



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-38-2025 PAN-532195
Applicant	Luke Frazier [REDACTED]
Description of development	Farm Experience Premises (including conversion of farm building to function centre and associated alterations and works) & Farm Stay Accommodation (9 Units)
Property	4A MUNSIES ROAD URALLA 2358 3/-/DP586182
Determination	Approved Consent Authority - Council staff under delegated authority
Date of determination	11/11/25
Date from which the consent operates	11/11/25
Date on which the consent lapses	11/11/30

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

- As conditioned, the proposal complies with relevant provisions of the LEP and DCP.
- As conditioned, the proposal complies with relevant considerations of the NSW RFS.
- As conditioned, the proposal is permissible with consent and ensures compliance with relevant land-use planning definitions.

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	Fulfilment of BASIX commitments It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled— 1. BASIX development, 2. BASIX optional development, if the development application was accompanied by a BASIX certificate. Condition reason: Prescribed condition under section 75 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. <table><tr><th colspan="4">Approved plans</th></tr><tr><th>Plan number or title</th><th>Revision number</th><th>Drawn by</th><th>Date of plan</th></tr><tr><td>SP1 (annotated by Council)</td><td>-</td><td>-</td><td>-</td></tr><tr><td>SP2 (annotated by Council)</td><td>-</td><td>-</td><td>-</td></tr><tr><td>SP3 (annotated by Council)</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Shed Plan (annotated by Council)</td><td>-</td><td>-</td><td>-</td></tr><tr><td><u>Loft Cabin Concept</u> (Ground Floor Plan; First Floor Plan; Elevations, Elevations and Section)</td><td>-</td><td>T.I. Mayes Design</td><td>-</td></tr><tr><td><u>Pavillion Cabin Concept</u> (Floor Plan; Elevations; Elevations)</td><td>-</td><td>T.I. Mayes Design</td><td>-</td></tr><tr><td><u>Wedding Venue Concept</u> (Site Plan; Floor Plan; Elevations; Elevations)</td><td>-</td><td>T.I. Mayes Design</td><td>-</td></tr><tr><td><u>Amenities Concept</u> (Elevations)</td><td>-</td><td>T.I. Mayes Design</td><td>-</td></tr></table>	Approved plans				Plan number or title	Revision number	Drawn by	Date of plan	SP1 (annotated by Council)	-	-	-	SP2 (annotated by Council)	-	-	-	SP3 (annotated by Council)	-	-	-	Shed Plan (annotated by Council)	-	-	-	<u>Loft Cabin Concept</u> (Ground Floor Plan; First Floor Plan; Elevations, Elevations and Section)	-	T.I. Mayes Design	-	<u>Pavillion Cabin Concept</u> (Floor Plan; Elevations; Elevations)	-	T.I. Mayes Design	-	<u>Wedding Venue Concept</u> (Site Plan; Floor Plan; Elevations; Elevations)	-	T.I. Mayes Design	-	<u>Amenities Concept</u> (Elevations)	-	T.I. Mayes Design	-
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002	1	GM Portable Homes	27/05/2025
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Approved documents			
Document title	Ref. number	Prepared by	Date of document
General Terms of Approval	DA20250731003053-Original-1	NSW RFS	12/09/2025
BASIX Certificate	1793570M	Green Choice Consulting	01/05/2025
Statement of Environmental Effects	-	L J and C G Frazier	16/6/2025 (received by Council 10/11/2025)

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

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	Staging
	This consent may be staged in accordance with the relevant approved plan.
	Condition reason: For the avoidance of doubt and in the interests of proper planning.
6	Use Limitations
	The approved development shall be operated only in accordance with: • Approved Plans and Documents; and • The land-use definitions contained within this consent and as described within the Uralla Local Environmental Plan 2012 (current version for 19 September 2025 to date). The approved development may not be used for any other purpose without the written consent of Council. ADVICE: This has been included for the avoidance of doubt, given there may be demand for use of the land in a manner which is prohibited (such as short term residential accommodation). Condition reason: To ensure the use is permissible and complies with associated standards; in the interests of the amenity of adjoining occupiers.
7	Rural Fire Service General Terms of Approval and Bushfire Safety Authority
	The development shall at all times comply with the General Terms of Approval (issued under

	Division 4.8 of the Environmental Planning and Assessment Act 1979) and Bush Fire Safety Authority (issued under section 100B of the Rural Fires Act 1997).
	Condition reason: To ensure the requirements of the authority are met.
8	Stormwater Stormwater from: • All roof areas; • Surface water from paved and impervious areas; and • Any overflow from tank(s) is to be collected and conveyed to a lawful point(s), in accordance with AS3500 and away from any footings or on-site wastewater system(s).
	Condition reason: To prevent flooding or nuisance to existing buildings and neighbouring properties as a result of the development; to prevent environmental harm.
9	ADVICE • It is recommended an easement is secured over the internal access road, to prevent any alienation of access to the premises. In this instance, the matter is not sufficient to warrant a condition of consent. • It is advised that separate obligations may be required to be undertaken before commencement of the uses, such as with regards to Liquor Licencing and Before you Dig searches. • Conditions in relation to during construction matters shall also apply to any installation of a transportable building. • Council has not imposed separate conditions with regards to bushfire hazard asset protection zone maintenance and the like, given these are managed by RFS General Terms of Approval.
	Condition reason:

Building Work

Before issue of a construction certificate

10	Equal access to the premises			
	Before the issue of a construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.			
	Condition reason: To ensure safe and easy access to the premises for people with a disability			
11	Section 7.12 Contributions			
	Before the issue of a Construction Certificate for each stage, 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).			
	Cost of Development *	Levy Percentage	Total Contribution	Note

	\$1,500,000.00	1%	\$15,000.00**	Contribution Rate remains current until first date of next quarter
	*Proposed cost of carrying out the development less any credits which may apply. **This consent approves two stages. Contribution may be made in two installments of 50% (i.e. 50% for Stage 1, 50% for Stage 2, both payments subject to indexation). Alternatively, the contribution may be paid in full as part of the first stage. Contributions are indexed annually at the end of each financial year. <i>Please contact Council for an invoice before making payment.</i> 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.			
12	Food Premises fit-out (Commercial Kitchen requirements) Before the issue of a construction certificate for Stage 2, detailed plans of all food and beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person. The detailed plans must be prepared in accordance with the following editions in force on the date of determination and provided to the principal certifier: 1. Food Standards Code (Australia and Food Safety Standard 3.2.3 – Food Premises and Equipment 2. Food Act 2003 and Food Regulation 2015 3. Australian Standard 4674:2004 :Design, Construction and Fit-out of Food Premises 4. Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage ADVICE: Minor changes to plans are considered acceptable, with respect to any ventilation system required. Condition reason: To ensure detailed construction and fit out plans are submitted which comply with the relevant standards			

Before building work commences

13	Construction Certificate Construction works approved by this consent must not commence until for each stage: 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 (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. In addition:
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	- Construction Certificate plans and documentation shall demonstrate compliance with BAL 12.5 of AS 3959 and Sections 7.4 and 7.5 of Planning for Bushfire Protection 2019. - A Fire Safety Schedule will be required as part of Construction Certificate documentation. Condition reason: To comply with Section 6.6 and 6.7 of the Environmental Planning and Assessment Act 1979								
14	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; and - comply with all relevant requirements of "Managing Urban Stormwater: Soils and Construction" (Volume 1, 4th Edition, 2004). Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.								
15	Section 68 Approval Before the commencement of any building work for each stage of the development (unless specified otherwise), approval is required pursuant to Section 68 of the Local Government Act 1993 for the following works: <table border="1"> <thead> <tr> <th>Part of Clause</th><th>Description</th></tr> </thead> <tbody> <tr> <td>Part A</td><td>Install a manufactured home, moveable dwelling or associated structure on land (Stage 1 only)</td></tr> <tr> <td>Part B</td><td>Carry out plumbing and drainage work for each stage.</td></tr> <tr> <td>Part C</td><td> Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility for each stage. Note: the approved plans are not required to be varied, for changes in relation to on-site wastewater system locations and designs. </td></tr> </tbody> </table> Application(s) shall be lodged via the NSW Planning Portal. Condition reason: To comply with the Local Government Act 1993.	Part of Clause	Description	Part A	Install a manufactured home, moveable dwelling or associated structure on land (Stage 1 only)	Part B	Carry out plumbing and drainage work for each stage.	Part C	Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility for each stage. Note: the approved plans are not required to be varied, for changes in relation to on-site wastewater system locations and designs.
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During building work

16	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.
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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: 1. the work in the area of the discovery must cease immediately; and 2. 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: 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.
18	During Construction - General During the construction of the development: • Effective dust control measures are to be maintained; and • No materials are to be burned on site. Waste is to be removed from the site. Condition reason: In the interests of amenity.
19	Hours of work Construction, demolition (if required) and associated work shall be carried out only during 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: In the interest of maintaining amenity
20	Plumbing and Drainage Any relevant 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). Condition reason: To ensure the work complies with relevant standards.
21	Demolition Any required demolition is to be carried out in accordance with AS2601 – Demolition of Structures. Additionally, any work involving the removal of asbestos must comply with the following requirements: • Only an asbestos removal contractor who holds the required class of Asbestos Licence

	issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; • Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and • Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.
	Condition reason: To ensure the work is undertaken safely and as required pursuant to the Environmental Planning and Assessment Regulation 2000 and Work Health and Safety (WHS) Regulation 2011.

Before issue of an occupation certificate

22	Occupation Certificate Occupation or use of premises for the purposes approved by this consent shall not commence until all conditions of this consent have been complied with for the relevant stage and an Occupation Certificate has been issued for the relevant stage. Condition reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act 1979 and Council's terms of consent.
23	Food Premises Fit-out (Certification) Written certification from Council's Environmental Health Officer or another suitably qualified Environmental Health Officer / Consultant must be submitted to the Principal Certifier prior to the issue of the Occupation Certificate for Stage 2, to confirm that the food premises fitout has been constructed in accordance with the Food Act and specified Standards. Condition reason: To ensure compliance with Food Act 2003 and National Food Safety Standards
24	Driveway and Crossover <u>Part A: Internal Road</u> Before the issue of an Occupation Certificate for Stage 1, the internal driveway shall be provided in accordance with RFS General Terms of Approval. Additionally, the driveway shall be: • Constructed to a sealed standard in accordance with span details show on the relevant approved plan (200m approximately, from entrance to Munsies Road) • Provided with a compacted 150mm base (unless varied by RFS General Terms of Approval) and with minimum 2 coat bitumen seal finish. <u>Part B: Work on Council's Land</u> Before the issue of an Occupation Certificate for Stage 1, the external driveway between the grid and the edge of the sealed edge of Munsies Road shall be upgraded to a sealed standard. Details shall be secured through a Section 138 Approval under the Roads Act 1993, which shall be issued before commencement of any work within Council's road reserve. Condition reason: To ensure the proposed development will not cause unreasonable harm to occupiers of Lot 2 DP100567; to reduce reliance on restrictive conditions to control dust nuisance.
25	Signage

	Before the issue of an Occupation Certificate for Stage 1, signage shall be installed to the satisfaction of the principal certifier which demonstrates the following: • Advice of speed limit; • Awareness of neighbours upon leaving premises; • Car and any bus parking areas (including disabled spaces); • General wayfinding; and • Biosecurity Management Plan obligations.
	Condition reason: To assist with managing amenity and on-site vehicle movements.
26	Biosecurity Management Plan Before the issue of an Occupation Certificate for Stage 1, a Biosecurity Management Plan shall be developed in accordance with Local Land Services (or successor) requirements, to the satisfaction of Council. In particular, this shall focus on Farm hygiene and husbandry practices. Once approved, the BMP shall be followed until the uses cease. ADVICE: It is recommended to consult with Local Land Services for more information.
	Condition reason: To ensure an increase in vehicle and pedestrian movement across the land does not cause an unreasonable biosecurity risk.
27	Section 68 - Transportable Dwelling Before the issue of an Occupation Certificate for Stage 1, the transportable dwelling shall be fully installed within the relevant Section 68 approval(s)
	Condition reason: To ensure the installation is completed.

Occupation and ongoing use

28	External lighting All external lighting shall comply with the following in perpetuity: 1. AS 4282: Control of Obtrusive Effects of Outdoor Lighting 2. lighting must be placed at all entrances to, and exits from the wedding venue premises 3. lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and
	Condition reason: In the interests of both the amenity of adjoining occupiers and safety of users of the site.
29	Accommodation - Maximum Duration Each guest must not stay at the accommodation for more than 21 consecutive days. ADVICE: This condition has been imposed for the avoidance of doubt, in line with Part 2, Division 2, Subdivision 16E of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, given this detail was not expressly included with the application material.
	Condition reason: To ensure the development is consistent with the use definition and is permissible; in the interests of amenity of adjoining occupiers.
30	Accommodation - Evacuation Before commencement of use for each stage and maintained in perpetuity, an evacuation diagram displaying the following must be located in a prominent position at or near the

	accommodation • directions to facilitate the safe evacuation of people from the site; and • contact details for emergency services, including for a bush fire, flood or other natural disaster. Condition reason: In the interests of safety of occupants.
31	Function Centre - Hours of Operation Use of the approved function centre shall: • cease by 12.00am at all times; and • extend beyond 10pm only up to three (3) times per week. ADVICE: Given the likely impact of the proposal is associated with vehicle movement, it is considered the above hours of operation are acceptable in light of separate conditons in relation to speed limit and road surface. Condition reason: In the interests of amenity.
32	Maximum Speed Limit The maximum speed limit of the internal road shall be limited to 40km/h. Condition reason: Given the substantial length of he driveway may encourage acceleration and deceleration; to reduce the impact of vehicular noise on Lot 2 DP1005647; to reduce restrictions on number of vehicles using the site.
33	Fire Safety Statement – Annual On at least one occasion in every 12-month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the buildings. Condition reason: To ensure fire safety measures are maintained to protect life and property.
34	Function Centre - Capacity The function centre shall: • not exceed capacity of 200 persons at any one time, unless varied to a lower capacity to maintain compliance with Building Code of Australia. Condition reason: In the interests of amenity and the safety of occupants.
35	Driveway - Maintenance The internal driveway shall be maintained in a good condition until the approved uses cease/in perpetuity to the satisfaction of Council. Condition reason: 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.