

NOTICE OF DETERMINATION OF MODIFICATION OF DEVELOPMENT CONSENT

Environmental Planning and Assessment Act 1979

APPLICANT DETAILS

Applicant: Mr Craig Burns
Address: 42 Old Bowman Road
CARTWRIGHTS HILL NSW 2650

APPLICATION DETAILS

Development Application Number: DA/2007/083
Determination Date: 23 June 2008
Approval to operate from: 23 June 2008
Approval to lapse on: 23 June 2010
Description of Development: Waste Disposal Facility

LAND TO BE DEVELOPED

Address: Euroka Road, Quandialla
Property Description: 1 & 2 DP 1039488

DETERMINATION DETAILS

Description of Development: Waste Disposal Facility
Decision: **APPROVED**
Date of this Notice: 20 April 2010

In response to your request of 12 January 2010 and pursuant to section 96 of the Environmental Planning and Assessment Act, 1979, notice is hereby given that the original development consent issued in respect of the above mentioned application and dated 23 June 2008 has been modified by:

by deleting Condition C2 and inserting:

C2 Lining of Pits

Prior to the deposit of any waste in pits:

- The wall and floor of each pit must be lined with 900 millimetres of compacted clay with a permeability of less than 1×10^{-9} metres per second. A geotechnical report confirming this level of permeability must be provided,
- Each pit constructed with clay lining must be inspected by Council prior to the disposal of any waste.

RIGHT OF APPEAL

If you are the applicant:

You can appeal against this decision in the Land and Environment Court within twelve (12) months of the date of this notice (section 97 of the *Environmental Planning and Assessment Act, 1979*). You cannot appeal, however, if a Commission of Inquiry was held and the development is designated development or state significant development.

REVIEW OF DETERMINATION

An applicant may request the Council to review this determination within one (1) year after the date the applicant received this notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination.

If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision.

A Review cannot be requested for:

- a determination to issue or refuse to issue a complying development certificate, or
- a determination in respect of designated development, or
- a determination in respect of integrated development, or
- a determination in respect of integrated development, or a determination made by Council under Section 116E in respect of an application by the Crown.

Guy Marchant
Manager Development Services