

NORFOLK ISLAND

Regional Council

NOTICE OF DECISION ON DEVELOPMENT APPLICATION

Pursuant to section 47 of the *Planning Act 2002 (NI)*

DETERMINATION

I, Fiona McKergow, Administrator of Norfolk Island and delegate of the Commonwealth Minister under paragraph 1.66 of the *Minister's Norfolk Island Delegation Instrument 2019 (Cth)*, acting under section 44(6)(a) of the *Planning Act 2002 (NI)*, determine the development application described in Schedule 1 by granting development approval subject to the conditions set out in Schedule 2.

REASONS FOR APPROVAL

The Minister's delegate is satisfied that:

- the development is permissible with consent in the Mixed Use Zone;
- the proposal is consistent with the relevant objectives of Part A of the Norfolk Island Plan 2002 and the Mixed Use Zone;
- the proposal is consistent with relevant Use and Development Principles and Development Control Plan No. 2 – Water Resources (2021);
- no public submissions were received; and
- the proposal is acceptable on planning grounds, subject to conditions.

The conditions of approval are imposed to:

- give effect to the Norfolk Island Plan 2002; and
- avoid or minimise adverse impacts on adjoining land and the amenity of the area.

Fiona McKergow
Administrator of Norfolk Island & Commonwealth Minister delegate
Date approved:



NOTES:

- The date upon which this approval takes effect is:
 - the expiration of 28 days after this approval is given; or
 - 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 declares an earlier effective date.
- 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.
- 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	Defined terms used in this Notice of Decision have the same meaning as in the <i>Planning Act 2002 (NI)</i> , the <i>Building Act 2002 (NI)</i> and the Norfolk Island Plan 2002.
“the Council”	means Norfolk Island Regional Council.
“General Manager”	means the General Manager of Norfolk Island Regional Council.
“Norfolk Island Plan”	means Norfolk Island Plan 2002 (effective 17 April 2026).

SCHEDULE 1 – DEVELOPMENT APPLICATION

Development application no.	DA.BA 10/2026
Applicant	Ardi Investments Pty Ltd
Subject land	Portion 38b22, 108b Taylors Road, Burnt Pine
Approved development	<i>Resort</i> – Alterations and Additions: Construction of a roof over an outdoor bar area at ‘Castaway Apartments, Restaurant and Bar’
Decision	Development approval granted, subject to conditions in Schedule 2.
Date of decision	19 June 2026
Date approval takes effect	In accordance with Note 1 of this Notice of Decision.
Date approval lapses	60 months after the date the approval takes effect, unless otherwise extended or varied in accordance with the <i>Planning Act 2002 (NI)</i> .

SCHEDULE 2 – CONDITIONS OF DEVELOPMENT APPROVAL

PART A – GENERAL

A1. Approved plans and scope of approval

The development must be carried out only in accordance with:

- a. Development Application DA.BA 10/2026 and the stamped approved plans accompanying this Notice of Decision;
- b. the relevant requirements of the Norfolk Island Plan applicable to the Mixed Use Zone; and
- c. the relevant requirements of Development Control Plan No. 2 – Water Resources (2021); and
- d. the conditions of this Notice of Decision.

If there is any inconsistency between items (a) to (d) above, the conditions of this Notice of Decision prevail to the extent of the inconsistency.

A2. Approved land use

This approval authorises only the construction of a roof over an existing outdoor bar area associated with the existing *Resort* use and development on the subject land. Nothing in this Notice of Decision authorises any increase in approved accommodation capacity or any other separate use or development of the land.

A3. Compliance with this Notice of Decision

The conditions of this Notice of Decision must be complied with. The person responsible for the use and development of the subject land 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 the Council.

A4. Dispute resolution

For any unresolved dispute arising from the implementation of these conditions between the person responsible for the use and development of the site and a public authority, company or person (excluding any dispute with contractors or subcontractors engaged in the construction of the development), either party may first refer the matter to the General Manager and, if it is not resolved, to the Minister. The Minister's determination is final and binding on all parties.

PART B – PRIOR TO COMMENCEMENT OF WORKS**B1. Requirement for building approval**

Before any works commence, building approval under the *Building Act 2002 (NI)* must be obtained to ensure compliance with the Building Code of Australia.

PART C – DURING CONSTRUCTION**C1. Environmental management during construction**

During construction, all practicable measures must be implemented to prevent or minimise dust, sediment, noise and other impacts on adjoining land, the surrounding area and the environment.

C2. Construction site maintenance

During construction, the site must be kept in a safe and orderly condition, and all disturbed areas must be reinstated as soon as practicable after the works are completed.

C3. Noise impacts – construction

Unless otherwise authorised by Council, construction activities at the development site that are audible at sensitive land uses are 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.

PART D – ENVIRONMENTAL MANAGEMENT**D1. External materials and finishes**

The roof must be finished with non-reflective materials and colours that harmonise with the natural landscape.

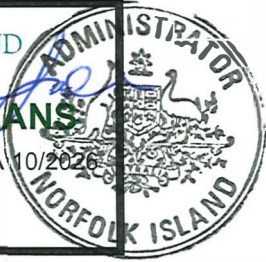
D2. Rainwater capture

In accordance with clause 19 of *Development Control Plan No. 2 – Water Resources (2021)*, the new roof forming the approved development must be connected to rainwater collection infrastructure to capture and direct rainwater to the existing water storage system.

PART E – PRIOR TO OCCUPATION**E1. Completion of approved use or development**

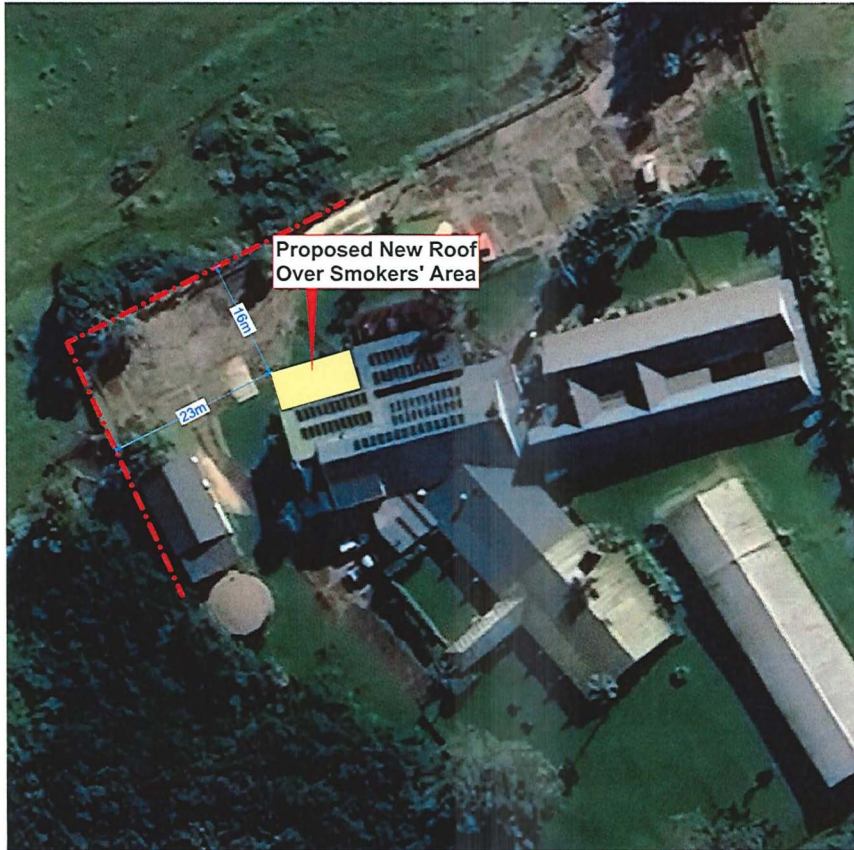
Not later than 30 days after completion of the approved works, the General Manager must be notified in writing that the development has been completed and that the conditions of this Notice of Decision have been complied with.

End.



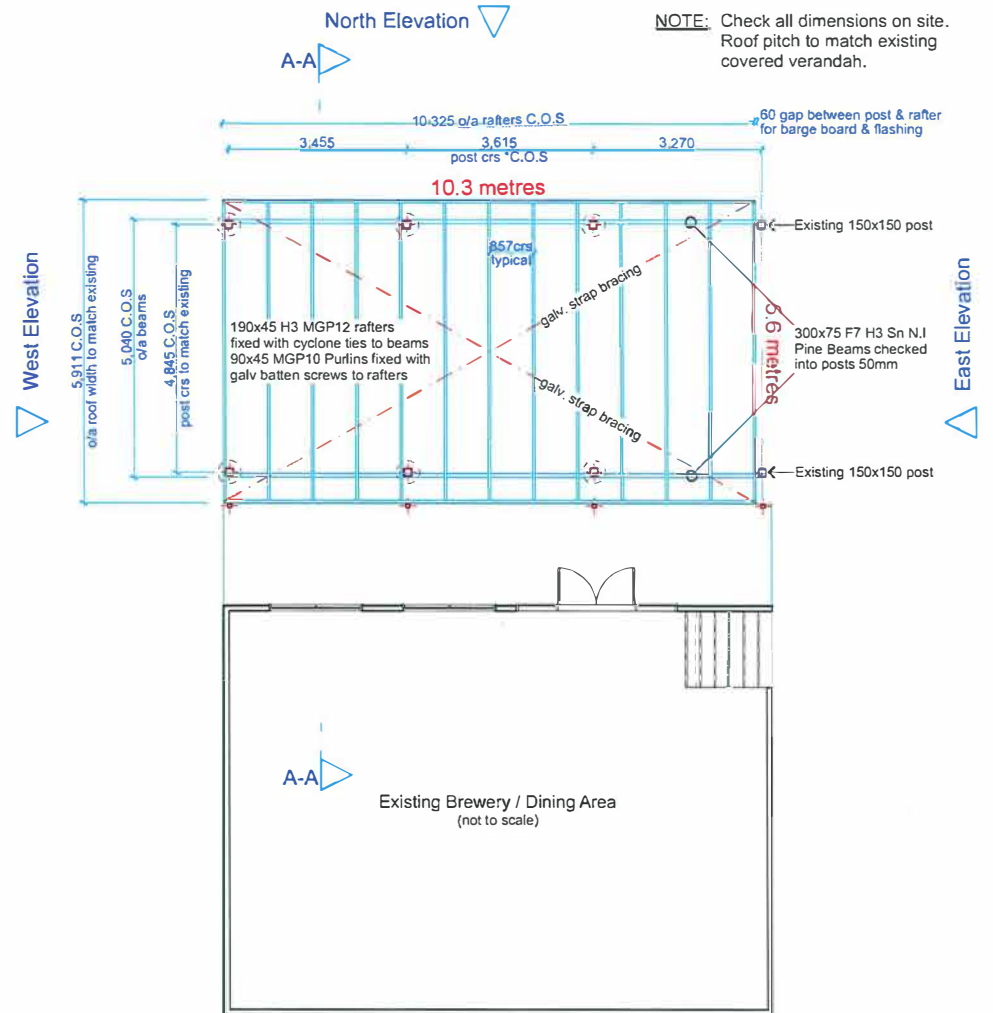
APPROVED PLANS

Application Number: DABA 10/2026
Approved
Sheet: 1 of 2



101
-

Aerial View Castaway
1:100



102
-

Plan
1:100



Jason McCoy
Architectural Drafting & Design
Email: jasonmccoy75@gmail.com
Phone: +6723 52031

Proposed: Verandah over smokers area
At: Castaway, Taylors Road
Client: Ed Bronkhorst
Contact: Ed Ph: 55633
E: lgbronkhorst@cloud.com

Prior to commencing any work:
Locate all services.
Confirm siting of structure.
Work only from Council approved and stamped construction documents.
Where building proximity to boundary location is critical seek advice from a suitably qualified person

Read with amendments:	
Date:	Reference #

Exposure Zone: N/A	Wind Zone: N/A
Snow Load: N/A	EQ Zone: N/A
Climate Zone: N/A	Drawn: J D McCoy



Date: 25/03/2026
Project Number: 26-02
Sheet 1
Scale: A3 / 1:100

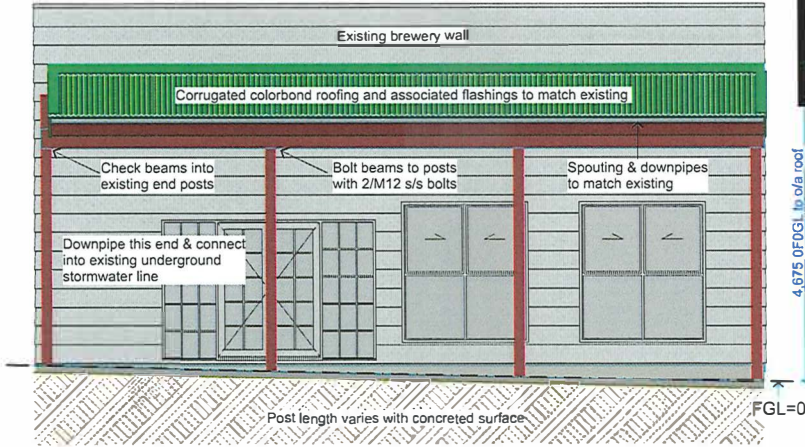


APPROVED PLANS

Application Number: DABA 10/2026

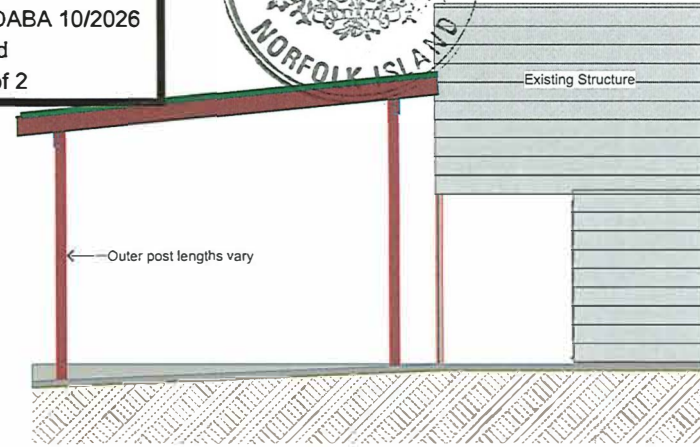
Approved

Sheet: 2 of 2



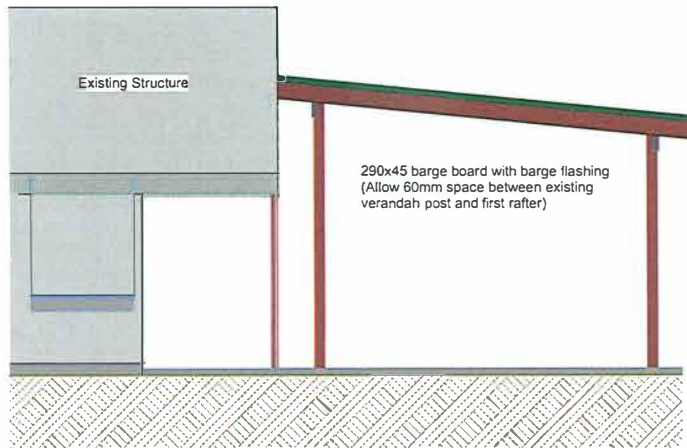
201
-

North Elevation
1:75



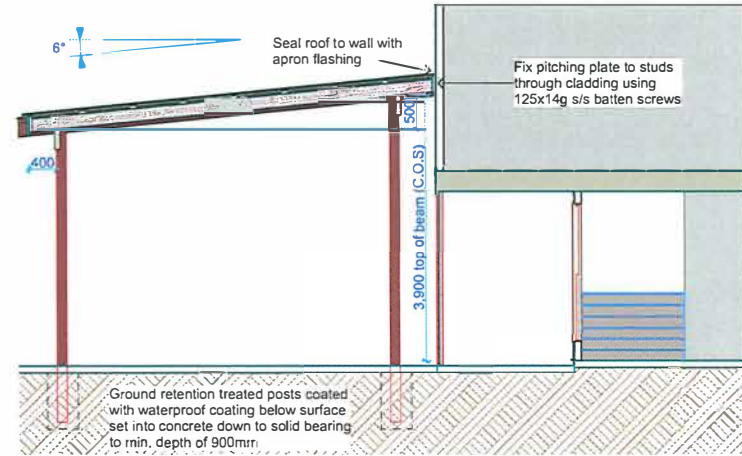
203
-

West Elevation
1:75



202
-

East Elevation
1:75



301
-

Building Section A-A
1:75



Jason McCoy
Architectural Drafting & Design
Email: jasonmccoy30@gmail.com
Phone: +6723 52031

Proposed: Verandah over smokers area
At: Castaway, Taylors Road
Client: Ed Bronkhorst
Contact: Ed Ph: 55633
E: lgbronkhorst@icloud.com

Prior to commencing any work:
Locate all services.
Confirm siting of structure.
Work only from Council approved and stamped construction documents.
Where building proximity to boundary location is critical seek advice from a suitably qualified person

Read with amendments:	
Date:	Reference #

Exposure Zone: N/A	Wind Zone: N/A
Snow Load: N/A	EQ Zone: N/A
Climate Zone: N/A	Drawn: J D McCoy



Date: 25/03/2026
Project Number: 26-02
Sheet 2
Scale: A3 / 1:75

