

NOTICE TO APPLICANT OF DETERMINATION OF AN AMENDED DEVELOPMENT APPLICATION

Issued under the Environmental Planning & Assessment Act, 1979 Section 81(1)(a)

TO: **Miss Chelsea Gobbert**
OF: **299 Auburn Vale Road**
INVERELL NSW 2360

being the applicant in respect of **Application No DA-81/2015/A**

Notice is hereby given of the determination by Council of **Application No. DA-81/2015/A** relating to the land owned by **Roslyn Pty Ltd, of PO Box 558, Inverell NSW 2360** and is described as follows:

Lot 2 DP 234785
23 Otho Street, INVERELL 2360

The development proposal is: **Beauty Salon**

The determination is amended in accordance with s.96(1A) of the Environmental Planning and Assessment Act 1979 on 14 November 2018.

This consent expires five (5) years from **15 May 2015** in accordance with Section 83 of the Environmental Planning and Assessment Act 1979 unless the work to which it relates has physically commenced on site within that period. Where the approval relates to a use of the land rather than to the carrying out of works then that use must have commenced on site within that five year period.

The conditions of consent are set out as follows:

1. ***Preliminary***

Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for a ~~tattoo parlour~~ beauty salon and signage.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans, unless modified by any following condition. Any deviation will require the consent of Council.

2. ***Prior to Occupation***

Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- any preconditions to the issue of the certificate required by a development consent have been met.

3. Prior to issue of an Occupation Certificate, a hand basin with a supply of warm potable water, provided through a mixer tap or common outlet, is to be installed in the procedure room. This basin shall be for the sole purpose of washing hands and have next to it:

- (a) A maintained supply of liquid soap; and
- (b) A maintained supply of single-use towels.

4. Prior to issue of an occupation certificate, all equipment, benches, shelving, etc. is to be installed with:
 - A complete seal between the sides of adjoining equipment, floor, coving, and the all to eliminate any joint, space, crevice or cavity; or
 - Adequate clearance away from neighbouring equipment, floors and walls or shall be on wheels/castors to be easily moved to allow for cleaing.
5. Prior to issue of an Occupation Certificate, a suitable waste disposal bin is to be provided on-site.
6. Prior to issue of an Occupation Certificate, an appropriate sharps container is to be provided onsite in accordance with Australian Standard 4031-1992.
7. Prior to the issue of an occupation certificate, an inspection of the premises must be undertaken by Council's Environmental Health Officer.
8.

Ongoing Use

The hours of operation are to be limited to ~~9.00am to 5.00pm~~ 7.00am to 10pm, Monday to Saturday and 7.00am to 8.00pm on Sunday or a public holiday.
9. The operation of the premises must comply with the NSW Public Health Act 2012 and the requirements of the Public Health Regulation 2012 in regard to any skin penetration procedure conducted on the premises. Infection control, cleaning, disinfecting and disposal of instruments shall be carried out in accordance with the above Regulations.
10. Any washing of equipment must be undertaken in a sink designated for that use, provided with clean warm potable water. Washing of equipment must not be undertaken in the hand basin or in food preparation areas.

If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

You are also advised that section 82A of the *Environmental Planning and Assessment Act 1979* provides that you may apply to Council for a review of this decision subject to the limitations contained in that section and payment of the prescribed fee.

On behalf of Inverell Shire Council



CHRIS FALEY
DEVELOPMENT PLANNER
DATE : 20 November 2018

Annexure

Prescribed Conditions Summary

As per condition 2 of this consent, the following matters prescribed under Division 8A of the *Environmental Planning & Assessment Regulation 2000* must be complied with, where relevant:

1. All work must be carried out in accordance with the requirements of the *Building Code of Australia*.
1. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
2. Prior to commencement of building work, subdivision work or demolition work a sign must be erected in a prominent position on the site. The sign must:
 - show the name, address and telephone number of the principal certifying authority for the work;
 - show the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - state that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

3. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - in the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of that Act; and
 - in the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified as required above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

4. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of this consent, must at the person's own expense:
 - protect and support the building, structure or work from possible damage from the excavation; and
 - where necessary, underpin the building, structure or work to prevent any such damage.