

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

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

Application Number	DA-23/2022
Applicant	Mr Steven Robert Romer
Land to be developed	Lot A DP 161626, Lot C DP 161626, Lot D DP 161626 30 Ring Street, INVERELL 2360
Approved development	Partial Use of Building for Mechanic
Building Code of Australia Classification	8
Determination	The determination is consent granted subject to conditions.
Determination date	1 April 2022
Consent is to operate from	1 April 2022
Consent will lapse on	1 April 2027
	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 the partial use of the building as a vehicle repair station (Mechanic Workshop).

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* (as detailed at the end of this consent).

Ongoing use

3. The hours of operation are limited to:
 - 7.00am to 5.00pm Monday to Friday; and
 - 9.00am to 1.00pm on a Saturday.
4. All mechanical repairs must be undertaken wholly inside the building.
5. All waste oils, hydraulic fluids, etc. are to be stored in secure containers with a suitably bunded area. Waste oils, hydraulic fluids, etc. are to be disposed in accordance with the Protection of Environment Operations Act 1997.

A spill procedure is to be implemented on-site and spills are not to be hosed down drains, driveways or street gutters.

6. The vehicle repair station is not permitted to undertake any body building, panel building, panel beating, spray painting or chassis restoration.
7. The development must comply with the requirements for industrial premises contained in the Noise Policy. Noise emitted by the development:
 - must not exceed an L A (15 min) of 5dB(A) above background noise when measured at any lot boundary of the property where the development is being carried out; and
 - must not cause the relevant amenity criteria in Table 2.1 in the Noise Policy to be exceeded.
8. All new external lighting must:
 - comply with AS 4282–1997 *Control of the obtrusive effects of outdoor lighting*, and
 - be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
9. Separate approval must be obtained from Council prior to the installation of any advertising signs, other than signs which may be installed as 'Exempt Development' in accordance with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or Schedule 2 of the *Inverell Local Environmental Plan 2012*.
10. Portable signs, commonly described as sandwich boards and the like, must not be placed on the footpath of other public areas without the prior approval of Council.
11. At no time may any goods and/or equipment for sale, display or storage be placed on the public road, public footpath, service land, parking area and driveways, public or private pedestrian walkways, or outside the site without the prior consent of Council.
12. All loading, unloading and storage of goods must be carried out within the confines of the property.
13. All waste/skip bins are to be screened from public view.
14. A portable fire extinguisher having at least the protection effectiveness of a 3.5kg 2A:20B€ Extinguisher shall be provided.

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 IN1 General Industrial zone.
2. In consideration of commercial controls of the *Inverell Development Control Plan 2013*, the development is considered appropriate within the Ring Street Street Industrial Precinct.
3. Subject to conditions of consent, the development is not considered to have a significant adversely impact on the amenity of the surrounding 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



CHRIS FALEY
DEVELOPMENT SERVICES COORDINATOR