

# NORFOLK ISLAND

Regional Council

4 December 2024

T Grube  
PO Box 96  
NORFOLK ISLAND 2899

Dear Mr Grube

**APPROVAL OF DEVELOPMENT APPLICATION DA 3/2024:**

**Signage: Internally illuminated Flush Wall Advertising Structure**

**AT Lot: 41 Sec: 14 Por: 39o, 105 Taylors Road – Norfolk Island RSL Sub Branch**

Thank you for your development application as described above, accepted in accordance with section 35(1) of the *Planning Act 2002 (NI)* (the Act), and approved under section 44(6)(a) of the Act. The development approval is subject to conditions shown in the attached Notice of Decision on Development Application. Please read the conditions carefully. Please note, under section 50 of the Act, the development approval takes effect 28 days after the approval is given.

Please do not hesitate to contact Planning and Development on email [planning@nirc.gov.nf](mailto:planning@nirc.gov.nf) if you have any queries.

Yours sincerely



**Jodie Brown**  
Senior Strategic Planner

# NORFOLK ISLAND

## Regional Council

### NOTICE OF DECISION ON DEVELOPMENT APPLICATION

#### Pursuant to Section 47 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 44(6)(a) 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, which is

*'Whilst recognising that Norfolk Island is first and foremost home to its residents, to provide for development which is consistent with the protection of Norfolk Island's natural environment, the preservation of the unique cultural and built heritage, the preservation of the character and quality of landscape experience, the maintenance of the agricultural industry, the development of a sustainable tourism industry based on Norfolk Island's special characteristics and the development of pleasant and functional places in which to live, work and recreate.'*

And

- Minimise any adverse environmental and other impacts associated with the use of the property on adjacent properties and the amenity of the area.

George Plant

Administrator of Norfolk Island & Commonwealth Minister delegate



Date approved: 3 Dec 2024

#### Notes:

1. The date upon which this approval takes effect is:
  - a. the expiration of 28 days after this approval is given; or
  - b. if an application is made under Part 7 of the *Planning Act 2002 (NI)* for review of the approval decision within 28 days, the final determination of the review; unless the Administrative Review Tribunal or the Administrative Appeals Tribunal declares an earlier effective date.
2. Pursuant to Section 62 of the *Planning Act 2002 (NI)*, this 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 date the approval took effect.
3. Pursuant to Section 78 of the *Planning Act 2002 (NI)*, the decision made by the Minister in relation to this development application is a reviewable decision. Pursuant to Section 79 of the *Planning Act 2002 (NI)*, application may be made to the Administrative Review Tribunal for review of the decision. An application for review of the decision must be lodged within 28 days of the date of this Notice of Decision.

## GLOSSARY

‘the Council’	Means Norfolk Island Regional Council
‘Norfolk Island Plan’	Means Norfolk Island Plan 2002 (effective 16 March 2023)
‘General Manager’	Means the General Manager of Norfolk Island Regional Council
‘Minister’	Means the Commonwealth Minister with responsibility for Norfolk Island
‘Luminance’	Means the amount of light emitted in a given direction by the light source or illuminated surface and is measured in candelas per square metre.

### SCHEDULE 1 – DEVELOPMENT APPLICATION

<b>DEVELOPMENT APPLICATION NO.:</b>	DA 3/2024
<b>APPLICATION MADE BY: (THE APPLICANT)</b>	T Grube
<b>LAND TO BE USED OR DEVELOPED: (SUBJECT LAND)</b>	Portion 39o, 105 Taylors Road ( Norfolk Island RSL Sub- Branch)
<b>APPROVED USE OR DEVELOPMENT: (THE DEVELOPMENT)</b>	Signage: Internally illuminated Flush Wall Advertising Structure
<b>DECISION:</b>	Approved
<b>DATE OF DECISION:</b>	3 December 2024
<b>DATE THE DEVELOPMENT APPROVAL TAKES EFFECT:</b>	1 January 2025
<b>DATE THE DEVELOPMENT APPROVAL LAPSES:</b>	1 January 2030

### SCHEDULE 2 - CONDITIONS OF DEVELOPMENT APPROVAL

#### GENERAL CONDITIONS RELATING TO THIS APPROVAL

##### Scope of this Approval

1. The Development must be carried out in accordance with:
  - a) DA 3/2024 and the stamped approved plan accompanying this Notice of Decision;
  - b) All relevant requirements in the Norfolk Island Plan for the Business Zone; and
  - c) All relevant requirements and development standards in Development Control Plan No. 4 – Outdoor Advertising Structures and Signs; and
  - d) The conditions of this Notice of Decision.
2. Where there is any inconsistency between the items listed at (a), (b), (c) and above, the other conditions of this Notice of Decision will prevail.

##### Approved Land Use

3. This development approval is for the Development described in this Notice of Decision only. Nothing in this Notice of Decision shall authorise the use or development of the subject land for any land use beyond the existing approved land use and development and the development

approved in this Notice of Decision and described as *Internally illuminated Flush Wall Advertising Structure* as defined in clauses 26 and 32 of DCP No. 4:

**'26. Flush Wall Advertising Structure**

*Means any advertising structure which is:*

- a. fixed parallel; or*
- b. painted, either by direct painting or by signage comprising individual lettering or logo; or*
- c. comprises the application of materials such as acrylic; or*
- d. stuck or attached in any manner directly onto an exterior wall of a building or other structure such as:
 
  - i. a fence of any material or size,*
  - ii. garden or retaining wall of any material or size; or*
  - iii. gate of any material or size;**

*and not described as exempt use or development in clause 8, permitted (as of right) use or development in clause 9 or prohibited use or development in clause 11.*

*Development standards:*

- e. The advertising display area must not exceed 4 sqm.*
- f. The advertising structure must not protrude more than 300mm from the wall.*
- g. The advertising structure must not extend above the top of the wall, fence or gate.*
- h. The advertising structure should not dominate the façade on which it is displayed.*

**'32. Signs illuminated by an internal source**

*Means any sign displayed on any outdoor advertising structure where the letters, background and / or images are illuminated by an internal source of light to make the message readable.*

4. Any further use or development of the subject land that requires a development approval under the *Planning Act 2002 (NI)* must not be conducted without first obtaining separate development approval.

**Compliance**

5. The conditions of this Notice of Decision must be complied with. The person responsible for the use and development of the site must ensure that all employees, contractors and subcontractors are aware of, and comply with, the conditions of this Notice of Decision. Compliance with conditions will be monitored by an authorised officer of Council.

**Dispute resolution**

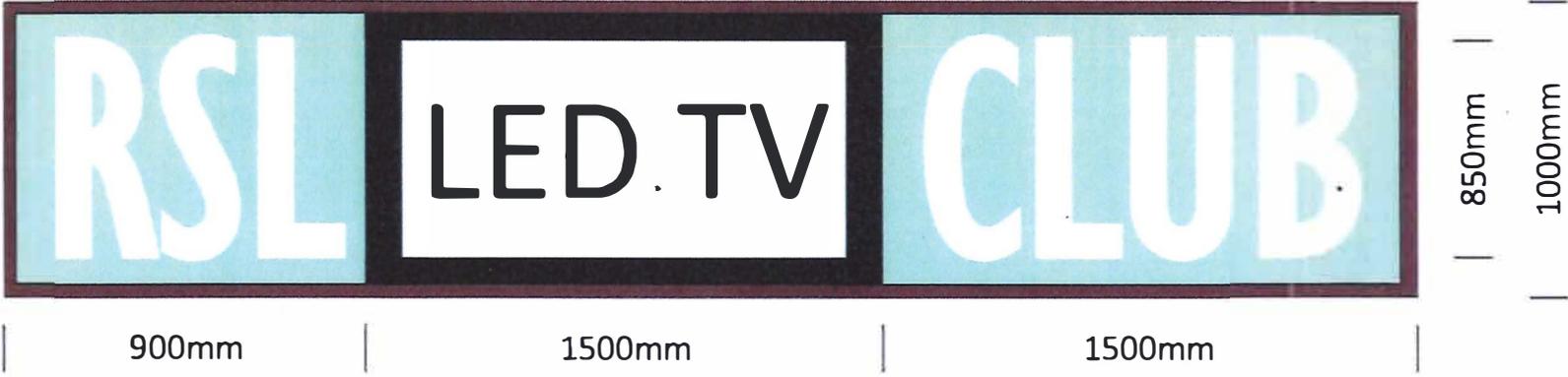
6. For any unresolved dispute arising out of the implementation of these conditions between the person responsible for the development of the site and a public authority, company or person (but excluding any dispute between the person responsible for the development of the site and his or her contractors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

**CONDITIONS RELATING TO ENVIRONMENTAL PERFORMANCE AND AMENITY**

7. All lights that create internal illumination of the signage that comprises the Development must be switched off at the conclusion of business trade on any day and no later than 11.00 pm each night.
8. All lights that create internal illumination of the signage that comprises the Development must not be switched on until at least sunrise on any day.

9. The illumination of the letters shall remain static at all times that the letters are illuminated. Flashing of the illuminated letters is not permitted at any time.
10. To minimise the potential impacts of illumination on general amenity and wildlife, the following goals are encouraged to be implemented in the management of the Development:
  - a. Use adaptive light controls to manage light timing and light intensity and colour. Adaptive controls should maximise the use of latest lighting technology to minimise unnecessary light output and energy consumption.
  - b. Minimise light intensity for the illuminated letters and ensure an appropriate luminance level for the LED TV as an electronic message board, appropriate to the task, particularly after daylight hours.

**End**



NOTE: COLOUR BEHIND 3D ILLUMINATED LETTERING WILL BE THE SAME AS THE RSL CLUB FACARD (LIGHT GREEN)



NORFOLK ISLAND REGIONAL COUNCIL  
APPROVED PLANS AND DOCUMENTS

DEVELOPMENT APPLICATION No. DA 3/2024

DATE OF APPROVAL 3/12/2024

MINISTER'S DELEGATE

