

## NOTICE OF MODIFICATION TO DETERMINATION OF A DEVELOPMENT APPLICATION

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

<b>Application No.</b>	DA-52/2022/A
<b>Applicant</b>	The Trustee for Tenterfield Surveys Unit Trust
<b>Land to be developed</b>	Lot 2 DP 1064358 122 Cooks Road, NEWSTEAD NSW 2360
<b>Approved development</b>	2 Lot Rural Subdivision
<b>Building Code of Australia Classification</b>	Not Applicable
<b>Determination</b>	The determination is amended in accordance with Section 4.55 of the <i>Environmental Planning and Assessment Act 1979</i> .
<b>Original date of determination</b>	26 October 2022
<b>Modification determination date</b>	6 May 2024
<b>Consent will lapse on</b>	26 October 2027 Unless the work or use to which this consent relates has lawfully commenced on-site in accordance with Section 4.53 of <i>Environmental Planning and Assessment Act 1979</i> .

### 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 one (1) into two (2) lot subdivision.

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.

1. The applicant must comply with all relevant prescribed conditions as contained in Part 4, Division 2 of the *Environmental Planning & Assessment Regulation 2021*.
2. A Subdivision Certificate must be obtained from Council in accordance with the *Environmental Planning and Assessment Act 1979*. The application for the Subdivision Certificate must be accompanied by documentary evidence demonstrating compliance with the conditions of this development consent.

### **Prior to Issue of a Subdivision Certificate**

3. Prior to the issue of a Subdivision Certificate, a General Roads Contribution for Lot 22 must be paid to Council pursuant to Section 7.11 (formerly Section 94) of the *Environmental Planning and Assessment Act 1979*.
4. Prior to the issue of a Subdivision Certificate, electricity and telecommunications services are to be provided to all lots. The proponent is required to submit to Council, certificates from:
  - An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.
  - An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.
5. The subdivision must be undertaken in accordance with the conditions specified in the Bush Fire Safety Authority under Section 100B Of the *Rural Fires Act 1997* issued by the New South Wales Rural Fire Service on 18 October 2022 (stamped and attached).

### **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.

### **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**