

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

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

Application No.	DA-68/2021
Applicant	Boss Engineering
Land to be developed	Lot A DP 385492, Lot 354 DP 721169, Lot 3 DP 1029079, Lot 4 DP 1029079, Lot 53 DP 753271, Lot 86 DP 753271 128 Airport Road, GILGAI 2360
Approved development	Construct New Aircraft Hanger at Inverell Airport
Building Code of Australia Classification	Class 7B
Determination	The determination is consent granted subject to conditions.
Determination date	7 June 2021
Consent is to operate from	7 June 2021
Consent will lapse on	7 June 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 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for the construction of a new hanger.

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 from this will require the consent of Council.

2. The external materials of the hanger must be constructed of low reflective, factory pre-coloured materials

Prior to Commencement of Any Building Works

3. Prior to the commencement of any building works on the site a Construction Certificate is to be obtained from Council or an Accredited Certifier. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.
4. The building footprint is to be marked/pegged onsite by a person approved by Council. This is to be inspected and approved by an approved Council Officer prior to commencement of any building works.

5. Temporary fencing or hoarding must be erected in accordance with Australian Standard AS:4687-2007, Temporary Fencing and Hoarding preventing access onto the authorised landing area. This is to be inspected and approved by an approved Council Officer prior to commencement of any building works.
6. A copy of the formal lease agreement for the use of Council land for the hanger is to be provided prior to commencement of any building works.

During Construction

7. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution, during construction, demolition or subdivision:
 - a) 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.
 - a) 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 implement measures to prevent the movement of such material off site.
 - b) 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.
 - c) Waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
 - d) Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004.
 - e) Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a Surveyor registered under the Surveyors Act. A plan showing the relocated marks will then be required to be lodged as a matter of public record at the Lands Titles Office.

Prior to Occupation

8. Prior to occupation of the premises, an occupation certificate must be issued in accordance with the *Environmental Planning and Assessment Act 1979*.

Note: Prior to the 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.*
9. Prior to issue of a Occupation Certificate, all stormwater shall be drained to Council's satisfaction, pursuant to Australian Standard 3500.3.
10. Prior to issue of a Occupation Certificate, the security fencing around the authorised landing area is to be reinstated to Council's satisfaction.
11. Prior an Occupation Certificate being issued the owner of the building shall furnish to the Principal Certifying Authority a final/interim Fire Safety Certificate with respect to each essential fire safety measure for the building to which the Certificate relates. The Certificate shall state that each essential fire safety measure has been assessed by a properly qualified person and that each essential fire safety measure was found, when it was assessed, to be capable of performing to the required standard.

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. Council as the operator of the Inverell Airport has reviewed the development and has not identified any safety concerns.

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



CHRIS FALEY
DEVELOPMENT SERVICES COORDINATOR