



**BELLINGEN SHIRE COUNCIL**  
**Development Application**

## **Information Requirements for Food & Drink Premises**

**For a change of use to a food & drink premises or the fit-out of new premises:** "Food & drink premises" means premises that are used for the preparation & retail sale of food and/or drink for immediate consumption on or off the premises & includes a restaurant, café, take away, pub & bar)

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This document has been designed to assist applicants to ensure that any development application submitted to Council is complete and that sufficient supporting information is provided to facilitate the timely assessment of the proposal.

**Owners Consent:** Have the signatures of all property owners been provided on the Application Form?

**Statement of Environmental Effects:**

An SEE must accompany all development applications. The SEE should address the likely impacts of the proposal and measures proposed to mitigate any impacts. The SEE should address the following matters:

- (a) A description of the property and surroundings;
- (b) A description of the proposal in detail; (refer next heading)
- (c) The environmental impacts of the development (e.g. noise & visual impact, traffic impact, impact on adjoining properties, environmental habitat, water quality, stormwater, heritage, solar access etc);
- (d) Any steps to be taken to protect the environment or to lessen the expected impact or harm to the environment; and
- (e) Whether or not the development complies with *Bellingen Local Environmental Plan 2010* and the *Bellingen Shire Development Control Plan 2010*, as well as any other applicable legislation. Justification for any part of the proposal that does not comply should be provided in the SEE.

If impacts are likely to be negligible, a brief written statement is required to support your plans and drawings (refer [www.bellingen.nsw.gov.au/Development/Application\\_Forms/Statement\\_of\\_Environmental\\_Effects](http://www.bellingen.nsw.gov.au/Development/Application_Forms/Statement_of_Environmental_Effects)). More complex proposals or development involving heritage items or within the *Bellingen Conservation Area* may require a more detailed statement or a Heritage Impact Statement (\*refer page 2).

**Professionally drawn plans:** Refer to 'Checklist for the Lodgement of a DA' and p.12 of the 'Application Guide': [http://www.bellingen.nsw.gov.au/Development/Application\\_Forms](http://www.bellingen.nsw.gov.au/Development/Application_Forms).

**Description of the Proposed Development:**

The following general information should be provided as part of the description of the proposed development where relevant:

- Type of proposed business and details of the style of cuisine to be provided
- Existing use of site (if applicable)
- Describe food related procedures and practices (i.e. preparation, handling, storage, packaging, cleaning)
- Hours of operation: Monday-Friday, Saturday-Sunday
- Number of staff
- Facilities provided for staff and/or customers (i.e. toilets, showers, change rooms)
- Capacity (customer numbers and seating/table arrangements)
- Disabled access arrangements (refer *Chapter 14 - Bellingen Shire Development Control Plan 2010*)

- Proposed footpath/outdoor seating details (*if applicable*) (refer Chapter 7 (s.7.8) - *Bellingen Shire Development Control Plan 2010*)
- Delivery arrangements, times and frequency, types of vehicles, location of loading/unloading areas
- Grease trap details / Liquid Trade Waste applications
- Location, height and direction of discharge for kitchen mechanical ventilation system, air conditioning units
- Waste management details (refer Chapter 16 - *Bellingen Shire Development Control Plan 2010*)
- If charcoal or wood will be used for cooking, detail the smoke and odour control measures and location of air conditioning units
- Smoke Free Eating Areas
- Licenced premises (is a liquor licence required/existing?)
- Availability of existing/proposed services (water and sewer)
- Details of any construction, design and fit out required to meet Australian Standards (Note: is a Construction Certificate being applied for as part of Development Application?)
- Fire safety measures (Note: Change of use may require a Fire Safety Schedule, *cl.168 Environmental Planning & Assessment Regulation 2000*)
- Location and details of all exits
- External lighting
- Schedule of materials, colours and finishes of any proposed external structures or changes to existing building
- Signage details (refer Chapter 7 - *Bellingen Shire Development Control Plan 2010*)
- Details of any staging of the development

**Other Information that may be required:**

- Car parking arrangements (refer Chapter 5 - *Bellingen Shire Development Control Plan 2010*)
- \*Heritage impact statement: may be required when the property (1) is located within the Bellingen Conservation Area, or (2) is listed in Schedule 5 – Environmental Heritage of *Bellingen Local Environmental Plan 2010*, or (3) contains a draft heritage item, or (4) has known or suspected Aboriginal heritage significance or, (5) the development is within the vicinity of a heritage item or Conservation Area, or (6) the proposal involves excavation on a site identified as having potential heritage significance.
- Acoustic Report (when development is likely to generate potentially offensive noise or trading hours are after 10pm and is in close proximity to residential property or other noise sensitive uses)
- Land contamination report (is the site potentially contaminated as a result of a previous use?)
- Structural Engineer's certificate

**Note:** The *Environmental Planning & Assessment Regulations 2000* enables councils to return applications that are incomplete or unclear within 14 days. Additional information may be requested depending on the circumstances of the proposal or the site, legislative requirements or where Council is of the opinion that the information provided is insufficient.

**Further Assistance:**

- Check fee calculations with Council's Customer Service staff prior to lodging (ph. 6655 7300).
- Council's Development Control Unit (DCU) provides pre-lodgement advice to proponents intending to carry out development within the Bellingen Shire (refer to [www.bellingen.nsw.gov.au/Development/Development Control Unit](http://www.bellingen.nsw.gov.au/Development/Development%20Control%20Unit)).
- Council's Health and Building Surveyors are available Monday to Friday from 8:30 am to 10:30 am to assist with enquiries. For planning enquiries a Duty Planner is available from 8:30 am to 12 noon.

- **Note:** Application forms, *Bellingen Local Environmental Plan 2010* and the *Bellingen Shire Development Control Plan 2010* are available on Council's website: <http://www.bellingen.nsw.gov.au/Development>.

**☐ Useful Resources:**

- *Food Act 2003* ([legislation.nsw.gov.au](http://legislation.nsw.gov.au))
- Food Standards Codes ([foodauthority.nsw.gov.au](http://foodauthority.nsw.gov.au))
- AS4674-2004 – Fit out of food premises
- AS1668.1-1998 and AS1668.2-1991 – Mechanical Ventilation
- Building Code of Australia (BCA)

