

Appendix

A

DA Form and Land Owner Authorities



cnr tamar & cherry streets,
po box 450, ballina nsw 2478
dx 27789 ballina
ph: 02 66861 261
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email: council@balshire.org.au
abn: 53 929 887 369

DEVELOPMENT APPLICATION – FORM 1(A)
(Section 78A of the Environmental Planning and Assessment Act 1979)

THE APPLICANT (All correspondence will be forwarded to this name and address)

APPLICANT'S NAME:SJ CONNELLY CPP PTY LTD.....

ADDRESS:PO Box 358 Lennox Head NSW 2478.....

PHONE: (W)02 668 77171..... (H)

MOBILE:0419 237 982..... FAX:02 6687 7067...

SIGNATURE(S): DATE: ...5.11.10.....

OWNER'S CONSENT (To be completed where the applicant is not the owner of the land)

NB: If the property is **owned by more than one person**, all owners must sign, including any person who has a legal and /or equitable interest in the property. If the property is owned by a company, the minimum number of people (Directors) who bind the company must sign.

I/we ...<SEE ATTACHMENTS>.....(please print name or names)

of (please print address)

PHONE: (W) (H)

MOBILE: FAX:

being the owner(s) of the property identified below, consent to the lodgement of this development application. Please be aware that information contained in this development application may be used by other government agencies, service providers or other organizations.

SIGNATURE(S): DATE:

NB: Where the owner of the property is a company or organization, those persons who have an interest in that company or organization (ie directors, partners etc) must be disclosed to Council.

DESCRIPTION OF THE LAND TO BE DEVELOPED (Details are located on your rate notice)

Address: No.: Street/Road: ...PACIFIC HIGHWAY.....

Town/Locality: WEST BALLINA.....

Real Property: Lot/Portion: Section: ...11.....
DP... 1011575.....

OFFICE USE ONLY

Development Application No.: Parcel No.:

Receipt. No.: Date Received:

ESTIMATED COST OF DEVELOPMENT

The development application fee and Long Service Levy are based on an accurate estimate of the cost of the development (including cost of civil works for subdivision). Where the estimated cost of development appears deficient, Council will carry out its own assessment of the costs. Please round up to nearest \$1000.
\$7,978,200.00.....

THE PROPOSED DEVELOPMENT

What type of development are you proposing? (Please tick the appropriate box)

- Erection of a building; Use of land/building;
- Subdivision of land/building; Demolition of a building;
- Carrying out of work; Other:

Building Classification under the Building Code of Australia (BCA) (if known or applicable):

Please describe in more detail the actual development and its proposed use (eg The erection and strata title subdivision of a two storey duplex). If you are proposing a staged development, it will be necessary for the development application to clearly identify the components and timing of the various stages.

.HIGHWAY SERVICE CENTRE AND ASSOCIATED INFRASTRUCTURE

What are the prior uses of the site or buildings on the subject land?

.AGRICULTURE.....

Where the development involves the ERECTION of a building, what is the proposed use of the building when erected?

...SERVICE STATION, RESTAURANT, TRUCK SERVICE, REGIONAL EXPO CENTRE.....

TRADE WASTE

Is the proposed development likely to generate **trade waste**? YES NO

If YES refer to Section regarding Approvals under Section 68 of the Local Government Act.

NB: Trade waste means liquid trade or factory wastes or chemical or other impurities from any business, trade or manufacturing premises other than domestic sewage, stormwater or unpolluted water.

TYPE OF DEVELOPMENT

What type of development are you proposing under the Environmental Planning & Assessment Act 1979? Please tick the appropriate box.

- Local development Integrated development Designated development

Should your development be integrated please complete Integrated Attachment and submit to Council. (see Integrated Attachment for more information)

CONCURRENCE (Some proposals may require the agreement of a state agency before development can be carried out. If so, Council will refer your application to the relevant state agency)

Does the proposed development require concurrence? If YES please indicate from whom concurrence is required.

- Director-Department of Urban Affairs & Planning
- Roads and Traffic Authority
- Other

SUBDIVISION OF LAND/PREMISES

Where the development involves the subdivision of land or premises the following information is required. It should be noted that if it is intended to create separate title for residential flat or duplex developments (ie strata title subdivision of the development) the following section must also be completed.

Proposed subdivision type: ...EXCISE SERVICE CENTRE FROM FARM.....

No. of existing lots:.....1.....No. of lots to be created:2.....

Areas: Existing:17.02 ha..... Proposed:7.3 ha & 9.72 ha.....

Intended use of each lot: ..LOT 1 – SERVICE CENTRE, LOT 2 AGRICULTURE.....

NB: The location and use of any buildings (including dwelling houses) is to be clearly identified on the plans accompanying this application.

THE ENVIRONMENTAL IMPACT OF THE PROPOSAL (Please tick relevant section)

- The proposed development is considered to have negligible effect on the environment (this would normally apply only to minor works such as a refit to the interior of a building).
- I have completed a Statement of Environmental Effects for my proposal which is attached to this application form.
- I have prepared an Environmental Impact Statement which is submitted with this application.

Is the land or part of the land critical habitat? YES NO

If YES, a Species Impact Statement is to be prepared and submitted to Council.

Is the development likely to significantly affect threatened species, populations or ecological communities or their habitats? YES NO

If YES, a Species Impact Statement is to be prepared and submitted to Council.

APPROVALS UNDER SECTION 68 OF THE LOCAL GOVERNMENT ACT 1993

Is this application also seeking Ballina Shire Council's approval for any of the matters listed in the table of Section 68 of the Local Government Act 1993?

YES NO

If YES, please tick the appropriate box below and complete Council's Section 68 application form and append to this application.

- a) Carry out water supply work.
- b) Draw water from a Council water supply or a standpipe or selling water so drawn.
- c) Install, alter, disconnect or remove a meter connected to a service pipe.
- d) Carry out sewerage work.
- e) Carry out stormwater drainage work.
- f) Connect private property to Council sewerage system.
- g) Discharge of Trade Waste to Sewer.
- h) Install or alter an On-Site Wastewater Management Facility (Septic System).
- i) Public Entertainment.
- j) Other

CONSTRUCTION CERTIFICATE

Is a Construction Certificate application to be lodged at the same time as the application for development consent? YES NO

Do you wish to appoint Council as the Principal Certifying Authority, issue a Construction Certificate, carry out relevant building inspections, and to issue relevant Compliance and Occupation Certificates? YES NO

If YES, please complete Construction Certificate Application Form.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

A person who submits a development application to Council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined.

- All reportable political donations made to any local Councillor of that Council; and
- All gifts made to any local Councillor or employee of that Council.

A reference to a reportable political donation made to a "local Councillor" includes a reference to a donation made at the time the person was a candidate for election to the Council.

Significant penalties apply to non-disclosure. For more information and to obtain a political donations and gifts disclosure statement go to the Department of Planning website at www.planning.nsw.gov.au

Is a disclosure statement to accompany your application? YES NO

APPLICANT'S LODGEMENT CHECKLIST

The following items must be submitted to Council upon application.

- Completed **development application form**
- Owner's consent** signed where owner is not the applicant
- Three copies of the full set of **plans**, being site, floor, elevation and section plans (**at least 1 full set is to be of A3 size**)
- A statement of environmental effects (for development other than designated development)
- Two copies of **specifications**
- Payment of fees** as per Council Fees & Charges Sheet
- Energy efficiency Deemed to Comply Certificate, Scorecard or NatHERS certificate** (where applicable) and details of **Hot Water System**
- Section 68** application form (where applicable)

Where Council is nominated as the Principal Certifying Authority, the following items must be submitted to Council prior to construction works commencing:

- Engineer's details** for all structural steel concrete work (by a qualified structural engineer) where required by Council (eg. New dwellings, major additions or swimming pools).
- Owner Builder's Permit** for owner builder work greater than \$3000.

- Home Owner Warranty Insurance** for work greater than \$5000.
- Payment of **Long Service Levy** if required (for works of \$25,000 or greater – 0.2% of the estimated cost of development) NB: The levy is payable in respect of the estimated cost of civil works for subdivisions.

PLEASE NOTE:

The Environmental Planning & Assessment Act and the Local Government Act contain provisions that authorise Council staff to enter land and carry out inspections, investigations and assessment in relation to submitted development applications. Consequently you are advised that Council assessment personnel will undertake a number of site inspections for the purposes of assessing this development application.

PRIVACY PROTECTION NOTICE:

The completed development application form contains personal information which is being collected for the purpose of assessing this application. The information will be processed by council officers and may be made available to public enquiries under Section 12 of the Local Government Act. The information supplied is required under the Environmental Planning & Assessment Act. The information will be stored in the Regulatory Services Group.

IT IS EXTREMELY IMPORTANT THAT ALL OF THE RELEVANT SECTIONS OF THE APPLICATION FORM ARE COMPLETED. THIS WILL ENABLE COUNCIL TO DETERMINE THE APPLICATION PROMPTLY.

PLANS AND DOCUMENTATION

Information necessary for lodgement of Form 1(A)

The development application must contain sufficient information to enable Council to understand what the development proposal is and what its environmental effects are likely to be. **Three (3)** copies of the full set of the plans (**one A3 size**) and accompanying documentation are required to be provided with this application.

The plans shall indicate the following:

- a) The location, boundary dimensions, site area and north point of the land;
- b) The existing vegetation on the land;
- c) The location and uses of any existing buildings on the land;
- d) The existing levels/contours of the land;
- e) The location and uses of any buildings on adjoining sites;
- f) Any **easements, encumbrances** etc over the land;
- g) Advice in writing of the method proposed for termite protection;
- h) **A section through the building showing footings, levels of the lowest floor and adjacent ground, wall, floor and roof construction; ceiling heights; dimensioned width of eaves overhang;**
- i) Where a dwelling relocation is proposed, photos of the existing building and a pest report from an Accredited Pest Controller are to be attached.
- j) A wind bracing and tie down layout.

Where applicable, the plans shall also indicate the following:

- a) The location of the proposed buildings or works (including extensions or additions to existing building or works) in relation to boundaries of the land;
- b) Floor plans of proposed buildings showing partitioning, intended use of each part of the building and room sizes;
- c) Elevations and sections showing proposed external finishes and heights in relation to Australian **Height Datum**, giving the level of the top of the kerb adjacent to the site;
- d) Proposed finished levels of the land in relation to buildings and roads;
- e) Building perspectives where necessary to illustrate the proposed building;
- f) Proposed parking arrangements, vehicular ingress, egress and manoeuvring areas on the land (including dimensions where applicable);
- g) Proposed landscaping and treatment of the site (indicating plant types and their heights at maturity);
- h) **Proposed methods of draining the land.** Where an easement over adjoining properties is required,

letters of agreement from the owners of those properties to grant the necessary easement rights are to be submitted with the application (sites are to be drained to Council's drainage system);
i) Details of any hazardous materials to be stored on the site and associated safety procedures.
Development applications should be supported with additional material (eg photographs, written statements, accompanying plans, sections, plans or letters from adjoining owners) if appropriate. Such submissions should demonstrate how the proposal achieves relevant Council Codes and LEP objectives. Details of any departures from Council's requirements should be noted and justification provided.

LAND OWNER AUTHORITY

TO WHOM IT MAY CONCERN

This is to advise that S.J Connelly Pty Limited has been engaged by:

Client Name: **Ballina Waterways Pty Ltd**

Client Address: **46 Evan Street, Penrith NSW 2750**

Dated

in respect to land described as:

No: Street: **Cnr Pacific Highway and Teven Road**

Locality/Suburb: **West Ballina**

Real Property Description: **Lot 11 DP 1011575 at Ballina**

The owner of the abovementioned land hereby authorises S.J Connelly Pty Limited or its agents to:

- 1. Inspect Records
- 2. Carry out searches and site inspections
- 3. Take Site Samples
- 4. Lodge applications, objections or appeals

Signed:



Director
Ballina Waterways P/L.