

Council Ref: BS:RS:VH

28 July 2025

Nicola Neil  
C/- New England CT Pty Ltd

Dear Ms Nicola Neil,

**REGARDING: NOTICE OF DETERMINATION**

|                          |                                                                                        |
|--------------------------|----------------------------------------------------------------------------------------|
| <b>Application:</b>      | DA 68/24-25 (PAN-538966)                                                               |
| <b>Property Title:</b>   | Lot 2 DP512765                                                                         |
| <b>Property Address:</b> | 148 Church Street, Glen Innes NSW 2370                                                 |
| <b>Proposal:</b>         | Change of Use to Medical Centre and Associated Alterations, Signage and External works |

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 Growth and Development Department on (02) 6730 2300.

Yours faithfully,



**Bernard Smith**  
**GENERAL MANAGER**



# 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: 68/24-25

APPLICANT NAME: Nicola Neil c/- New England CT PTY LTD

APPLICANT ADDRESS:

OWNER NAME: Glen Innes Severn Council

OWNER ADDRESS: PO Box 61, Glen Innes NSW

### LAND TO BE DEVELOPED

Property Address: 148 Church Street, Glen Innes NSW

Property Title: Lot 2 DP512765

### PROPOSED DEVELOPMENT

Development Description: Change of Use to Medical Centre and Associated Alterations, Signage and External works

### DETERMINATION

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

CONSENT TO OPERATE FROM  
(SEE Note 1)

24 July 2025

CONSENT TO LAPSE ON

24 July 2030



## Administrative Conditions

### 1. Approved Development

Development consent is granted only to carrying out the development described in detail below:

- **Change of Use to Medical Centre and Associated Alterations, Signage and External works**

**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.

*Reason:* To ensure compliance with the development consent.

### 2. Approved Plans and Documents

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.

**Plans Prepared by:** New England Design Group and Octagon Planning

| Plan/Supporting Document(s)   | Drawing No. | Revision | Dated      |
|-------------------------------|-------------|----------|------------|
| Site Plan                     | DA101       | 2        | 20/05/2025 |
| Floor Plans                   | DA102       | 2        | 20/05/2025 |
| Elevations, Sections & Images | DA201       | 2        | 20/05/2025 |
| Plan of Management            | -           | -        | May 2025   |
| Waste Management Plans        | -           | -        | 19/05/2025 |
| Signage Details               | -           | -        | Undated    |

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.

*Reason:* To ensure compliance with the development consent.



3. **BCA Compliance**

All work must be carried out in accordance with the requirements of the Building Code of Australia.

Reason: To comply with the provisions of Clause 69(1) of the Environmental Planning and Assessment Regulation 2021.

4. **Damage to 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.

Reason: To 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.

5. **Waste Management Plan Compliance**

Compliance with the approved waste management plan is to be adhered to throughout construction and on-going operation of the development.

Reason: To ensure waste from all stages of construction and on-going operation is managed appropriately.

6. **Stormwater**

Stormwater from all paved and impervious areas of the development shall be disposed to a lawful point at all times.

Reason: To protect the site and adjoining land from flooding.

7. **Trade Waste Assessment**

Prior to the issue of a Construction Certificate, a Trade Waste Assessment shall be undertaken by Council. Should the assessment determine Trade Waste Approval is required, an application to Discharge Liquid Trade Waste under Section 68 of the *Local Government Act 1993*, shall be:

- submitted to and approved by Council prior to works commencing; and
- installed in accordance with the approval prior to the issue of an Occupation Certificate

The approved development shall be carried out in accordance with the Trade Waste Approval at all times (if applicable).


ADVISING: This is a general category condition to reflect additional requirements at other stages of the development, if applicable. Please contact Council's Infrastructure Services section for more information.

Reason: To comply with the *Local Government Act 1993*.

### Conditions to be Completed Prior to Issue of a Construction Certificate

8. **Section 94a Contribution**

Prior to the issue of Construction Certificate, the applicant must pay a total contribution as specified below (as calculated at the date of this consent) to Council in accordance with *Glen Innes Severn Section 94a Developer Contributions Plan* (the plan) and the EP&A Act.



| Proposed Cost of Development | Levy Percentage | Total Contribution |
|------------------------------|-----------------|--------------------|
| \$148,500.00                 | .5%             | \$742.50           |

Reason: To comply with the Glen Innes Severn Section 94a Developer Contributions Plan (the plan) and the EP&A Act.

#### 9. **Building Code of Australia Compliance Report**

Prior to the issue of a Construction Certificate, the applicant must submit a report, to Council's satisfaction, prepared by a suitably qualified professional (e.g. a Registered Certifier with appropriate accreditation), confirming that the proposed development complies with all relevant provisions of the *National Construction Code (NCC) 2022 (Amendment 1)*.

The assessment must take into account the proposed subdivision of the subject site and new lot configuration, as lodged under a separate application.

Where non-compliances are identified, the report must clearly outline each item and detail how compliance will be achieved.

All required compliance measures must be implemented and verified in accordance with the *NCC 2022 (Amendment 1)* prior to the issue of any Occupation Certificate.

Reason: To satisfy National Construction Code and Council requirements

#### 10. **S68 Local Government Approval**

Prior to the issue of a Construction Certificate, approval is required under Section 68 of the *Local Government Act 1993* for:

- Plumbing and Drainage Work

Reason: To comply with the *Local Government Act 1993*.

#### 11. **Roads Act Approval – Activities within Road Reserve**

For all construction activity within public roads (including installation of a hoarding) the Applicant is to seek any necessary Council approvals for work in road reserves under Section 138 of the *Roads Act 1993*.

The Application can be lodged to Council directly and must be approved prior to the issue of a Construction Certificate.

**Note** – A S68 Local Government Act application is also required for stormwater works connecting to street kerb and gutter systems.

Reason: To ensure pedestrian and vehicular safety during construction.

#### 12. **Fire Safety Schedule**

A schedule of all proposed essential fire safety measures to be installed in the building (e.g. hydrants, hose reels, emergency warning systems etc.) shall be submitted with the construction certificate application. The schedule shall distinguish between existing and proposed fire safety measures.

Reason: To ensure all fire safety measures are identified to protect life and property.



**13. Access for People with Disabilities**

Access for people with disabilities is required to be provided in accordance with the *Disability (Access to Premises - Buildings) Standards 2010* and the *Building Code of Australia*.

Details indicating compliance must be submitted and approved by the certifying authority prior to the issue of a Construction Certificate.

Reason: To ensure that dignified and equitable facilities and services to and within buildings are provided for people with a disability.

**14. Outdoor Lighting**

Any outdoor lighting shall comply with the following, as relevant:

- AS/NZ 1158 Lighting for Roads and Public Spaces and Australian Standard
- AS 4282 Control of the Obtrusive Effects of Outdoor Lighting

If proposed, details demonstrating compliance with these requirements being submitted to the satisfaction of the principal certifier prior to issue of the Construction Certificate.

Reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.

**Conditions to be Completed Prior to Works Commencing**

**15. Construction Certificate**

No building work is to commence until a Construction Certificate has been issued for the work and Council has been notified that a Principal Certifying Authority has been appointed by application made via the NSW Planning Portal.

Documentation required under this condition must show that the proposal complies with all relevant development consent conditions, the National Construction Code, relevant Australian Standards and is not inconsistent with the DA approved stamped plans.

Reason: Requirement of Section 6.6 and 6.7 of the *Environmental Planning and Assessment Act 1979*.

**16. PCA Signage**

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 certifier 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.

Reason: To comply with the provisions of Clause 70 of the *Environmental Planning and Assessment Regulation 2021*.



## Conditions to be Undertaken During Construction

### 17. Hours of Work

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 | <b>No construction work to take place.</b> |

*Reason: To ensure that the environmental quality of adjoining land is not adversely affected, such as by the generation of excessive noise levels.*

### 18. Building Materials During Construction

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.

*Reason: To ensure pedestrian and vehicular access is not restricted in public places.*

### 19. Procedures for Critical Stage Inspections

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

### 20. Discovery of Relics and Aboriginal Objects

While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:

1. the work in the area of the discovery must cease immediately;
2. the following must be notified
  - for a relic – the Heritage Council; or
  - for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

1. for a relic – the Heritage Council; or
2. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

*Reason: To ensure the protection of objects of potential significance during works.*



## 21. Demolition

Any demolition is to be carried out in accordance with AS2601 – Demolition of Structures, to ensure the work is undertaken safely and as required pursuant to the *Environmental Planning and Assessment Regulation 2000* and *Work Health and Safety (WHS) Regulation 2011*.

Reason: To ensure demolition work is carried out in accordance with Australian Standard AS2601: The demolition of structures (AS 2601).

## 22. Handling of Asbestos During Demolition

While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:

- Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;
- Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
- Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m<sup>2</sup> or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.

Reason: To ensure that the removal of asbestos is undertaken safely and professionally.

## Conditions to be Completed Prior to Occupation

### 23. Occupation Certificate Required

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 and an Occupation Certificate has been issued.

Reason: To ensure compliance with the provisions of the *Environmental Planning and Assessment Act 1979* and Council's terms of consent.

### 24. Fire Safety Measures

Prior to the issue of an Occupation Certificate allowing commencement for the use of the building under this consent, the essential fire safety measures listed in the Fire Safety Schedule must be installed in the building in order to protect the building and its occupants from any fire risk.

Reason: To ensure all essential services listed on the Fire Safety Schedule have been installed to the required standards.

### 25. Fire Safety Statement – Final

In accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, upon completion of the building work, the owner must provide Council with a certificate in relation to each fire safety measure implemented in the building.

Reason: To ensure all fire safety measures are implemented to protect life and property.





**26. Plumbing and Drainage**

Prior to issue of an Occupation Certificate, the principal certifier shall be provided with a copy of the Final Plumbing and Drainage Certificate confirming compliance with the *Plumbing and Drainage Act 2011* (if required).

Reason: *To ensure all work meets relevant standards.*

**27. Car Parking**

Prior to the issue of an Occupation Certificate, car parking works shall be carried out in accordance with the approved plans and the following requirements to the satisfaction of the principal certifier:

- Provision of an all-weather, nuisance-free surface for pedestrians and vehicles throughout the parking area.
- Car parking and manoeuvring areas designed in accordance with relevant Australian Standards.
- A minimum of eight (8) car parking spaces.
- Appropriate signage (if required) to identify car parking areas.

Reason: *To satisfy Council's Development Control Plan and to ensure the development complies with existing permits.*

**28. Landscaping and Site Works**

Prior to the issue of an Occupation Certificate, landscaping and external site works shall be carried out in accordance with the approved plans to the satisfaction of the principal certifier. For the avoidance of doubt, this includes installation of edge support, kerbs and railings as shown on approved plans.

ADVICE: It is not considered the proposal warrants submission of a detailed landscape plan. It is recommended to consult with a qualified person regarding species and maintenance advice, to ensure longevity.

Reason: *To satisfy Council's Development Control Plan and to ensure the development accords with approved details.*

## Conditions Relating to Ongoing Operations

**29. Fire Safety Statement – Annual**

On at least one occasion in every 12-month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

Reason: *To ensure fire safety measures are maintained to protect life and property.*

**30. Waste Storage**

During ongoing use of the premises:

- all garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time;
- arrangements must be implemented for the separation of recyclable materials from garbage
- any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests

*Reason: In the interests of amenity and to comply with Council's Development Control Plan.*

### 31. **General Amenity and Use Requirements**

The use must be managed so that the amenity of the area is not unreasonably affected (to the satisfaction of Council) including through the:

- Appearance of any building or external areas.
- Maintenance of landscaped areas and car parking areas (including removal and replacement of any dead or dying plants).
- Emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil (as applicable).
- Presence of vermin.

*Reason: In the interests of amenity.*

### 32. **Signage**

Signage shall:

- be erected only in accordance with the approved plans and while the use is in operation,
- be maintained in a good condition, to the satisfaction of Council, and
- not be illuminated without further planning permission.

*Reason: In the interests of amenity.*

### 33. **Operational Details**

The approved development shall be carried out in accordance with the approved Plan of Management. For the avoidance of doubt, this includes conditions in relation to number of staff and hours of operation.

*Reason: In the interests of amenity and to comply with Council's Development Control Plan.*

## **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 notified in accordance with Table 2.2.1 of 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](http://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.

### Right of Review

In accordance with the provisions of Section 8.2 of the *Environmental Planning and Assessment Act 1979*, 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 *Environmental Planning and Assessment Act 1979* 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:**



**Bernard Smith**  
**GENERAL MANAGER**

On behalf of the consent authority

**Date: 24 July 2025**

*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 89 of the Regulation contains additional particulars to be included in a notice of determination where a condition under Sections 7.11 & 7.12 of the Environmental Planning and Assessment Act 1979 has been imposed.*