

**NOTICE TO APPLICANT OF DETERMINATION OF DEVELOPMENT APPLICATION BY THE
WESTERN REGIONAL PLANNING PANEL**

BY REFUSAL

Environmental Planning and Assessment Act, 1979

DA2018/39

TO:

Ben Fryer
Warrawidgee Pty Ltd
c/- PO Box 281
Wodonga Vic 3689

being the applicant(s) for **DA2018/39** relating to:

No.803 Spring Drive, Corowa (Lot 3 DP 791136)

REFUSED USE AND/OR DEVELOPMENT:

Proposed Eco-Tourist Facility (Conservation holiday resort of transportable cabins)

DETERMINATION DATE: -

REFUSAL DATE: -

Pursuant to the Section 4.18 of the Act, notice is hereby given that the above application has been determined by **REFUSAL** for the following reasons:

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 the development proposes a use that is prohibited on the land in accordance with the requirements of Clause 2.3 (Zone objectives and Land Use Table) of the Corowa Local Environmental Plan 2012;
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 the development has not satisfied Council that the requirements of Clause 5.13 (Eco-tourist facilities) of the Corowa Local Environmental Plan 2012 have been met;
3. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act, 1979 the development has not satisfied Council that it is designed, sited and managed to avoid any significant adverse environmental impact;
4. Pursuant to Section 4.15(1)(c) Environmental Planning and Assessment Act, 1979 the site is unsuitable for the proposed development; and
5. Pursuant to Section 4.15(1)(e) Environmental Planning and Assessment Act, 1979 the proposed development is not in the public interest.

RIGHTS OF REVIEW AND APPEAL

Development Determination under Environmental Planning and Assessment Act, 1979

Section 8.7 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within six (6) months** after receipt of this notice.

PRIVACY NOTIFICATION

Personal information contained on this Development Determination Notice and any associated documents will be published on Council's website as required by the Government Information (Public Access) (GIPA) Act 2009.

APPROVAL BODIES

No General Terms of Approval have been issued for the proposed development.
