

## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

*Approval Issued under Section 4.18(1)(a) of the Environmental Planning and Assessment Act 1979*

<b>Application No.</b>	<b>DA-146/2021</b>
<b>Applicant</b>	Mr Jonathon Bourne
<b>Land to be developed</b>	Lot 3 DP 1244612 12 Oakland Lane, INVERELL 2360
<b>Approved development</b>	Earthworks for a Future Dwelling using on-site fill from cut of the New Shed
<b>Building Code of Australia Classification</b>	Not Applicable
<b>Determination</b>	The determination is <b>consent granted subject to conditions.</b>
<b>Determination date</b>	27 September 2021
<b>Consent is to operate from</b>	27 September 2021
<b>Consent will lapse on</b>	27 September 2026 Unless the work or use to which this consent relates has lawfully commenced on-site in accordance with Section 4.53 of Environmental Planning and Assessment Act 1979.

### CONDITIONS OF CONSENT

#### *Preliminary*

1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for Earthworks for a Future Dwelling using on-site fill from cut of the New Shed

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

2. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the *Environmental Planning & Assessment Regulation 2000*.
3. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
  - Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
  - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;

- Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
  - Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
  - Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot; and
  - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.
4. The proposed earthworks, including modifications to the contour system, are not to redirect the flow of any surface water onto adjoining property or cause sediment to be transported onto an adjoining property.

### **REASONS FOR CONDITIONS**

The above conditions have been imposed:

1. To ensure compliance with the terms of the applicable environmental planning instruments.
2. Having regard to Council's duties of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, as well as Section 4.17 which authorizes the imposing of the consent conditions.
3. Having regard to the circumstances of the case and the public interest.

### **REASONS FOR APPROVAL**

1. The development, subject to conditions, is consistent with the objectives of the RU1 Primary Production zone.
2. The built form and design of the earthworks, subject to conditions is consistent with the streetscape and
3. In consideration of residential controls of the Inverell Development Control Plan 2013, the development is considered appropriate within the rural neighbourhood.

### **COMMUNITY CONSULTATION**

As per the Inverell Community Participation Plan the development was considered to be a minor development with minimal environmental impact and notification was not necessary.

### **RIGHT OF APPEAL**

If you are dissatisfied with this decision, Division 8.3 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 Division 8.2 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

A handwritten signature in black ink, consisting of several overlapping, curved strokes that form a stylized, somewhat abstract representation of the name 'Anthony Alliston'. The signature is positioned above the printed name.

**ANTHONY ALLISTON**  
**MANAGER DEVELOPMENT SERVICES**

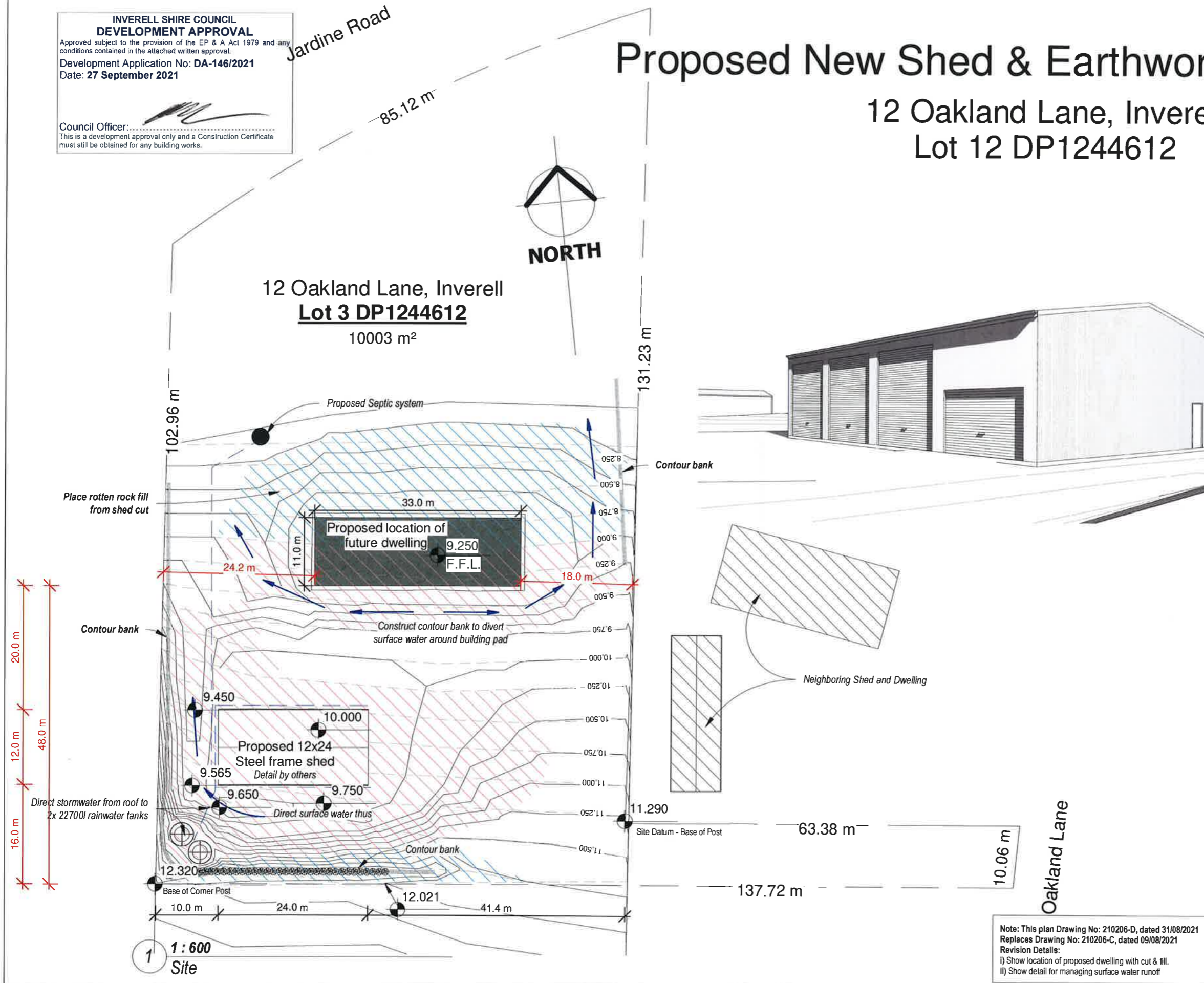
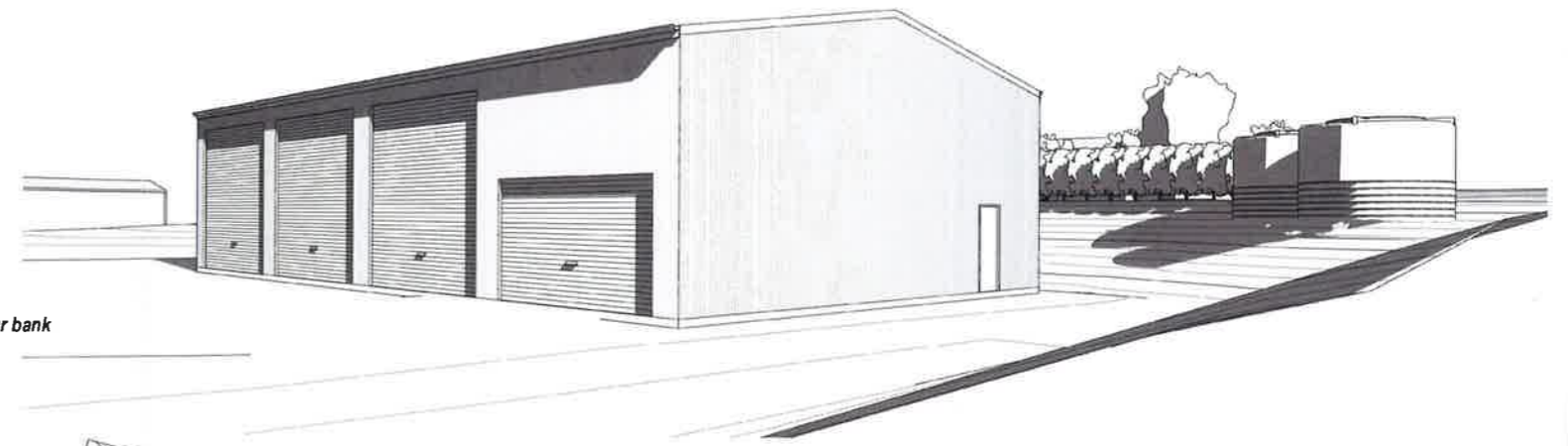
**INVERELL SHIRE COUNCIL  
DEVELOPMENT APPROVAL**  
Approved subject to the provision of the EP & A Act 1979 and any conditions contained in the attached written approval.  
Development Application No: DA-146/2021  
Date: 27 September 2021

Council Officer: \_\_\_\_\_  
This is a development approval only and a Construction Certificate must still be obtained for any building works.

# Proposed New Shed & Earthworks for Dwelling

12 Oakland Lane, Inverell  
Lot 12 DP1244612

12 Oakland Lane, Inverell  
**Lot 3 DP1244612**  
10003 m<sup>2</sup>



Contour Legend	
—	Existing
—	Proposed
- - -	Building Pad
▨	Cut
▨	Fill

- Revision List:**  
 15/06/2021  
 i) Reduced size of shed to 24m and repositioned to 16m off southern boundary  
 ii) Show contour on southern boundary planned with 1.8m shrubs  
 09/08/2021  
 i) Lowered Shed slab height 250mm to bring ridge height below horizon when viewed from neighboring dwelling
- Issued for Council Approval

Client: Cameron	
Project: Proposed New Shed & Earthworks for Dwelling	
12 Oakland Lane, Inverell	
Lot/DP: Lot 12 DP1244612	Issue Date: 06/04/2021
Scale: A3 1 : 600	Drawn By: JB
	Drawing No: 210206-D
Sheet: 1 of 1 - SITE	Revision date: 31/08/2021

Note: This plan Drawing No: 210206-D, dated 31/08/2021  
 Replaces Drawing No: 210206-C, dated 09/08/2021  
 Revision Details:  
 i) Show location of proposed dwelling with cut & fill.  
 ii) Show detail for managing surface water runoff

**ABODE**  
 BUILDING DESIGN  
 34 Oswald Street Inverell  
 0447 770 174  
 jonathonwbourne@gmail.com

1 : 600  
Site