



MID-WESTERN REGIONAL COUNCIL

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Statement of Environmental Effects

Pro-forma for minor development

This statement must be completed by the applicant and/or their representative to comply with the requirement of Section 79C of the Environmental Planning and Assessment Act, 1979. The completed statement must accompany the Development Application and accompanying plans.

Each of the following categories must be completed for all forms of development, building works or activity requiring development consent. The level of detail required will depend upon the nature and scale of the proposed development. Should you be uncertain of any aspect, you should contact Council's Planning and Development Group for advice.

Property Details

Lot: 1 Section: DP/SP: DP771922
House No: 2/24 Street: Cox Street
Suburb: Lue Postcode: 2850

1. Description of the Proposal

What is the proposed development?

To operate a small cafe with associated fit out in the premises of the old butcher shop. Although in a separate building with a separate address, the Cafe forms part of the Lue Hotel bar, restaurant and accommodation complex.

Describe your proposal in detail.

(Include details such as whether the development will use whole or part of the building(s) or land(s), whether new buildings are proposed, the physical features of the proposed building(s), the nature of the building(s) [eg: office, retail, industrial, etc], materials and colour scheme, signage, disabled access and facilities, seating capacity, tree or vegetation removal.)

refer to Appendix A (Note 1)

2. Description of the Site

What is the area of the site? The interior of the shop is approximately 31.5m².

Describe the site.
(Elaborate on the information provided on the site analysis plan. Include information such as the physical features of the site, for example slope and vegetation, existing services.)

refer to Appendix A (Note 2)

Describe the use of lands adjoining the site. Will the proposal impact on adjoining property?
(Consider issues such as noise, privacy, overland flow of stormwater and other amenity impacts)

refer to Appendix A (Note 3)

3. Present and Previous Uses

What is the present use of the site and when did this use commence? Did this use receive development consent?

The site is currently unused and has not been used for several decades. The Applicant is unaware if development consent has previously been sought.

List the previous uses of the site.
Butcher shop with the adjoining shop a previous grocery store.

Have any potentially contaminating activities been undertaken on the property?
(Apart from obvious activities such as petrol bowzers and industries, there may be less obvious sources of contamination such as asbestos disposal, old sheep dips and sawmills)

- No
- Yes – Please identify:

If yes, you will need to provide the relevant documentation as outlined in Council's DCP.

4. Environmental Constraints

Has the proposed development been designed to respond to the following environmental constraints, where applicable? (Indicate yes, no or not applicable to each of the following).

- (a) Flooding.
- (b) Bushfire (If yes, is a bushfire report included in your application?)
- (c) Groundwater vulnerability.
- (d) Sensitive biodiversity.
- (e) Saline soils.
- (f) Threatened species or habitat.
- (g) minimise vegetation removal.

If yes to any of the above, indicate how the proposed development responds to the constraint/s.

Not applicable to any of the above other than the area is mapped as Groundwater

Vulnerable in LEP mapping.

5. Utilities and Services

Provide details of the existing and proposed method of **stormwater** disposal.

The premises will continue to utilise the existing stormwater disposal system of gutters, down pipes and collection tanks.

Provide details of proposed **electricity** supply.

Electricity supply is currently available and functioning at the premises.

Provide details of proposed **water** supply.

The Cafe requires the replacement of a small rainwater tank that adjoins the building. The Lue Hotel also has substantial fresh water storage that will be made available to the Cafe.

Provide details of proposed **bushfire** fighting water supply, where relevant.

The Lue Hotel has two water tanks of 100,000 litre storage each. Pumps and hoses are fitted. The Lue Hotel is compliant with fire extinguishers throughout.

Provide details of proposed **sewage management**.

The cafe is plumbed to the Hotel sewage management septic system. The cafe will share the Lue Hotel toilet facilities.

6. Operational and Management Details (e.g. Home Business)

Note. This section is not applicable to the construction of a dwelling-house, additions and alterations to a dwelling-house or structures ancillary to a dwelling-house.

Describe in detail the proposed business activity.

It is proposed that initially the Cafe will operate 5 days per week inclusive of weekends. The owner of the Cafe also own and operate the Lue Hotel and the cafe will become a complimentary part of that business with the ability to utilise shared resources such as staff, security system refrigeration, commercial kitchen capabilities and storage. The Cafe will also stock bottled non-alcoholic drinks and other items for sale. It is anticipated that the Cafe will also be able to stock a few basic grocery items.

Total number of staff:	<u>1-2</u>
Max number of staff on duty at any one time:	<u>2</u>
Max number of clients/customers expected in a day:	<u>40</u>
Max number of clients/customers expected at any one time:	<u>10-15</u>

Hours and days of operation:

<u>7.00</u>	am	to	<u>2.00</u>	pm	Monday to Friday
<u>7.00</u>	am	to	<u>12.00</u>	pm	Saturday
<u>7.00</u>	am	to	<u>12.00</u>	pm	Sunday
_____	am	to	_____	pm	Extended hours on: _____

What are the existing and proposed fire safety measures for the building?

The Cafe will fall part of the Lue Hotel's fire safety plan and procedures. The installation of the appropriate fire extinguishers, smoke detectors and fire suppression blanket is planned.

Is legal (e.g. Right of Way) vehicular access available from the street to the site? What are the site distances (left and right)? What is the speed limit?

There is legal vehicular access to both the front and side of the premises. The front door is approximately 3 metres to Cox Street and the side door approximately 2 metres to the driveway that leads to the rear entrance to the Hotel. The road is a public sealed road with a speed limit of 50kmh.

Expected vehicle types associated with the proposal:

Regular vehicle types identical to those that come to the Hotel, generally sedans and utility vehicles.

Number of car parking spaces provided: Approximately 40

Location of car parking spaces provided: Front of the Lue Hotel and on the hotel premises through the back access.

What are the arrangements for transport, loading and unloading goods? What is the expected frequency of deliveries, size of vehicles and frequency of truck movements?

All goods will be delivered at the same time as existing deliveries to the Lue Hotel from the same suppliers. Currently this is between 1-2 times per week. Items will be received at the Lue Hotel for inventory control before providing to the Cafe.

List machinery associated with the proposed business/activity.

No machinery on the premises. Equipment on premises will include a coffee machine, microwave oven, refrigeration and dishwasher.

List the type and quantity of raw materials, finished products and waste materials.

Packaged food and beverages only.

How will waste be disposed of?

(Note. A Trade Waste Approval may be required. Please see Council's website for details)

The Lue Hotel currently has a contract with J R Richards for general waste and recycling collection.

The existing Lue Hotel commercial bins are adequate to accommodate additional waste from the cafe.

Identify any proposed hazardous material or processes.

There will be no hazardous materials or processes on site.

7. Mid-Western Regional Local Environmental Plan 2012 (MWRLEP)

What is the land zoned? RU5 Village

What is the proposal for (as defined by MWRLEP)?

(There are parent definitions and child definitions in MWRLEP – please use the child definition)

Restaurant or cafe.

Is this use permissible within the zone?

No

Are you relying on existing use rights?

Yes

No – the development is prohibited in the zone and cannot be approved by Council

Yes

Expand on how your proposal meets the objectives of the zone.

RU5 Village zoning provides for a range of services and facilities associated with a rural village. The proposed Cafe meets these objectives by providing a service to the Lue community. Currently there is nowhere in town for the community to meet and socialise other than the Lue Hotel bar and restaurant. We envisage it will fill an important social need as well as a convenience and increased amenity for locals.

Does the proposal comply with all the relevant requirements of the MWR LEP?

(Please list and address all relevant clauses to your development from the LEP - add extra pages if necessary).

The proposal complies with all relevant requirements of the MWRCLEP as follows:

** Promotion for growth and living opportunities in the MWRC area - increased facilities in the village are of benefit to making a village more livable and viable.*

** Having a central meeting place that is accessible by everyone contributes to the appeal of the village.*

** By preserving the significant visual element that contributes to the character of Lue and ensuring the maintenance and restorational integrity of the building and its heritage significance.*

** By ensuring the proposal has no impact either visually or in anyway that could be to the detriment of the village.*

8. Mid-Western Regional Development Control Plan 2013 (DCP)

Mid-Western Regional DCP 2013 is structured into sections that are relevant to specific development.

- Part 1 – Introduction
- Part 2 – Fast Track Development Applications
- Part 3 – Discretionary Development Standards
- Part 4 – Specific Types of Development
- Part 5 – Development Standards
- Part 6 – Development in Rural Areas
- Part 7 – Subdivision
- Part 8 – Site Specific Controls
- Appendix A – Flood Schedules
- Appendix B – MWRC Auspec Stormwater Drainage Design
- Appendix B2 – Stormwater to Smartwater
- Appendix C – Carleon Development Control Plan
- Appendix D – Implementing a Subdivision Consent

Note. Part 1.12 Community Consultation may require the development to be neighbour notified and/or advertised in accordance with the DCP provisions.

Please list and address the relevant clauses to your development based on the zone of your land (add extra pages if necessary).

26 Cox Street, Lue (approximately 20 metres from the cafe). Refer to Appendix A (Note 3).

Where the proposed development does not comply with a relevant "deemed to satisfy" standard in the DCP, please provide justification for the variation to the standard.
(Refer to Section 1.7 of the DCP)

N/A

Appendix A

Note 1.

Describe your proposal in detail.

Although in a separate building with a separate address, the proposed Cafe forms part of the Lue Hotel which provides bar, restaurant and accommodation facilities.

There is substantial interest in the local village of Lue and from area visitors for a Lue Cafe. The Cafe is planned to have a quality but simple offering with tea, coffee and other beverages along with food offerings such as sandwiches, pies, scones, etc along with simple breakfasts. Food preparation will be undertaken in the Lue Hotel's current commercial kitchen. Customers may consume on site or as takeaways.

The Cafe is planned to be operated 7.00am to 2.00pm adjusted according to demand.

Seating will be approximately a maximum of 15 internally.

The Cafe proposal involves a basic renovation of a previous butcher shop. Only minor internal and external works are required to upgrade the site for a use.

The Cafe Applicant also operates the Lue Hotel's bar, restaurant and accommodation facilities. The existing external toilet facilities of the Lue Hotel will be available for use by Cafe customers and staff. Fresh water storage of the Lue Hotel will be shared with the Cafe. Cafe waste including recycling waste will be handled by the Lue Hotel. Water waste from the Cafe is plumbed into the Lue Hotel's septic system.

The Cafe shop is already supplied with electricity.

The interior to the Cafe has a solid concrete floor covered with mostly broken tiles. Tiles will be replaced by timber flooring.

Interior walls will be patched and painted. Interior paint colouring will be matched to the original butcher shop with colours of mid green and white.

There will be no structural alternations to the interior or exterior of the Cafe. There will be no changes to any walls, doorways, windows or ceiling heights.

Food preparation for the Cafe will be carried out in the Lue Hotel's current commercial kitchen facilities that provides for the Lue Hotel's restaurant.

The Cafe will have a coffee machine, a dishwasher, refrigeration, a microwave oven and a sandwich press. Two sinks are to be installed for clean-up purposes and health and safety. Fire extinguishers, and smoke detectors will be installed as part of the fire and safety plan for the Lue Hotel.

The external appearance of the building will not change other than one broken glass pane and repairs to one external wooden door. The concrete path immediately outside of the Cafe will require repair.

To the side of the Cafe, a small rainwater tank is to be replaced and alongside that a gas bottle configuration and an instantaneous hot water unit is to be installed.

As the Lue Hotel is open in the afternoons, there will be no competing requirements for parking or other facilities such as toilets.

Note 2.

Describe the Site.

The proposed Cafe site is part of the Lue Hotel which hosts a bar, restaurant and accommodation facilities. Immediately adjoining and to the west of the Lue Hotel in a separate but adjoining building (Thomson Building) is an old grocery shop (currently vacant) and the old butcher's shop. See Photo below.

The old butchers shop is where the proposed Cafe is to be located.

The Lue Hotel is listed under the State Heritage Register.

The Lue Hotel and the Thomson Building are listed under Schedule 5 of the Mid-Western Regional Environmental Plan 2012 as Items I364 and I365 respectively.



Figure 1. Showing the Lue Hotel (right) and Thomson building (left). Looking north.

There is substantial parking available both in front of the Lue Hotel and also behind the Lue Hotel on the hotel's premises.



Figure 2. Thomson building. Looking north.

Note 3.

Describe the use of lands adjoining the site. Will the proposal impact on adjoining property? (Consider issues such as noise, privacy, overland flow of stormwater and other amenity impacts)

Immediately to the south of the Lue Hotel and Thomson Building is Cox Street, a car parking area and then a disused rail line. To the north and east of the Hotel is grazing land. To the west of the hotel on the other side of the back entrance to the Hotel is a private dwelling.

The Cafe will have very little or no effects on local residents primarily given it is an adjunct to the functioning Lue Hotel. The addition of a Cafe would be considered to be very minimal impact with negligible or no noise and privacy issues.

With regards to other amenity impacts. It is considered that the Cafe will have no negative impacts locally.

The Lue Hotel bar and restaurant is the social centre for the village. There is a small public school (around 20 students) in the village and pottery shop that is not often open. The local town hall and a sports oval are very rarely used.

The Cafe concept has been discussed through the village and Lue Hotel customers with strong local support.

There is one resident in proximity to the Cafe being;

26 Cox Street, Lue (approximately 20 metres from the Cafe).

The outer reaches of the main Lue village is located approximately 100 metres south west of the Cafe.

There would be additional traffic along Cox Street in the mornings however, this would be considered very minor.

Storm water drains from west to east draining into Lawsons Creek to the east of the Lue Hotel. The area drains very well even in periods of torrential rain. During periods of flooding in the area (when the Lue Road has been blocked to Mudgee on occasion), these periods have not affected the Lue Hotel or surrounds at all due to the buildings being cited well above Lawson Creek flood levels. The area is mapped as Groundwater Vulnerable in LEP mapping.