



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-32-2025 PAN-528212
Applicant	Clancy Bowman [REDACTED]
Description of development	Installation of meteorological monitoring mast
Property	1 THE GAP ROAD GOSTWYCK 2358 188/-/DP755835 153/-/DP755835 192/-/DP755835 152/-/DP755835 191/-/DP755835 223/-/DP755835
Determination	Approved Consent Authority - Council staff under delegated authority
Date of determination	24/08/25
Date from which the consent operates	24/08/25
Date on which the consent lapses	24/08/30

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.

Reasons for approval

The proposal (as conditioned), complies with the LEP 2012 and would not cause material harm.

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.



Simon Vivers
Senior Planner
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	Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989 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— 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. Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
2	Erection of signs 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— 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	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. <table><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><tr><td>-</td><td>-</td><td>Met Mast Location - North-east met mast</td><td>EMM</td><td>received 13/8/25</td></tr><tr><td>3 of 11</td><td rowspan="2">00</td><td>Mast Plan</td><td rowspan="2">ART ref: ART-240785- SGA-001</td><td rowspan="2">28/2/25</td></tr><tr><td>4 of 11</td><td>Mast Elevation</td></tr></table> <table><tr><th colspan="4">Approved documents</th></tr><tr><th>Document title</th><th>Version number</th><th>Prepared by</th><th>Date of document</th></tr><tr><td>Aviation Impact Assessment</td><td>-</td><td>Aviation Projects ref: 105407-01</td><td>21/03/25</td></tr><tr><td>Response to RFI</td><td>1</td><td>EMM</td><td>13/8/25</td></tr><tr><td>Statement of Environmental Effects</td><td>2</td><td>ref: E240929</td><td>11/4/25</td></tr></table> In the event of any inconsistency between the approved plans and documents, the approved documents prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. ADVICE:	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	-	-	Met Mast Location - North-east met mast	EMM	received 13/8/25	3 of 11	00	Mast Plan	ART ref: ART-240785- SGA-001	28/2/25	4 of 11	Mast Elevation	Approved documents				Document title	Version number	Prepared by	Date of document	Aviation Impact Assessment	-	Aviation Projects ref: 105407-01	21/03/25	Response to RFI	1	EMM	13/8/25	Statement of Environmental Effects	2	ref: E240929	11/4/25
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	For the avoidance of doubt, this consent relates only to: Lot: 51 DP: 1212121 Lot: 5 DP: 1239535 Lot: 4 DP: 1239535 Lot: 152 DP: 755835 Lot: 153 DP: 755835 The includes any lot required for access to the development, whether or not identified as a primary address of the development. Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
4	Air Safety The approved development shall at all times comply with all relevant requirements of: • Civil Aviation Safety Authority; and • Air Services Australia ADVICE: The submission of a detailed Aviation Assessment is noted, however this conditon has been applied for the avoidance of doubt and as a precautionary measure. Condition reason: To ensure the proposal does not compromise air safety.
5	Environmental Harm The developer shall take all reasonable, feasible and practical measures to prevent or minimise harm to the environment and human health during the construction, and decommissioning of the development. This includes but is not limited to erosion and sediment control and weed control. Condition reason: To ensure that, throughout the life of the development, good practice is exercised with respect to the development.
6	Fencing Any security fencing is to incorporate scratch barriers to ensure that fencing containing barbed wire is clamber proof to prevent the potential entanglement of fauna. Condition reason: To prevent harm to, and displacement of fauna.
7	Damage to Council Infrastructure Damage caused to Council infrastructure as a result of the construction or decommissioning shall be rectified by the developer at their full expense. Condition reason: To ensure infrastructure is not damaged as a result of the development.
8	Construction Traffic Effective dust control measures are to be maintained during the construction and decommissioning phases of the development. ADVISING: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act. Condition reason: To maintain public safety/amenity and prevent nuisance dust emissions from associated with construction traffic.
9	Decommissioning Unless further planning permission is granted, the approved structure shall be removed within 5 years of the date of the issue of Occupation Certificate. Land shall be rehabilitated to the

satisfaction of Council.

ADVISING: A decommissioning and rehabilitation plan is not considered necessary for the scope of the proposal.

Condition reason: To ensure the structure is temporary, and as described within the SoEE.

Building Work

Before issue of a construction certificate

10	Section 7.12 Contributions			
	Before the issue of a Construction Certificate, 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 2021).			
	Proposed Cost of Development *	Levy Percentage	Total Contribution	Note
	\$320,524.29	1%	\$3,205.24	Contribution Rate remains current until first date of next quarter
	*Proposed cost of carrying out the development less any credits which may apply. Contributions are indexed annually at the end of each financial year. Please contact Council for an invoice. 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.			
11	Surrender of Consent			
	Before the issue a Construction Certificate, the developer shall surrender Development Consent ref: DA-36-2025.			
	Condition reason: To ensure the development complies with Part 1 of the SoEE, and prevents excessive development.			

Before building work commences

12	Erosion and sediment controls in place			
	Before any site work commences, the principal certifier must be satisfied acceptable erosion and sediment controls are in place. These controls must remain in place until any bare earth has been reestablished.			
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.			
13	Construction Certificate			
	Construction works approved by this consent must not commence until:			
	1. a Construction Certificate has been issued; and 2. the NSW Planning Portal has been advised of: • the intention to commence work; and			

	the specific Principal Certifying Authority (PCA) (building inspector) that has been appointed to the project. 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. ADVICE: Please contact Council if you would like to use Council as your PCA. Condition reason: To comply with Section 6.6 and 6.7 of the Environmental Planning and Assessment Act 1979
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During building work

14	Procedure for critical stage inspections 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. Condition reason: To require approval to proceed with building work following each critical stage inspection.
15	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: - the work in the area of the discovery must cease immediately; - the following must be notified - for a relic – the Heritage Council; or - 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: - for a relic – the Heritage Council; or - 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.
16	Hours of work Site work must only be carried out between the following times – Mondays to Fridays: 7.00am to 6.00pm Saturdays: 8.00am to 1.00pm Sundays & Public Holidays: No construction work to take place 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.
17	Tree protection during work While site work is being carried out, tree protection shall be undertaken in accordance with the

	relevant requirements of AS 4970 Protection of trees on development sites (if required).
	Condition reason: To protect trees during the carrying out of site work.

Before issue of an occupation certificate

18	Repair of infrastructure
	Before the issue of an Occupation Certificate, any public infrastructure damaged as a result of the carrying out of work approved under this consent 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.

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.