and each year should be a different colour. This is a simple solution which does not rely on internet coverage. Police, owners and tourists could easily check the registration of a vehicle.
 - b) In addition to easily read and recognised registration labels, an internet-based search function be introduced to enable data uploaded by registry staff to be available to members of the public. Concerns about privacy are noted, but essential information regarding currency of registration and insurance should be able to be extracted when the new OpenGov system is operating.
 - c) An amnesty on fees and charges for the surrender of registration plates pursuant to s 14D of the *Traffic Act*.
 - d) Amendment of the *Traffic Act* to:
 - (i) remove the limit on the amount of insurance in s 8(1)(ab),
 - (ii) define the term "registered owner", clarify the obligation to ensure vehicle is registered and covered by third party personal injury insurance, and strengthen enforcement provisions.
 - e) Increase in the amounts for insurance cover set out in *Traffic (General) Regulations* s 8AA.
 - f) Implementation of policies to ensure that payments of registration fees and insurance premiums are synchronised.
 - g) Provision of an education program to inform the public a car without registration is without insurance.
 - h) Amendment of the form "Application of Registration of a Motor Vehicle" to:
 - (i) Include an odometer reading and,
 - (ii) Make reference to the current Act instead of to the repealed *Road Traffic Act 1982*

³ s 5(2) & (3) *Traffic Act 2010*.

⁴ s 56(1) *Traffic Act 2010*.

⁵ s 56(6) *Traffic Act 2010*.

- i) In addition to the annual inspection required to renew registration, private hire vehicles and public hire vehicles be required to undergo a mechanical roadworthy inspection at intervals of no greater than six months, and evidence of satisfactory inspection be provided on request by a police officer or authorised NIRC employee.
- j) Implementation of a Nominal Defendant scheme.
- k) That the reminder for renewal of registration, where requested, be sent by email to the last registered owner.

Dated: 02 April 2024

WENDY CULL
CORONER
