



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-46-2025 PAN-560523
Applicant	Rhonda Lynette Sullivan [REDACTED]
Description of development	Stage 1 - Two lot subdivision, and stage 2 - construction of a dwelling
Property	40 JOHN STREET URALLA Lot 22 DP1181294
Determination	Approved Consent Authority - Council staff under delegated authority
Date of determination	12/12/25
Date from which the consent operates	12/12/25
Date on which the consent lapses	12/12/30

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.

Heather Nicholls
Acting Manager Planning & 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	<p>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p> <ol style="list-style-type: none"> 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— <ol style="list-style-type: none"> a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. <p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p>Erection of signs</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ol style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a

- telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
3. The sign must be—
- a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
4. This section does not apply in relation to—
- a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

3

Notification of Home Building Act 1989 requirements

1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—
 - a. for work that requires a principal contractor to be appointed—
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,
 - b. for work to be carried out by an owner-builder—
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.
3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.

4

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
Stage 1 - Subdivision				
-	-	Subdivision plan	Rhonda Sullivan	Received by council 12.08.2025
Stage 2 - dwelling				

Project 18005		Site and floor plans	Marshall Drafting Services	07.02.2018
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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.

5 Staged development

This development is to be undertaken in two stages, with Stage 1 being the subdivision of the subject land to create two allotments, and upon evidence provided to the consent authority of registration of the title deeds for the subdivision, that Stage 2 for construction of a dwelling upon the vacant allotment may proceed.

Condition reason: To provide for orderly development of land.

6 Subdivision certificate

An application for a Subdivision Certificate is to be submitted via the NSW Planning Portal, with all relevant documentation and plans, including a statement of how each of the conditions has been satisfied. Details of any staging, compliance with relevant consent conditions, and all required easements, positive covenants and restrictions as to user are to be included on the documentation submitted for a Subdivision Certificate for the subject lots, to ensure that the relevant consent requirements are addressed.

Condition reason: To ensure that a Subdivision Certificate is applied for.

7 Connection to essential services

Before issue of a subdivision certificate the following work shall be approved by council pursuant to s68 of the Local Government Act 1993, and carried out to the satisfaction of council:

- Connection of water supply to the vacant lot, including provision of a water meter.
- Connection of sewer to the vacant lot

Advice: Additional fees are likely to be payable for the carrying out of this work.

Condition reason:

8 Services - telecommunication and electricity

Written evidence from telecommunications and electricity providers, confirming that satisfactory arrangements have been made for the provision of telecommunications and electricity services to the development, are to be submitted to council before the issue of a Subdivision Certificate.

The location of any new pole or ground mounted substation for the development is to be confirmed with and approved by council to ensure that this does not unreasonably interfere with the aesthetics or functionality of the development or adjoining public roads.

Condition reason:

9 Subdivision Works Certificate

In accordance with the provisions of Section 6.13 of the Environmental Planning and Assessment Act 1979, construction works approved by this consent must not commence until a subdivision works certificate has been issued by Council or an Accredited Certifier. The

	<p>documentation required under this condition must show that the proposal complies with all development consent conditions and is not inconsistent with the approved plans.</p> <p>Prior to issue of a subdivision works certificate, details for the connection to council's water supply and sewer system are to be submitted for approval by council. Designs are to comply with council's suite of engineering standards</p> <p>Advising: Council is to be notified at least two (2) days prior to commencement of work.</p> <p>Condition reason: To ensure the development proceeds in an appropriate manner.</p>
10	<p>Preservation of historic water race</p> <p>The water race, as shown on the current title deed, is to be preserved. Any internal access way is to be designed to ensure the feature is retained and conserved.</p> <p>Condition reason: To preserve a water race as identified on the subject land title deed</p>

Building Work

Before issue of a construction certificate

11	<p>Long Service Levy</p> <p>Before the issue of a Construction Certificate for the dwelling, the long service levy must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier or Council (where a certifier is not required).</p> <p>Condition reason: To ensure the long service levy is paid.</p>
12	<p>Construction Certificate</p> <p>In accordance with the provisions of Section 6.6 and 6.7 of the <i>Environmental Planning and Assessment Act 1979</i>, construction works approved by this consent for the dwelling must not commence until:</p> <ul style="list-style-type: none"> a) a Construction Certificate has been issued; b) the NSW Planning Portal has been advised of: <ul style="list-style-type: none"> (i) the intention to commence work; and (ii) the specific Principal Certifying Authority (building inspector) that has been appointed to the project. <p>Documentation required under this condition must show that the proposal complies with all relevant development consent conditions and is not inconsistent with the approved plans, the Building Code of Australia and the relevant Australian Standards.</p> <p>Condition reason:</p>
13	<p>Section 68 Approvals</p> <p>Before issue of a construction certificate for the dwelling, an approval is required under Section 68 of the Local Government Act for:-</p> <ul style="list-style-type: none"> • all water supply, sewerage and stormwater drainage work. <p>Condition reason: To ensure the appropriate section 68 approvals are in place prior to issue of a construction certificate for the development.</p>

14	Section 7.12 Contributions										
	A contribution is to be paid to council (as part of the dwelling approval) towards the provision or improvement of public facilities (as per Uralla Shire Council's section 7.12 Contributions Plan 2021).										
	<table border="1"> <thead> <tr> <th>Proposed Development *</th> <th>Cost of</th> <th>Levy Percentage</th> <th>Total Contribution</th> <th>Note</th> </tr> </thead> <tbody> <tr> <td>\$495,000.00</td> <td></td> <td>1%</td> <td>\$4,950</td> <td><i>Contribution Rate remains current until first date of next quarter</i></td> </tr> </tbody> </table>	Proposed Development *	Cost of	Levy Percentage	Total Contribution	Note	\$495,000.00		1%	\$4,950	<i>Contribution Rate remains current until first date of next quarter</i>
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\$495,000.00		1%	\$4,950	<i>Contribution Rate remains current until first date of next quarter</i>							
	*Proposed cost of carrying out the development less any credits which may apply.										
	Contributions are indexed annually at the end of each financial year.										
	Condition reason: To assist the Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the LGA.										
15	Work on Council Land (Section 138)										
	A new access is required to provide safe and convenient vehicle access from a public road to the vacant lot as part of the Stage 1 subdivision. Kerb and gutter is to be extended along the eastern side of Ivon Court for the full length of the vacant lot.										
	For all work required on council land, including the construction of a new access, the applicant is to submit an Application for Consent for Works on a Public Road (Section 138, The Roads Act 1993).										
	The application must be approved prior to the issue of a construction certificate for the development, to ensure pedestrian and vehicular safety during construction and for the life of the development.										
	Condition reason: To ensure a suitable access is provided for the development.										

Before building work commences

16	Erosion and sediment controls in place
	Before any site work commences, the principal certifier or council (where a principal certifier is not required), must be satisfied that adequate erosion and sediment controls are in place. These controls must remain in place until any bare earth has been restabilised.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

During building work

17	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: <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. 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 <i>National Parks and Wildlife Act 1974</i>, section 85.
	Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> a. for a relic – the Heritage Council; or b. 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

	<i>National Parks and Wildlife Act 1974</i> , section 85.
	Condition reason: To ensure the protection of objects of potential significance during works.
18	<p>Procedure for critical stage inspections</p> <p>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.</p> <p>Condition reason: To require approval to proceed with building work following each critical stage inspection.</p>
19	<p>Hours of Work</p> <p>The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:</p> <ul style="list-style-type: none"> • 7am to 6pm on Monday to Friday and 8am to 1pm on Saturday <p>(No work on Sundays and public holidays)</p> <p>The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p>Note: Any variation to the hours of work requires Council's approval.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>
20	<p>Stormwater Disposal</p> <p>Stormwater from paved and impervious surfaces associated with the dwelling (stage 2) is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:</p> <ol style="list-style-type: none"> a. By piping to the John Street gutter. b. By piping to a rainwater tank and then via the overflow to the John Street gutter. <p>Stormwater infrastructure is to be installed during building work as soon as the roof is constructed.</p> <p>Condition reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.</p>

Before issue of an occupation certificate

21	<p>Completion of public utility services</p> <p>Before the issue of the relevant subdivision certificate (stage 1), confirmation must be obtained from the relevant authorities that any adjustment or augmentation of any public utility services including water, sewer, electricity, and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p> <p>Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.</p>
22	<p>Removal of waste upon completion</p>

	<p>Before the issue of an Occupation Certificate for the dwelling:</p> <p>a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of at a waste facility.</p> <p>Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.</p>
23	<p>Occupation Certificate</p> <p>The relevant Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning & Assessment Act 1979 and to ensure the health and safety of the building's occupants.</p> <p>ADVISING: Failure to obtain an Occupation Certificate is an offence under the legislation</p> <p>Condition reason: To ensure the building is suitable for occupation (in accordance with its BCA classification).</p>
24	<p>Plumbing and Drainage</p> <p>Any required plumbing and drainage work shall comply with the Plumbing and Drainage Act 2011, Plumbing and Drainage Australian Standard AS3500, Plumbing Regulations 2017 and the Plumbing Code of Australia (NCC 2016).</p> <p>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 <i>Plumbing and Drainage Act 2011</i>.</p> <p>Condition reason: To ensure any plumbing and drainage work complies with the relevant requirements of the Plumbing and Drainage Act 2011</p>
25	<p>Property Number</p> <p>The property number is to be provided in a visible place to the John Street frontage for the convenience of emergency services and postal services prior to the issue of an Occupation Certificate for the dwelling. 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: So that first responders can locate the property in case of an emergency.</p>

Occupation and ongoing use

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

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.