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Notice of Determination

Issued under Environmental Planning and Assessment Act 1979
Section 4.18(1)(a)

DEVELOPMENT APPLICATION

Applicant	Application No: PAN- 631203 /DA-25-2026
Applicant name:	Ambrose Building Development Solutions
Applicant address:	[REDACTED]
Owner	
Owner's name:	Mr A Spinks
Owner's address:	[REDACTED]
Land to be developed	
Property details:	190 Dumaresq Road Saumarez Ponds 2050
Land description:	Lot 2 DP1322881
Land use zone:	R5 Large Lot Residential
Development	
Description:	2 Lot Subdivision
Determination - approval	
Decision date:	28 July 2026
Operational date:	28 July 2026
Lapse date:	28 July 2031
Conditions	
Please read all conditions carefully. The applicant / developer may arrange with council to clarify, if necessary, the precise requirements of the conditions of this consent. If you are dissatisfied with this determination, 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.	

[REDACTED]

C Chapman
Acting Manager Planning & Development

28 July 2026

General Conditions

1.	Approved plans and supporting documentation		
	Development must be carried out in accordance with the following approved plan, except where the conditions of this consent expressly require otherwise.		
	Approved plan		
	Number/ref	Drawn by	Date of plan
	20250108	RL Donnelly	2025
	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.	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 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 application is made for a Subdivision Certificate.		
3	Section 138 Roads Act approval - advice		
	Any new driveway crossover required to service either or each lot requires council's consent by an application under Section 138 of the Roads Act 1993.		
	Condition reason: Advisory note		
4	Dwelling permissibility - advice		
	A dwelling is permissible upon each lot created by the subdivision, (subject to obtaining separate development consent), and noting council's approval of a s4.6 variation of the Minimum Lot Size provision applying to proposed Lot 1.		
	Condition reason: To clarify the intended future purpose of each allotment.		

Subdivision Work

Before issue of a subdivision works certificate

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

Before subdivision work commences

5	Subdivision Works Certificate
	Prior to commencement of subdivision works, the person having benefit of the consent must apply to council for a Subdivision Works Certificate in accordance with s6.13 of the Environmental Planning and Assessment Act. The application for a Subdivision Works Certificate needs to be accompanied by detailed engineering design plans and specifications that address the council's engineering design codes and requirements.
	Reason: Statutory requirement
6	Fencing
	Any boundary fencing as a result of the approved development shall accord with exempt development limitations as prescribed in Part 2 Division 1 Subdivision 18 of the State Environmental Planning Policy (Exempt and Complying Codes) 2008.
	Condition reason: For advisory information
7	Erosion and sediment controls in place
	Before any site work commences, the principal certifier must be satisfied suitable 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
8	Section 138 Approval – Access road and driveways
	For all construction work on council's land, the developer is required to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority, which will incorporate seeking any necessary approvals for work in road reserves under the Roads Act 1993. The relevant work required under this consent includes: • Construction of a roadway from the edge of Dumaresq Road along the unnamed road reserve to the entry to proposed Lot 2, and construction of a driveway from the unnamed road to the boundary of the proposed Lot 2, and • Construction of a driveway from the edge of Dumaresq Road to the boundary of proposed Lot 1. Details shall be approved prior to the commencement of any work on Council's land and shall be in accordance with relevant adopted standard drawings
	Condition reason: To ensure safe and practical access is provided to the new lot.

During subdivision work

9	Discovery of relics and Aboriginal objects
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	While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: 1.the work in the area of the discovery must cease immediately; 2. the following must be notified: 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 National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: 1. for a relic – the Heritage Council; or 2. 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 National Parks and Wildlife Act 1974, section 85 Condition reason: To ensure the protection of objects of potential significance during works.
10	Hours of work Site work must only be carried out between the following times: • 7.00am and 6.00pm on Monday to Friday • 8.00am to 1.00pm on Saturdays Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority Condition reason: To protect the amenity of the surrounding area
11	Noise and Vibration requirements While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at a lot boundary of the site. Condition reason: To protect the amenity of the neighbourhood during construction.
12	Responsibility for changes to public infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure must be paid as directed by the consent authority. Condition reason: To ensure payment of approved changes to public infrastructure.

Before issue of a subdivision certificate

13	Repair of infrastructure Before the issue of a Subdivision Certificate: Any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council. Condition reason: To ensure any damage to public infrastructure is rectified
14	Services - Telecommunications and Electricity Written advice 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 road/s. ADVISING: Such infrastructure shall be located within the property where feasible and positioned such that it does not impede the movement of pedestrians with vision impairment Condition reason: To ensure the new lot is appropriately serviced
15	Road naming Developer suggestions for the name of the new road together with reasons for the name proposed, should be submitted before issue of s Subdivision Certificate, for council consideration. Council favours names with historical, zoological, botanical or geographic association with the locality. Condition reason: To name a new / unnamed road.
16	Rural address numbers The location of each eligible access will be established, and a number allocated based upon measurements taken by the Principle Certifying Authority, which will be in accordance with Standard AS/NZ 4819:2011. Prior to the release of the Subdivision Certificate, application is to be made in writing to council, requesting a rural property address be issued. Condition reason: To comply with Standard AS/NS 489:2001: Geographic Information – Rural and Urban Addressing.

Ongoing use for subdivision work

No additional conditions have been applied to this stage of development