

**NOTICE TO APPLICANT OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

**Issued under the *Environmental Planning & Assessment Act, 1979* Section 81(1)(a)**

TO: **Mr Trevor Wayne Kiernan and Mrs Sharon Joan Kiernan**  
OF: **PO Box 853**  
**Inverell NSW 2360**

being the applicant in respect of **Application No DA-119/2020**

Notice is hereby given of the determination by Council of **Application No. DA-119/2020** relating to the land owned by **Mr Trevor Wayne Kiernan and Mrs Sharon Joan Kiernan, of PO Box 853, Inverell NSW 2360** and is described as follows:

**Lot 11 DP 241165**  
**2 Coggan Place, INVERELL 2360**

The development proposal is: **Deck**

The Determination is **consent granted subject to conditions described below** made on **8 October 2020**.

This consent expires five (5) years from the date on which it commences to operate in accordance with Section 83 of the Environmental Planning and Assessment Act 1979 unless the work to which it relates has physically commenced on site within that period. Where the approval relates to a use of the land rather than to the carrying out of works then that use must have commenced on site within that five year period.

The conditions of consent are set out as follows:

***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 the use of the rear deck.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plan and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. All stormwater (i.e. roof water and/or surface water) shall be drained to Coggan Place in accordance with *Australian Standard 3500.3 Plumbing and drainage*.

**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 79C of the *Environmental Planning and Assessment Act 1979*, as well as Section 80A which authorizes the imposing of the consent conditions.
3. Having regard to the circumstances of the case and the public interest.

### **Reasons for Approval**

1. The development, subject to conditions, is consistent with the objectives of the R1 General Residential zone.
2. In consideration of the controls of the Inverell Development Control Plan 2013, the deck is considered ancillary to the dwelling and not considered to adversely impact the amenity of the surrounding area.

### **Community Consultation**

As per the Inverell Community Participation Plan the development was considered to be a minor development with minimal environmental impact and notification was not necessary.

If you are dissatisfied with this decision section 97 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 section 82A 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



**CHRIS FALEY**  
**DEVELOPMENT SERVICES COORDINATOR**  
**DATE : 8 October 2020**