



Council Ref:KD:KT:NW ECM589051

20 March 2021

[REDACTED]
C/- Glen Innes Showground Land Manager
[REDACTED]

Dear Sir,

REGARDING: NOTICE OF DETERMINATION

Application:	DA46/2020
Property Title:	Lot 1 DP 16643 and Lot 156 DP 753282
Property Address:	223 Bourke Street, Glen Innes
Proposal:	Additional Use of Glen Innes Showground as a Caravan Park/Camping Ground and Install Laundry Block

I wish to advise that Council has approved the above application subject to conditions as outlined in the attached prescribed Notice of Determination under the *Environmental Planning and Assessment Act 1979*.

Please read the Determination Notice carefully and observe / implement any conditions of consent as outlined in the Notice.

Failure to comply with the Determination Notice may render you liable to legal proceedings under the *Environmental Planning and Assessment Act 1979*.

For further information, please contact Council's Development, Planning & Regulatory Services Department on 6730 2350.

Yours faithfully,

Kathleen Taminiau
TOWN PLANNER



Glen Innes Severn Council

PO Box 61, GLEN INNES NSW 2370

Telephone: (02) 6730 2350

NOTICE OF DETERMINATION

Development Application

Issued under Section 4.18 of the *Environmental Planning and Assessment Act 1979*

Development Application Number: 46/2020

APPLICANT NAME:

Michael Norton

APPLICANT ADDRESS:

[REDACTED]

OWNER NAME:

Department of Planning, Industry and Environment – Crown Lands

OWNER ADDRESS:

[REDACTED]

LAND TO BE DEVELOPED

Property Address:

223 Bourke Street, Glen Innes

Property Title:

Lot 1 DP16643 and Lot 156 DP753282

PROPOSED DEVELOPMENT

Development Description:

Additional Use of Glen Innes Showground as a Caravan Park/Camping Ground and Install Laundry Block

DETERMINATION

- Consent granted unconditionally
- Consent granted subject to conditions described below
- Application refused

CONSENT TO OPERATE FROM
(SEE Note 1)

CONSENT TO LAPSE ON

10 March 2021

10 March 2026

Administrative Conditions *(under the Environmental Planning and Assessment Regulation 2000)*

1. Development consent is granted only to carrying out the development described in detail below:
 - Additional Use of Glen Innes Showground as a Caravan Park and Camping Ground and Installation of Laundry Block

The proposed development being carried out strictly in accordance with the details set out on the application form and any other information submitted with the application.

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the *Environmental Planning and Assessment Act 1979* for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

2. The development is to be implemented in accordance with the plans set out in the following table except where modified by any conditions of this consent (Development Consent No. DA 46/2020).

Plans Prepared by: Ecosuite Solutions Pty Ltd

Plan/Supporting Document(s)	Revision	Dated
Regularising Camping on the Glen Innes Showground	-	August 2017
Plan of Management 2012-2021	6	August 2018

Plans Prepared by: Gordon Fuller

Plan/Supporting Document(s)	Dated
Enlarged Site Plans – Proposed Caravan Park Zones, Proposed Caravan Sites	6/2/2021
Heritage Background and Statement of Heritage Impact - Glen Innes Showground	6/2/2021

Plans Prepared by: ATCO Structures & Logistics Pty Ltd

Plan/Supporting Document(s)	Plan Number	Revision	Dated
Floor Plan & Elevations	OF-130H-A300	A	29/5/2019

In the event of any inconsistency between conditions of this development consent and the plans referred to above, the conditions of this development consent prevail. The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Prescribed Conditions *(under the Environmental Planning and Assessment Regulation 2000)*

3. All work must be carried out in accordance with the requirements of the Building Code of Australia.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out but must be removed when the work has been completed. The sign must include the following:
 - Showing the name, address and telephone number of the principal certifying authority for the work, and
 - Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - Stating that unauthorised entry to the work site is prohibited.
5. Council, in the case of being the Principal Certifying Authority, is to be given 24 hours' notice of the following critical stage inspections where applicable;
 - a) after excavation for, and prior to the placement of, any footings, and
 - b) prior to pouring any in-situ reinforced concrete building element; and
 - c) prior to covering of the framework for any floor, wall, roof or other building element; and
 - d) prior to covering waterproofing in any wet areas; and
 - e) prior to covering any stormwater drainage connections; and
 - f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

General Conditions

6. Number of Sites

A maximum of 47 short-term sites may be occupied at any one time*. No more than 12 persons may be allowed to stay overnight per site at any one time.

The numbers, sizes and locations of these sites must be specified by reference to a community map. No long-term sites are permitted as part of this consent.

Note: Unoccupied caravans, campervans and tents are not permitted to remain in the camping ground for more than 24 hours.

***Excludes events held at the Showground.**

7. Compliance

The caravan park must be designed, constructed, maintained and operated in accordance with the relevant requirements of Part 3, Division 3, Subdivision 1-8 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

8. **Size of Sites**

A short-term moveable dwelling site must have an area of at least 65 square meters.

A camp site must have an area of at least 40 square metres, in the case of a camp site for which a separate parking space is provided within 30 metres of the camp site, or 50 square metres, in any other case.

9. **Site Identification**

A moveable dwelling site must be numbered or identified and its site boundaries clearly delineated. The site identification must be conspicuous, whilst sympathetic to the heritage values of the site.

10. **Roads**

All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the caravan park/camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades. A moveable dwelling must have direct vehicular access to a formed access road.

11. **Setbacks**

A moveable dwelling site must not be located closer than;

- (i) 10 meters to a community building or a public road, or
- (ii) 3 meters to a property boundary within the approved 'caravan park zone' plan, or
- (iii) 2.5 meters to any other moveable dwelling.

12. **Speed Limits**

The speed limit applicable to all internal access roads must;

- a) not exceed 15 kilometers per hour, and
- b) must be indicated by means of conspicuous signs.

13. **Resident Parking**

At least one resident parking space is to be provided for each moveable dwelling site or camp site.

The parking space for a dwelling site or camp site may be on-site (that is, forming part of the site) or off-site (that is, not forming part of the site).

Notes:

- i. An off-site space must be marked (for example, by means of line marking, marker pegs or similar means) to identify the particular dwelling site or camp site to which it relates.
- ii. An off-site parking space for a dwelling site or camp site must be situated in the location specified in the approval for the caravan park or camping ground.
- iii. Each off-site parking space is to have, at minimum, dimensions of—
 - (a) 5.4 metres by 2.5 metres, in the case of angle parking, and
 - (b) 6.1 metres by 2.5 metres, in any other case.

14. **Visitor Parking**

The minimum number of visitor parking spaces to be provided is 4. At least one visitor parking space must be designed and constructed for people with disabilities and in accordance with AS/NZS 2890.1:2004 Parking facilities—Off street parking

Each parking space must be clearly identified as such and is to have, at minimum, dimensions of—

- (a) 5.4 metres by 2.5 metres, in the case of angle parking, and
- (b) 6.1 metres by 2.5 metres, in any other case.

15. **Water Supply**

A moveable dwelling site must be connected to the water supply service for the caravan park or camping ground. The water supply connections must:

- (i) include a standpipe and hose tap, and
- (ii) comply with the [Plumbing and Drainage Act 2011](#) and any regulations under that Act, and
- (iii) the requirements of any relevant statutory body.

Note: Water supplied for human consumption or domestic purposes must comply with the *Australian Drinking Water Guidelines* published in 2004 by the National Health and Medical Research Council.

16. **Sewerage**

At least one common soil waste dump point for the disposal of closet waste from caravan holding tanks and the like must be provided. The common soil waste dump point must be located so as to permit adequate access by caravans and campervans.

A short-term site must also be provided with a disposal point, as specified in the approval, for the disposal of sullage (that is, domestic waste from baths, basins, showers, laundries and kitchens, including floor wastes from those sources) from any moveable dwelling installed on the site.

Note: More than one short-term site may be provided with the same disposal point. The sewage disposal system must comply with—

- (a) the [Plumbing and Drainage Act 2011](#) and any regulations under that Act, and
- (b) the requirements of any relevant statutory body.

17. **Drainage**

A caravan park or camping ground must be provided with a stormwater drainage system. All dwelling sites and camp sites must be adequately drained.

Note: The Act requires stormwater drainage work to be carried out only with the approval of the council. The [Local Government \(General\) Regulation 2005](#) specifies further requirements with respect to drainage.

18. **Electricity supply**

A dwelling site must be supplied with electricity from a reticulated electricity service. Any such electrical circuit must be installed in accordance with the requirements of— AS/NZS 3001:2001, Electrical installations—Relocatable premises (including caravans and tents) and their site installations, as in force on 1 September 2005.

19. **Number of showers and toilets to be provided**

The caravan park and camping ground must be provided with facilities specified in the Table below

Sites	Water closets		Urinals	Showers		Handbasins	
	Female	Male		Female	Male	Female	Male
26–50	5	3	2	3	3	3	3

Notes:

- (1) All showers and handbasins required by this Subdivision must be supplied with hot and cold running water.
- (2) A mirror must be provided—
 - (a) for each handbasin provided, or
 - (b) if 2 or more handbasins are provided together, for each pair of handbasins.
- (3) Means for sanitary napkin disposal must be provided in each communal facility that contains water closets for female use and, in a facility containing 10 or more water closets, must be provided at the rate of one for each 10 (or remaining fraction of 10) water closets.

20. **Facilities for people with disabilities**

The caravan park must be provided with shower, toilet and associated facilities, designed in accordance with AS 1428.1—2001, Design for access and mobility Part 1: General requirements for access—New building work, as in force on 1 September 2005.

Note: A caravan park or camping ground with fewer than 100 dwelling sites must be provided with—

- (a) one of each facility for each sex, or
- (b) one of each facility for use by both sexes.

21. **Laundry Facilities**

The proposed laundry shall be resheeted using like materials and painting or other external finishes to the adjacent amenities block, or such other treatment as may be appropriate to ensure that the building is not intrusive in the setting.

The laundry must contain;

- (i) a non-slip floor of tile or other impervious material adequately drained to outlets, and
- (ii) have smooth, hard, durable and water-resistant interior finishes, and
- (iii) adequate lighting (both inside and outside) and adequate ventilation at all times, and
- (iv) have all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.
- (v) At least one laundry tub for each 60 (and any remaining fraction of 60) short-term sites.

Note:

- a) Washing machines and laundry tubs must be supplied with both hot and cold water.
- b) clothes line space at the rate of 2 metres of line for each dwelling site must be provided on the site.

22. **Storm Water**

Finished ground levels are to slope away from the building at a minimum rate of 50mm in the first 1m from the building.

All storm water (or water from tank overflow when rainwater is collected) must be diverted to the allocated kerb and gutter (where applicable) or to the satisfaction of Council. Gutter and downpipes are to be provided and connected to an approved drainage system upon installation of the roof covering.

23. **Building Materials**

Building materials and painting or other external finishes are required to be of neutral tones with low reflective quality, or such other treatment as may be appropriate to ensure that the buildings are not intrusive in the setting.

24. **Inspections**

At any time, the Glen Innes Severn Council reserves the right to inspect the premises and/or request any of the management plans and guest register that are conditioned as part of this approval.

25. **Services**

The capping of redundant services, adjustment of any existing utility services or installation of new services is to be at the full cost of the developer.

Conditions to be Completed Prior to Issue of Section 68 for the Local Approval of the Caravan Park

26. Local Approval

A Section 68 Local Application must be lodged and approved prior to any of the following activities commencing:

- Install a structure on the land
- Water supply, sewerage and stormwater drainage work
- Operate a caravan park or camping ground

27. The applicant is to obtain a certificate of compliance issued by the relevant water authority in respect to the development.

Note: At the time of approval Council is the relevant water authority. A certificate of compliance will require payment to Council of a contribution for water and sewer head works at the time of approval this amount is:

Water Headworks	\$2,808.07
Sewer Headworks	\$4,647.22

28. Parking Plan

The applicant shall submit, and have approved to the satisfaction of the Director of Infrastructure Services, a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZS 1428, including forecourt area, parking bay/s for people with disabilities, aisle widths, circulation areas, driveway/s and points of ingress and egress. The carpark development must be in accordance with this plan.

29. Forecourt

The submission to Council of a scale engineering plan of a forecourt, within the showground limits, where vehicles can park whilst check-in/ check-out is taking place. The forecourt must comply with Australian Standard 2890: Off Street Parking, the Austroads Design Turning Path Templates and any other relevant Australian Standards, for the types of vehicles expected to use the development.

Notes:

- i. Vehicles are not permitted to stand along Torrington Street whilst drivers are checking into or out of the showground at the reception office.
- ii. A forecourt must be a minimum of 4 meters by 20 meters to accommodate incoming vehicles.

30. Section 138 Approval

For all works within public roads (such as for stormwater, footpaths, kerb and gutter, tree removal etc.), the Applicant is to seek any necessary Council approvals for work in road reserves under the *Roads Act 1993*.

31. **Sediment and Erosion Control**

Effective and appropriate sediment and erosion control facilities must be installed during the initial stages of construction and maintained throughout the construction period until vegetation has been established over all disturbed areas. These works must be designed and installed in accordance with current industry and regulatory guidelines as well as Council's Erosion and Sediment Control Policy.

Notes:

- i. Failure to take effective action may render the developer liable to prosecution under the *Protection of the Environment Operations Act 1997*.
- ii. These measures shall be maintained throughout the course of construction and until all disturbed areas are restored by turfing, paving or revegetation.

Conditions to be Undertaken During Construction

32. Construction, demolition and associated work shall be carried out only between the times stated as follows: -

Mondays to Fridays 7.00a.m. to 6.00p.m.

Saturdays 8.00a.m. to 1.00p.m.

Sundays & Public Holidays **No construction work to take place.**

33. All building materials, plant and equipment is to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

34. All vehicles servicing the site are to enter and leave the site in a forward direction.

Conditions to be Completed Prior to Occupation

35. **Occupation**

Occupation or use of premises for the purposes approved by this consent shall not commence until all conditions of this consent have been complied with, unless otherwise specified as part of this approval.

36. **Waste Disposal**

Prior to occupation of the development, a suitably screened bulk bin area for refuse is to be provided to the specifications and satisfaction of the Glen Innes Severn Council.

37. **Council Infrastructure**

Damage caused to Council infrastructure as a result of the building activities shall be rectified by the applicant at their full expense. The adjustment of any existing utility services or installation of new services is to be at the full cost of the developer.

Conditions to be Completed During Operation

38. **Parking**

All parking shall occur within the grounds of the site, in accordance with the Local Approval to Operate the Caravan Park and the approved parking plan. No parking or standing of vehicles is permitted within the Torrington Street road reserve.

39. **Amenity**

There shall be no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the development.

40. **Guest Register**

The operator(s) of the caravan park are required to keep an up to date guest register which at a minimum indicates the length of stay for each patron(s). In addition, the register must also specify the size of the group (if any) with whom the person listed in the register camped.

The register must include the following particulars in relation to a person whose occupation of a site is registered under this clause—

- (a) the person's name and address,
- (b) the dates of arrival and departure of the person,
- (c) the site identification of the site occupied by the person,
- (d) the registration number (if any) of the moveable dwelling, in the case of a caravan or campervan,

The register must be available for inspection by any authorized person without cost during normal working hours.

41. **Information to be given to prospective occupiers**

Before the holder of the approval for a caravan park enters into an agreement with a person relating to the person's occupation of a dwelling site or camp site, the holder of the approval must ensure that the person is given written notice of the conditions of occupation.

The notice must include the following particulars—

- (a) the site identification of the dwelling site or camp site allocated to the person,
- (b) the date (if any) on which it is agreed that the person's occupation of the dwelling site or camp site will cease,
- (c) in the case of an agreement relating to occupation of a short-term site or camp site, advice as to the maximum number of days that the person may stay in a moveable dwelling on the site in any 12 month period (being the maximum number provided for by clause 73 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* or a smaller number determined by the holder of the approval to operate the caravan park or camping ground),
- (d) the rules (if any) of the caravan park or camping ground,
- (e) a telephone number on which the holder of the approval for the caravan park or camping ground, or his or her agent, may be contacted in the event of an emergency,
- (f) whether or not pets may be kept in the caravan park or camping ground and, if so, on what conditions,
- (g) the nature and location of the amenities available for use by the person as an occupier of the dwelling site or camp site and the charges, if any, for use of those amenities,
- (h) the location of each fire extinguisher, fire hose reel and fire hydrant that is installed within the park or ground,

- (i) if the holder of the approval to operate the caravan park or camping ground has been notified in writing by the council that any of the land in the caravan park or camping ground is flood liable land or bush fire prone land, the location of that flood liable land or bush fire prone land within the caravan park or camping ground,
- (j) any other matters affecting the person's occupation of the dwelling site or camp site or use of the caravan park or camping ground and its amenities.

42. **Community Map**

The council must be given a copy of the current community map—

- (a) as soon as practicable after any amendment is made to the map, and
- (b) at such other times as the council may reasonably require.

43. **Access to approval and community map**

The holder of an approval to operate a caravan park or camping ground must ensure that copies of the following documents are readily available for inspection without cost in a location in the caravan park or camping ground specified in the approval for the caravan park or camping ground—

- (a) the approval for the caravan park or camping ground,
- (b) the current community map,
- (c) the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*

Note: A copy of the current community map must also be displayed in a prominent position in the caravan park or camping ground.

44. **Garbage Removal**

Arrangements specified in the approval must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.

45. **Fire Hydrants**

Fire-fighting facilities tested to be both in working order and in compliance with applicable Australian Standards, must be provided within the camping ground at all times. No part of a dwelling site, camp site or community building within a caravan park or camping ground may be situated more than 90 metres from a fire hydrant.

Any fire hydrant located within a caravan park or camping ground must—

- (a) be a double-headed pillar-type fire hydrant, and
- (b) be maintained to the standard specified in the approval for the caravan park or camping ground.

46. **Fire Hose Reels**

Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose.

The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, Fire hose reels and installed in accordance with AS 2441—1988, Installation of fire hose reels, as in force on 1 September 2005.

The holder of the approval for the caravan park or camping ground must cause the council to be given a certificate (a fire hose reel certificate) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.

A fire hose reel certificate is to state, in relation to each fire hose reel installed in the caravan park or camping ground—

- (a) that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and
- (b) that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to have been capable of performing to a standard not less than that required by this Regulation.

47. **Car Washing Bay**

A caravan park must be provided with an area for use for washing vehicles.

48. **Outdoor lighting**

All access roads must be adequately lit between sunset and sunrise.

All outdoor lighting within the subject site must be designed to comply with, where relevant, with *AS1158.3.1-2005 Pedestrian Area (Category P) Lighting* and *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*.

49. **Signage**

All signage associated with the caravan park must comply with the relevant controls listed within the State Environmental Planning Policy No 64 – Advertising and Signage and then Glen Innes Severn Development Control Plan 2014.

No advertising structures shall be erected, and no advertising material shall be affixed, painted or displayed on the building or land without the prior approval of Council, other than those permitted under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

These conditions are required to:

- comply with the provisions of the *Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Local Government Act 1993, Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* and the *Protection of the Environmental Operations Act 1997*
- comply with the requirements of the relevant Australian Standards
- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- ensure infrastructure is not damaged as a result of the development and because the nature of the proposed development may have an impact on the operation of the utility services
- maintain the amenity of the area and the State Heritage listed site.
- ensure pedestrian and vehicular safety is maintained at all times and not restricted in public places.
- ensure that the environmental quality of adjoining land is not adversely affected
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Integrated General Terms of Approval Conditions

These General Terms of Approval are in accordance with Section 4.47 of the Environmental Planning and Assessment Act 1979 by the Heritage Council of NSW.

1. **APPROVED DEVELOPMENT**

Development must be in accordance with:

a) Shop drawings of proposed laundry block, prepared by ATCO Structures as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: 6.0 x3.0m			
-	Plan	-	A
OF-130-H-A300	Elevations	-	A

b) Response to Request for Information email from Philip Lynn, dated 25 September 2020.

- c) *Heritage Background and Statement of Heritage Impact (SOHI)* prepared by G.Gordon Fuller, dated 6 February 2021.

EXCEPT AS AMENDED by the conditions of this approval.

2. NUMBER OF SHORT-TERM CAMP SITES

The maximum number of camp sites is limited to forty-seven (47). The camp sites are to be located outside of conservation zones of significant buildings (minimum 15m setback) and as indicated on the camp site layout plan on page 6 of the *Heritage Background and Statement of Heritage Impact (SOHI)* prepared by G Gordon Fuller, dated 6 February 2021. The use for short-term camping excludes annual events that use the Showground including the Glen Innes Show, Pony Club Week and the Celtic Festival.

Reason: To ensure the setting and significant views are not impacted.

3. SITE PROTECTION

Significant built and landscape elements are to be protected during site preparation and the works, including for the proposed laundry block, from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

4. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

5. ABORIGINAL OBJECTS

Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

6. COMPLIANCE

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

7. SECTION 60 APPLICATION

An application under Section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

ADVICE

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

RIGHT OF APPEAL

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions regarding this IDA General Terms of Approval for Glen Innes Showground, please contact Tempe Beaven, Senior Heritage Assessment Officer at the Heritage NSW, Community Engagement, Department of Premier and Cabinet, on 9873 8629 or Tempe.Beaven@environment.nsw.gov.au.

Public Notification

Reasons for Conditions

Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

Reasons for Approval

The development satisfies the relevant aims, objectives and provisions of both the *Glen Innes Severn LEP 2012* and *Glen Innes Severn DCP 2014*.

Community Consultation

The application was required to be publicly advertised in accordance with the Glen Innes Severn Community Participation Plan.

Advisory Note

- a) A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display/erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008* for exempt development.
- b) **Dial Before You Dig**
Underground assets may exist in the area that is subject to your application. In the interests of health and safety, and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

c) **Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

Other Approvals

Local Government Act 1993 Approvals granted under Section 78A(5)

Nil

Integrated General Terms of Approvals as part of the consent.

Nil

Right of Review

In accordance with the provisions of Section 8.2 of the Environmental Planning and Assessment Act, 1979 ("EP&A Act"), an Applicant may request Council to review the determination that has been made in respect of a development application other than:

- a) a determination to issue or refuse to issue a complying development certificate, or
- b) a determination in respect of designated development, or
- c) a determination in respect of integrated development, or
- d) a determination made by the council under Division 4 in respect of an application by the Crown.

In requesting a review, the Applicant may make amendments to the development described in the original application, provided that the development, as amended, is substantially the same development as the development described in the original application.

Any request for review of the determination under the provisions of Section 8.2 of the EP&A Act would need to be made within 6 months after the date on which the Applicant received the Council's Notice of determination of the development application because the Council has no power to conduct a review after that time. The prescribed fee must be paid in connection with an application for a review.

Right of Appeal

If you are dissatisfied with this decision (including a determination on a review under Section 8.2), Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months:

- a) after the date on which you receive this notice, or
- b) the date on which that application is taken to have been determined.

The Environmental Planning & Assessment Act 1979, does not give a right of appeal to an objector who is dissatisfied with the determination of the Council to grant consent to a development application, unless the application is for designated development (including designated development that is integrated development) either unconditionally or subject to conditions, the objector may, within twenty eight (28) days after the date on which the notice of the determination was given in accordance with the regulations, and in accordance with rules of court, appeal to the Court.

SIGNED:



Kathleen Taminiau

TOWN PLANNER

On behalf of the consent authority

Date: 20 March 2021

Note 1 Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.

Note 2 Clause 69A of the Regulation contains additional particulars to be included in a notice of determination where a condition under Sections 7.11-7.13 of the Environmental Planning and Assessment Act 1979 has been imposed.