

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-8/2021
Applicant	Kata's Hillview Pty Ltd
Land to be developed	Lot 1 DP 1009623 623 Old Mill Road, STANNIFER 2369
Approved development	Animal Boarding or Training Establishment
Building Code of Australia Classification	10a, 10b
Determination	The determination is consent granted subject to conditions.
Determination date	12 February 2021
Consent is to operate from	12 February 2021
Consent will lapse on	12 February 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

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 an animal boarding or training establishment.

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. Prior to the construction (i.e. pouring of a concrete slab/footings) for the whelping shed, final plans of the "Best Shed" are to be submitted to Council and a Construction Certificate issued.
3. The operation of the animal boarding or training establishment is 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 operation shall not interfere with the quiet enjoyment of the surrounding neighbourhood.
4. The operation of the animal boarding or training establishment is to be carried out in accordance with:
 - Animal Welfare Code of Practice Breeding Dogs and Cats – Published by the Animal Welfare Group of NSW Industry and Investment;
 - The NSW Animal Welfare Code of Practice No 5 – Dogs and Cats in Animal Boarding Establishments; and
 - The relevant standards of the RSPCA.
5. The whelping shed is connected to the approved septic and absorption trench system. This system is to be maintained in a good working condition in perpetuity.

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 Rural Primary Production zone.
2. In consideration of the controls of the Inverell Development Control Plan 2013, the development is considered appropriate for the site and rural area.

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



ANTHONY ALLISTON
MANAGER DEVELOPMENT SERVICES