



## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

<b>Application number</b>	DA-12-2026 PAN-614845
<b>Applicant</b>	Jillian Cumberland 3 KINGSWOOD DRIVE KINGSWOOD 2340
<b>Description of development</b>	Demolition of existing garage and carport, construction of a new cement slab, erection of a prefabricated steel shed kit, installation of toilet/shower/basin.
<b>Property</b>	3 VINCENT STREET URALLA 2358 2/-/DP1290541
<b>Determination</b>	Approved Consent Authority - Council staff under delegated authority
<b>Date of determination</b>	5/05/26
<b>Date from which the consent operates</b>	5/05/26
<b>Date on which the consent lapses</b>	5/05/31

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 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	<p><b>Erection of signs</b></p> <ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</li> <li>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"> <li>a. showing the name, address and telephone number of the principal certifier for the work, and</li> <li>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</li> <li>c. stating that unauthorised entry to the work site is prohibited.</li> </ol> </li> <li>3. The sign must be—             <ol style="list-style-type: none"> <li>a. maintained while the building work, subdivision work or demolition work is being carried out, and</li> <li>b. removed when the work has been completed.</li> </ol> </li> <li>4. This section does not apply in relation to—             <ol style="list-style-type: none"> <li>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</li> <li>b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</li> </ol> </li> </ol>																				
	<p><b>Condition reason:</b> Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>																				
2	<p><b>Approved plans and supporting documentation</b></p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1" data-bbox="310 1625 1235 1959"> <thead> <tr> <th colspan="5">Approved plans</th> </tr> <tr> <th>Plan number</th> <th>Revision number</th> <th>Plan title</th> <th>Drawn by</th> <th>Date of plan</th> </tr> </thead> <tbody> <tr> <td>unnumbered</td> <td>1</td> <td>Site plan</td> <td>SBC construction</td> <td>14 February 2026</td> </tr> <tr> <td>Dwg: TTWH260007-3</td> <td>-</td> <td>Layout, elevation and floor plan</td> <td>Apex Engineering</td> <td>5 February</td> </tr> </tbody> </table>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	unnumbered	1	Site plan	SBC construction	14 February 2026	Dwg: TTWH260007-3	-	Layout, elevation and floor plan	Apex Engineering	5 February
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Dwg: TTWH26000-10 sheets 1-7		Group P/L	2026
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.			
<b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.			
3	<b>Building Classification - Building to be used as shed only</b>		
The approved garage shall: <ul style="list-style-type: none"> <li>a. not be used for any habitable purposes without the benefit of further planning permission;</li> <li>b. not be occupied on any commercial or industrial basis (unless exempt under relevant Environmental Planning Instruments) without the benefit of further planning permission;</li> <li>c. be constructed of non-reflective material.</li> </ul>			
<b>Condition reason:</b>			

## Building Work

### Before issue of a construction certificate

4	<b>Bush fire attack level design and construction</b>		
<p>Before the issue of a construction certificate, detailed plans must be submitted to the certifier that demonstrate compliance with the BAL 19 construction standards in the following:</p> <ul style="list-style-type: none"> <li>a) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone area', and</li> <li>b) 'Planning for Bush Fire Protection 2019' issued by the NSW Rural Fire Service.</li> </ul> <p>New construction must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.</p>			
<b>Condition reason:</b> To ensure the building is suitably constructed for potential bush fire attack.			
5	<b>Construction Certificate</b>		
<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 must not commence until:</p> <ul style="list-style-type: none"> <li>a) a Construction Certificate has been issued;</li> <li>b) the NSW Planning Portal has been advised of: <ul style="list-style-type: none"> <li>(i) the intention to commence work; and</li> <li>(ii) the specific Principal Certifying Authority (building inspector) that has been appointed to the project.</li> </ul> </li> </ul>			

	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.
	<b>Condition reason:</b>
6	<b>Section 68 Approvals</b>
	Before issue of a construction certificate, an approval is required under Section 68 of the Local Government Act for:- <ul style="list-style-type: none"> <li>• installation, alteration, or operation of an on-site waste water management system (OSSMS)</li> </ul>
	<b>Condition reason:</b> To ensure the appropriate section 68 approvals are in place prior to issue of a construction certificate for the development.

**Before building work commences**

7	<b>Erosion and sediment controls in place</b>
	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.
	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

**During building work**

8	<b>Discovery of relics and Aboriginal objects</b>
	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"> <li>a. the work in the area of the discovery must cease immediately;</li> <li>b. the following must be notified <ul style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>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.</li> </ul> </li> </ul> Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> <li>a. for a relic – the Heritage Council; or</li> <li>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.</li> </ul>
	<b>Condition reason:</b> To ensure the protection of objects of potential significance during works.

9	<b>Procedure for critical stage inspections</b>
	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.
	<b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.

10	<b>Hours of Work</b>
	The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between: <ul style="list-style-type: none"> <li>• 7am to 6pm on Monday to Friday and 8am to 1pm on Saturday</li> </ul>

	<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><b>Note:</b> Any variation to the hours of work requires Council's approval.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area</p>
11	<p><b>Stormwater Disposal</b></p> <p>Stormwater from paved and impervious surfaces is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:</p> <p>a. By piping to a rainwater tank and then via the overflow to a rubble pit 3.0m clear of any building or boundary.</p> <p>b. By piping 3.0 metres clear of any building or boundary to a rubble pit.</p> <p>Stormwater infrastructure is to be installed during building work as soon as the roof is constructed.</p> <p><b>Condition reason:</b> To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.</p>

### **Before issue of an occupation certificate**

12	<p><b>Occupation Certificate</b></p> <p>The relevant Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning &amp; 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><b>Condition reason:</b> To ensure the building is suitable for occupation (in accordance with its BCA classification).</p>
13	<p><b>Plumbing and Drainage</b></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><b>Condition reason:</b> To ensure any plumbing and drainage work complies with the relevant requirements of the Plumbing and Drainage Act 2011</p>

### **Occupation and ongoing use**

14	<p><b>Asset Protection Zones</b></p> <p>Prior to the issue of an occupation certificate and in perpetuity, landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated:</p>
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- A minimum 1-metre-wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); • Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and • Low flammability vegetation species are used.

**Condition reason:** To ensure an APZ is maintained around the dwelling at all times.

## 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.