

NOTICE OF MODIFICATION TO DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under Clause 122 of the Environmental Planning and Assessment Regulation 2000.

Application No.	DA-95/2012/A
Applicant	Inverell Polocrosse Club
Land to be developed	Lot 21 DP 1218113 160 Eddy Park Lane, ROB ROY 2360
Approved development	Polocrosse Fields and Associated Infrastructure
Determination	The determination is amended in accordance with Section 4.55 of the Environmental Planning and Assessment Act 1979.
Original date of determination	21 September 2012
Modification determination date	17 September 2021
Consent will lapse on	21 September 2017

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 use of ~~Lot 2 DP 1126039~~ Lot 21 DP 1218113 for polocrosse fields, including:

- Construction of five (5) polocrosse fields;
- Construction of access roads;
- Truck parking and camping area (including unroofed horse yards);
- 10m x 15m Club House/Canteen;
- Cesspits (limited to 1st year only);
- 12m x 7.57m Toilet/Shower block and septic tank;
- Internal water supply from tank/bore; and
- Signage.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the stamped and approved plans and accompanying supportive documentation.

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

2. Should the lease agreement with Inverell Shire Council of the road reserve identified as 'Part Unformed Road, West of Eddy Park Lane, Rob Roy' be terminated, it will be necessary for the road reserve to be constructed to Council's public road standard, at the applicant's expense, prior to the commencement of any further polocrosse events.

3. A limit of one (1) polocrosse carnival is to be held once per year. This does not preclude the use of the fields for training or similar purposes.
4. At least one (1) month prior to a polocrosse carnival, written notification is to be given to Council of the dates of the upcoming carnival.
5. One week prior to a polocrosse carnival, the following signs may be installed:
 - Signs on the Gwydir Highway approximately 200m east and west of the Eddy Park Lane intersection;
 - Directional pointer signs at the Eddy Park Lane intersection;
 - "Welcome to Inverell Polocrosse" sign at access road; and

One week prior to a polocrosse carnival, the following signs must be installed:

- "Trucks Turning" or "Turning Traffic" signs on both approaches of Eddy Park Lane.

Signs are to be located in consultation with Council and in such a manner to not impact the safety of the road network.

The signs must be removed within one (1) week after the carnival.

6. Garbage and/or recycling bins are to be installed around the polocrosse fields and camping areas. All waste from these bins must be disposed at the Inverell landfill located at Burtenshaw Road, Inverell. All waste (e.g. manure, straw, etc.) from the horse yards must be dispose in an appropriate manner.
7. Loud speakers must only be used from 8.00 a.m. to 5 p.m.. Any music used on the site must not cause a nuisance to adjoining properties.
8. All access roads must be maintained in a reasonable manner, in perpetuity, at the applicant's expense.
9. Dust suppressions measures must be available on site during a polocrosse event and used when necessary, particularly during hid wind periods.
10. The horse yards must only be used during Polocrosse events. They must not be used on a permanent basis or for non-polocrosse purposes (e.g. private use).

Prior to the 1st Annual Polocrosse Carnival

11. Prior to the use of the polocrosse fields for the first annual carnival, the access road from Eddy Park Lane to the polocrosses fields is to be constructed to an "all weather all vehicle" standard.
12. Prior to the use of the polocrosse fields for the first annual carnival, a plan is to be submitted and approval under Section 138 of the Roads Act 1993 obtained from Council for:
 - The installation of a dish crossing or pipe culvert at the table drain/dam overflow at the intersection of the access road and Eddy Park Lane; and
 - Tree clearing along Eddy Park Lane to improve sight distance.

This work is to be completed, at the applicant's expense, in accordance with the approval, prior to the use of the polocrosse fields for the first annual carnival.

13. Prior to the use of the polocrosse fields for the first annual carnival, the proposed cesspits are to be installed in accordance with the relevant approval under Sec. 68 of the *Local Government Act 1993* and inspected by Council.

Prior to the 2nd Annual Polocrosse Carnival

14. Prior to the use of the polocrosse fields for the second and subsequent annual carnivals:
- The toilet block is to be constructed and connected to an approved onsite system of sewage management, not being a cesspit; and
 - The cesspits installed for use during the first annual polocrosse carnival are to be decommissioned.

All works are to be completed to Council's satisfaction, at the applicant's expense.

15. Prior to the construction of the toilet building, 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.
16. Prior to the construction of the toilet building, approval under Sec. 68 of the Local Government Act 1993 is to be obtained from Council for the system of onsite sewage management (not a cesspit) to be connected to the toilet building.
17. Prior to the use of the toilet building, an occupation certificate must be obtained from Council or a Private Certifier.

Prior to Construction of the Club House/Canteen

18. Prior to the construction of the Club House/Canteen, 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.
19. Prior to the use of the Club House/Canteen, an occupation certificate must be obtained from Council or a Private Certifier.

REASONS FOR CONDITIONS

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.

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**