

**NOTICE TO APPLICANT OF DETERMINATION  
OF AN AMENDED DEVELOPMENT APPLICATION**

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

TO: **Mr James Innes Noad**  
OF: **PO Box 349**  
**Inverell NSW 2360**

being the applicant in respect of **Application No DA-108/2012/A**

Notice is hereby given of the determination by Council of **Application No. DA-108/2012/A** relating to the land owned by **Mr Patrick McMahon, of 11 Hampton Court, Inverell NSW 2360** and is described as follows:

**Lot 2 DP 1063459**  
**11 Hampton Court, INVERELL 2360**

The development proposal is:

**One (1) into two (2) Lot Subdivision**

The determination is amended in accordance with s.96(1A) of the Environmental Planning and Assessment Act 1979 on 18 October 2021.

This consent expires five (5) years from **3 October 2012** 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 one (1) into two (2) lot subdivision.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the stamped and approved plans (as amended under DA-108/2012/A) and accompanying supportive documentation.

Any deviation from this will require the prior consent of Council.

2. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:
  - showing the name, address and telephone number of the principal certifying authority for the work, and
  - showing 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
  - stating that unauthorised entry to the work site is prohibited.
3. A Subdivision Certificate must be obtained from Council. The applicant must submit a completed Subdivision Certificate Application Form (with applicable fee), four (4) copies of the survey plan, two (2) copies of any 88b instrument and documentary evidence demonstrating

compliance with the conditions of this development consent.

4. To ensure satisfactory utility services are provided to all lots in the subdivision, the applicant is required to submit to Council, certificates from:
  - An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.
  - An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.
5. Prior to issue of Subdivision Certificate a General Rural Road Section 94 Contribution of \$2,055.00 is to be paid to Council for each additional allotment created. This is to go towards maintenance of rural roads due to increased traffic generation. This contribution will be linked to the CPI rate and will be increased up to the nearest \$5.00 at the date of payment.
6. Prior to issue of Subdivision Certificate a Section 94 Contribution of \$100.00 is to be paid to Council for each additional allotment created. This is to go towards community services.
7. An access crossing is to be constructed from the edge of the road to proposed lot 2. It must:
  - *Be in a location approved by Council.*
  - *Be bitumen sealed to the boundary.*
  - *Contain a pipe and concrete headwalls.*

This work is to be completed to a standard approved by Council, at the applicant's expense.

8. Prior to the issue of an Subdivision Certificate, the new access will require a Rural Address number and a fee of \$40.00 will need to be paid to Council. The number will be issued upon registration of the plan of subdivision with the Lands Titles Office.

If you are dissatisfied with this decision 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 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 SERVICES COORDINATOR**  
**DATE : 18 October 2021**