



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-34-2025 PAN-531122
Applicant	Ambrose Building Development Solutions [REDACTED]
Description of development	Manufactured dwelling, office and storage shed (retrospective approval)
Property	189 BALALA ROAD BALALA 2358 4/-/DP285189
Determination	Approved Consent Authority - Council staff under delegated authority
Date of determination	12/08/25
Date from which the consent operates	12/08/25
Date on which the consent lapses	12/08/30
Building Code of Australia building classification	NA

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

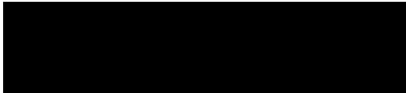
You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been

disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.



Kate Blackwood
Manager Planning and Development
Person on behalf of the consent authority

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	Approved plans and supporting documentation			
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.			
	Approved plans			
	Plan number	Revision number	Plan title	Drawn by
				Date of plan
	Dwg No. 23001-02	A	Floor Plan	Robinsons Drafting Service
	23001-03		Elevations	
	Modular Type Dwelling			6/1/2023 13/1/2023
	Dwg No. 23008-02	A	Floor Plan	Robinsons Drafting Service
	23008-03		Elevations	
Modular Type Office			6/6/2023	
NA		Site Plan	ADBS	
			NA	
Approved documents				
Document title	Version number	Prepared by	Date of document	
Bushfire Risk Assessment	A	Stephen Cotter	29 April 2025	
Statement of Environmental Effects	A	ADBS	NA	
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.				
Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.				

2	<p>Section 68 - OSSMS</p> <p>Before the issue of a Building Information Certificate (BIC), approval under section 68 of the Local Government Act 1993 for an on-site sewerage management system must be obtained from council and a copy of the approval be provided to the principal certifier.</p> <p>NOTE: Council acknowledges receipt of s68-2025-7446 for a composting toilet and septic tank.</p> <p>Condition reason: To ensure the development is serviced by an approved waste water treatment system (OSSMS)</p>
3	<p>Stormwater Disposal</p> <p>Stormwater from the dwelling, office & storage shed is to be disposed in a manner that does not cause nuisance, by one of the following methods: -</p> <ol style="list-style-type: none"> 1. By piping to a rainwater tank and then via the overflow to a stormwater rubble pit, or 2. By piping 3.0 metres clear of any building to a stormwater rubble pit. <p>Stormwater infrastructure is to be installed and operational prior to issue of a Building Information Certificate (BIC).</p> <p>Condition reason: To ensure stormwater has been effectively and lawfully managed for the development.</p>
4	<p>Building Information Certificate</p> <p>Prior to lawful occupation/use of the dwelling and office, a Building Information Certificate (BIC) is required to be submitted to and approved by Council.</p> <p><i>NOTE: A Building Information Certificate is valid for up to seven (7) years from the date of issue.</i></p> <p>Condition reason: To ensure the approved use of the buildings are fit for purpose.</p>
5	<p>BAL 12.5</p> <p>Before the issue of a Building Information Certificate (BIC) the approved dwelling should meet the performance criteria for construction standards given in the NSW RFS Planning for Bushfire Protection 2018, as follows:</p> <ul style="list-style-type: none"> • Construction and ember attack measures at bush fire attack levels (BAL- 12.5) provided by AS 3959-2018. • Construction complies with section 3 and 5 of AS3959-2018, and • To meet the deemed to satisfy criteria of the BCA, the subfloor space less than 400mm above the ground shall be enclosed with a screen in accordance with Section 7.5 of PBP2019. <p>Condition reason: To ensure compliance with BAL 12.5</p>
6	<p>Asset Protection Zones</p> <p>Prior to the issue of a Building Information Certificate (BIC) and in perpetuity, landscaping around the dwelling footprint is required to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006 and Bushfire Risk Assessment (Stephen Cotter, April 2025)</p> <p>Recommendations: -</p> <ul style="list-style-type: none"> • A separation distance of at least 22 metres to the north and west, 42 metres to the south and 20 metres to the east is maintained as the APZ for the dwelling.

	<ul style="list-style-type: none"> • The APZ shall be managed as an Inner Protection Area according to Appendix 4 of PBP2019 to provide separation from the bushfire prone vegetation. • A minimum of 20,000L of additional water storage is required for the dwelling in accordance with Table 7.4a of PBP2019. • Property access shall exceed any provisions in PBP2019 for a property access road. • Construction complies with section 3 and 5 of AS3959-2018 • To meet the deemed to satisfy criteria of the BCA, the subfloor space less than 400mm above the ground shall be enclosed with a screen in accordance with Section 7.5 of PBP2019. 								
	<p>Condition reason: To ensure the development meets the performance requirements in the Bushfire Risk Assessment (Stephen Cotter, April 2025)</p>								
7	<p>Section 7.12 Contributions</p> <p>Prior to issue of a Building Information Certificate (BIC) a contribution is to be paid to Council towards the provision or improvement of public facilities (as per Uralla Shire Council’s section 7.12 Contributions Plan 2012).</p> <table border="1" data-bbox="310 611 1458 779"> <thead> <tr> <th>Proposed Cost of Development *</th> <th>Levy Percentage</th> <th>Total Contribution</th> <th>Note</th> </tr> </thead> <tbody> <tr> <td>\$180,000.00</td> <td>0.5%</td> <td>\$900.00</td> <td>Contribution Rate remains current until first date of next quarter</td> </tr> </tbody> </table> <p>*Proposed cost of carrying out the development less any credits which may apply.</p> <p>Contributions are indexed annually at the end of each financial year.</p> <p>Condition reason: To assist Council in providing public facilities and enhance amenity and livability within the LGA.</p>	Proposed Cost of Development *	Levy Percentage	Total Contribution	Note	\$180,000.00	0.5%	\$900.00	Contribution Rate remains current until first date of next quarter
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8	<p>Rural Water Supply</p> <p>Prior to issue of a Building Information Certificate (BIC), the development is to be provided with a minimum 70,000 litre domestic water supply, in accordance with Council’s Development Control Plan 2011.</p> <p>In addition to the minimum quantities of domestic water storage required above, a dedicated reserve for fire fighting purposes of 20,000L is also required to be provided. The dedicated water supply tank must include a 65mm Storz fitting and ball or gate valve, or if the tank is in ground, it shall be fitted with a 200mm x 200mm child proof access hole. These fittings must be compatible with the Rural Fire Service fire fighting connections. Fire fighting appliance (i.e. trucks and tankers) must be able to gain access to within 4 metres of the tank. All associated tank fittings that are above ground and/or external to the tank shall be noncombustible. This includes all above ground water pipes; taps; outlets and fittings.</p> <p>Condition reason: To ensure there is a reliable water supply for the development.</p>								
9	<p>Rural Address</p> <p>Prior to issue of a Building Information Certificate (BIC) the property number is to be provided in a visible place on or near the entrance for the convenience of visitors, emergency services and postal services. Numbers shall be 100mm high x 50mm wide (minimum) and of a colour contrasting with the surface to which they are affixed.</p> <p>Condition reason: To ensure the rural address is visible for the benefit of emergency services and postal services.</p>								

Building Work

Before issue of a construction certificate

No additional conditions have been applied to this stage of development.

Before building work commences

No additional conditions have been applied to this stage of development.

During building work

No additional conditions have been applied to this stage of development.

Before issue of an occupation certificate

No additional conditions have been applied to this stage of development.

Occupation and ongoing use

10	Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any approval or license requirements.
	Condition reason: To protect sewerage and stormwater systems.
11	Sheds (General)
	The approved storage shed shall: <ol style="list-style-type: none">1. not be used for any habitable purposes;2. not be occupied on any commercial or industrial basis (unless exempt under relevant Environmental Planning Instruments) without the benefit of further planning permission;3. be constructed of non-reflective material.
	Condition reason: To ensure the approved use of the building is in accordance with the NCC Building Classification and in the interests of amenity.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent. Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means URALLA SHIRE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Northern Regional Planning Panel.