



NOTICE TO APPLICANT OF DETERMINATION
OF AN AMENDED DEVELOPMENT APPLICATION

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

TO: **Mrs Rosalie Palmer**
OF: **26 Evans Street**
Inverell NSW 2360

being the applicant in respect of **Application No DA-164/2015/A**

Notice is hereby given of the determination by Council of **Application No. DA-164/2015/A** relating to the land owned by **Mr Luke Stephen Turner and Ms Anna Eliza Casey-Ransom, of 16/49 Cloverdale Road, Doolandella QLD 4077** and is described as follows:

Lot 1 DP 2388, Lot 2 DP 2388
96 Otho Street, INVERELL 2360

The development proposal is:

Update Premises Use - Skin Penetration

The determination is amended in accordance with s.96(1A) of the Environmental Planning and Assessment Act 1979 on 24 July 2019.

This consent expires five (5) years from **9 November 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:

Preliminary

1. 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:

- Update Premises Use - Skin Penetration
- The use of the premises for a business premises (hairdresser); and
- The following signage:
 - Sign writing of the windows; and
 - 1 x metal sign – 1000mm x 450mm hanging underneath the awning.

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

2. Prior to installation of the signage, a plan showing the appearance of the signage on the building is to be submitted to and approved by Council.

Note: The under awning sign should be at least 2.6 metres above the footpath.

3. The premises, fit out and operations must comply with the Local Government (General) Regulation 2005.

Prior to Occupation

4. 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*.
5. The finish on all surfaces within the premises should be made of materials that are smooth, impervious and able to be easily and effectively cleaned.
6. The hand wash basin is to deliver a supply of clean, warm, potable water through a single spout and equipped with a mixer tap or other hands free device. A maintained supply of soap and single-use towels in a suitable dispenser is to be provided at this hand wash basin. This basin shall be for the sole purpose of washing hands.
7. Prior to occupation of the premises, the owner of the building must provide Council with a fire safety certificate (in the form attached) with respect to each fire safety or other safety measures installed in the building. In addition, the owner of the building must certify to Inverell Shire Council every year that the essential fire safety measures installed in the building have been inspected and are capable of operating to the required minimum standard.
8. Prior to operation and at the completion of works an inspection by the Environmental Health Officer is required.

Ongoing Use

9. The hours of operation are limited to:
 - Monday to Friday – 8.30 am to 7.00 pm; and
 - Saturday – 8.30 am to 3.00 pm.
10. The advertising sign(s) is not to be illuminated, or have flashing or moving parts without the prior approval of Council.
11. At no time may any goods for sale, display or storage be placed on the public road, public footpath, service land, parking area and driveways, public or private pedestrian walkways, or outside the site without the prior consent of Council.

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 : 24 July 2019

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.