



# Development Application (DA) form

# Part A

Made under the Environment Planning and Assessment Act 1979, Section 4.12

## ABOUT THIS FORM

You can use this form to request approval to undertake development in the Mid-Western Regional Local Government Area where Council is the consent authority (including removal of trees listed on the Council's heritage tree list). This form should not be used for applications for Section 4.55 (formerly Section 96) Modifications.

## 1. PROPERTY DESCRIPTION/LAND TO BE DEVELOPED

It is important that the property is accurately identified by its legal description. This information is shown on your Rates notices, property deeds etc.

Unit/Street number	Street name		
2/24	Cox Street		
Suburb/Locality		Postcode	
Lue		2850	
Lot number	Section no.	Deposited plan no.	Parish
Lot 1		DP 771922	Bara

## 2. APPLICANT DETAILS

If the applicant is not the owner of the land, then the owner's written consent to lodge the application is required. All correspondence, both written and verbal and notice of determination will be sent to the applicant. It is important to notify Council of any change of address and/or telephone number if this occurs during the process of the application.

Title	Given Name/s	Family name
	Lue Hotel and Leisure Pty Ltd	
Postal address (all correspondence will be sent to this address)		Email address
Level 2, 66 Hunter Street, Sydney NSW 2000		
Home number	Business number	Mobile number
Signature of applicant/s		

## 3. CONSENT OF OWNER(S)

As owner/s of the land to which this application relates, I/we consent to this application. I/we also give consent for authorised Council Officers or agents to enter (without prior notice) the land to carry out inspections (original signatures required). (See Note 1).

Name/s
Lue Hospitality Pty Ltd
Signature/s
18-Mar-2021

If you are signing on the owner's behalf as the owner's legal representative, please state the nature of your legal authority and attach documentary evidence (eg power of attorney, executor, trustee, company director)

Specify legal representation	ABN
Director	636 133 116



# Development Application (DA) form

# Part B

All information provided in Part B of this form may be placed on Council's website & available publically.

## 1. PROPERTY DESCRIPTION/LAND TO BE DEVELOPED

It is important that the property is accurately identified by its legal description. This information is shown on your Rates notices, property deeds etc.

Unit/Street number	Street name		
2/24	Cox Street		
Suburb/Locality		Postcode	
Lue		2850	
Lot number	Section no.	Deposited plan no.	Parish
Lot 1		DP 771922	Bara

## 2. APPLICANT DETAILS

Applicant's name will be publically available on Council's website.

Title	Given Name/s	Family name
	Lue Hotel and Leisure Pty Ltd	

## 4. DESCRIPTION OF PROPOSED DEVELOPMENT

Please briefly describe everything you are seeking approval for from Council. If you are constructing a building, what is the proposed use? (e.g. Change of Use – retail shop to restaurant, dwelling, shed, subdivision work etc).

To open a small cafe with associated fit out in the premises of the old butcher shop.

## 5. COST OF THE PROPOSED DEVELOPMENT

The cost of the proposal should include all of the costs of developing the site (e.g. building, construction, landscaping, car parking, drainage, fencing etc) but should not include the cost of the land.

\$ 8000.00

## 6. DISCLOSURE REQUIRED FOR REPORTABLE POLITICAL DONATIONS OR GIFTS

A reportable gift or political donation is defined under the Election Funding and Disclosures Act 1981. If you have made a political donation to a political party, elected member, group or candidate or provided a gift to a local councillor or council employee where the value exceeded \$1,000 or the combined value in any financial year exceeded \$1,000 in the past two (2) years, a disclosure statement must be provided with the lodgement of a development application.

A disclosure statement can be obtained from Council's website ([www.midwestern.nsw.gov.au](http://www.midwestern.nsw.gov.au)) or Administration building.

Is a disclosure statement attached to this application?

YES	NO
	✓

**7. TYPE OF DEVELOPMENT**

You may require a tick in more than one box. Please tick which type of development you are applying for.

- Local Development** is all types of development that requires consent, other than those listed below
- Integrated Development** requires development consent from Council and other State Government authority(ies)
- Designated Development** requires the preparation of an Environmental Impact Statement (EIS) under the provisions of the EP&A Act. Council or the Minister may be the consent authority (EIS required)
- Subdivision** requires consent from Council
- Demolition** is the removal of any structure

**8. INTEGRATED DEVELOPMENT**

This question is only applicable if integrated development was nominated above in Question 7.

Integrated development is where an approval is required from another Government department or agency. Please specify what Act approval is being sought under (tick appropriate boxes). Note a fee is applicable.

- Coal Mine Subsidence Compensation Act 2017 (s22)
- Fisheries Management Act 1994 (s144, s201, s205, s219)
- Heritage Act 1977 (s58)
- Mining Act 1992 (s63, s64)
- National Parks and Wildlife Act 1974 (s90)
- Protection of the Environment Operations Act 1997 (ss43(a), 47 and 55; ss43(b), 48 and 55; ss43(d), 55 and 122)
- Roads Act 1993 (s138)
- Rural Fires Act 1997 (s100B)
- Water Management Act 2000 (s89, s90, s91)

**9. CONCEPT DEVELOPMENT**

Are you applying for a *Concept Development Application*? (previously Staged Development)  
(Division 4.4 Environmental Planning & Assessment Act 1979)

YES	NO
	✓

**10. OTHER APPROVALS SOUGHT**

Certain types of development may include activities that also require other approvals from Council in addition to Development Consent. These additional approvals are required by the Local Government Act, 1993, and by the Roads Act, 1993.

**Approval under Section 68 Local Government Act 1993**

YES	NO
	✓

- Structures or places of public entertainment: includes installing a temporary structure on the land
- Water supply sewerage and stormwater drainage work: includes carrying out water supply work
- Management of waste: includes placing a waste storage container in a public space
- Public roads: includes swinging or hoisting goods across or over any part of a public road by means of a crane, hoist etc

**Note: Requires separate application to be completed.**

Note: These approvals are not required at this stage and can be made at a later date. A separate application needs to be lodged and a fee is applicable.

**Approval under Section 138 Roads Act 1993**

YES	NO
	✓

Does this application propose any form of alteration to Council's road reserve, i.e. driveway, footpath reconstruction, drainage connection or the like?

**Note:** Full details of the layout of proposed driveway crossing, drainage connections and the like are required to be with the development application. A separate application needs to be lodged and a fee is applicable.

**11. HERITAGE AND CONSERVATION**

Is the building or site an Item of Environmental Heritage or within a Heritage Conservation Area or within the vicinity of an Item of Environmental Heritage?

YES	NO
✓	

If you answered 'no', please go to Question 12.

If your answer is 'yes' to either of the below questions, a heritage impact statement will be required with lodgement of the development application. If the proposed works are minor, the details can be provided in the submitted Statement of Environmental Effects.

Are you demolishing all or any part of the building?

YES	NO
	✓

Are you altering or adding to any part of the building?

YES	NO
	✓

**12. PLANNING FOR BUSHFIRE PROTECTION**

If you answer 'yes' to the following question, a bushfire assessment is required to be prepared and attached. The following documents are to be obtained from Council or [www.bushfire.nsw.gov.au](http://www.bushfire.nsw.gov.au):

- Building in Bushfire Prone Areas – Guidelines for single dwelling development applications
- Building in Bushfire Prone Areas – Guidelines for subdivision applications

Is the subject site located in a bushfire hazard area?

YES	NO
	✓

**13. CONSTRUCTION CERTIFICATE**

Is an application for a Construction Certificate being made at the same time as the application for Development Consent?

YES	NO
	✓

**14. BUILDING SUSTAINABILITY INDEX (BASIX)**

WHAT IS BASIX?

BASIX is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices. By applying practical measures to the design of a new home, BASIX ensures there is the potential to save energy and water – saving you money on your bills and protecting the environment.

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

WHEN DO I NEED A BASIX CERTIFICATE?

You need a BASIX Certificate in the Mid-Western Regional Local Government Area when BASIX applies to the type of development for which you require approval. Commencement dates and details of types of development are at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

The applicant is required to submit the BASIX Certificate with the Development Application or Complying Development Certificate application. The plans and specifications must also identify the BASIX commitments which will be checked by a professional building certifier during construction. Where submitted plans or specifications are inconsistent with the relevant BASIX Certificate, Council should require applicants to submit consistent applications before progressing the assessment process, either by amending plans/specifications or by submitting a new BASIX Certificate with commitments that match the rest of the application.

HOW DO I GENERATE A BASIX CERTIFICATE?

Applicants can generate the BASIX Certificate only on the NSW Department of Planning and Environment's BASIX website: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au). For more information, phone DPE's BASIX Help Line on 1300 650 908.

Is a BASIX Certificate required?

YES	NO
	✓

Is a BASIX Certificate attached?

YES	NO
	✓

**Note:** Council **CANNOT** accept a Development Application for residential purposes without a BASIX Certificate that has been issued no earlier than 3 months before the date on which this application is being made.

**15. SITE PLAN AND PLAN/DRAWINGS OF PROPOSED DEVELOPMENT**

The site plan is to indicate the following: location, boundary dimensions, site area and north point of the site; existing vegetation and trees on the land; location and uses of existing buildings on the site and adjoining sites, where applicable; existing levels of the land in relation to buildings and roads.

Plans or drawings of the proposed development must include the following: location of proposed new buildings or works in relation to the site's boundaries; floor plans of proposed buildings; proposed finished levels; proposed parking and access (dimensioned where appropriate), proposed landscaping (indicating plant types and their height at maturity) and proposed method of drainage.

**Three (3) copies of all plans/drawings (plus 1 A4 set) are submitted.**

YES	NO
✓	

**16. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)**

A Statement of Environmental Effects (SEE) or an Environmental Impact Statement (EIS) must accompany your application. The SEE is a short report which includes written information about the proposed development that cannot be readily shown on your plans.

The SEE should describe **in detail** the proposed development. The SEE should outline the likely impacts and issues of the proposed development and how you will minimise these impacts.

Where relevant, a SEE must include, however is not limited to the following details:

- How the development achieves the requirements of the Mid-Western Regional Local Environmental Plan 2012, Development Control Plans and State Environmental Planning Policies
- Previous use of the site. Some previous land uses may have led to site contamination
- Flooding, drainage, landslip, soil erosion, mine subsidence, bushfires and any other risk
- Impacts on existing and future amenity of the locality
- Availability of utility services, power, telephone and water/sewer
- Impacts on historical, aboriginal heritage and archaeological aspects
- Impacts on flora and fauna
- Access for the disabled
- Social and economic effects

For shops, offices, commercial or industrial or change of use development: hours of operation; erection of any signage; plant and machinery to be installed; the type, size and quantity of goods to be made; provision of car parking and stored or transportation of goods and loading and unloading facilities

**Is a Statement of Environment Effects included as part of this application?**

YES	NO
✓	