



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-87/2022
Applicant	The Donnelly Bell Family Trust and The S&e Doodson
Land to be developed	Lot 1 DP 805934, Lot 2 DP 805934 71 Bolands Lane, Inverell NSW 2360
Approved development	Boundary Adjustment
Building Code of Australia Classification	Not Applicable
Determination	The determination is consent granted subject to conditions.
Determination date	9 September 2022
Consent is to operate from	9 September 2022
Consent will lapse on	9 September 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 a boundary adjustment between 71 Bolands Lane (Lot 1 DP 805934) and 73 Bolands Lane (Lot 2 DP 805934).

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 Part4, Division 2 of the *Environmental Planning & Assessment Regulation 2021*.

Prior to Issue of a Subdivision Certificate

3. A Subdivision Certificate must be obtained from Council in accordance with the *Environmental Planning and Assessment Act 1979*.
4. Prior to issue of a Subdivision Certificate, the dwelling on 73 Bolands Lane (proposed Lot 100) must be serviced by an aerated waste water treatment system.

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 site is located at the interface of the RU1 Primary Production and R5 Large Lot Residential zones. Subject to conditions, the boundary adjustment is not inconsistent with this zone interface.
2. The boundary adjustment does not create any new lots or dwelling opportunities. It complies with Clause 4.1E of the *Inverell Local Environmental Plan 2012*.

COMMUNITY CONSULTATION

Neighbour notification was undertaken in accordance with the Inverell Community Participation Plan. No submissions were received.

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