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## DWELLING ENTITLEMENT SEARCH APPLICATION FORM

You can use this form to obtain advice on the status of land zoned RU1 Primary Production in relation to the provisions of Clause 4.2A *Erection of dwelling house and dual occupancy dwellings on RU1 Zone* of the Warrumbungle Local Environmental Plan 2013.

Please ensure all details are filled out. Incomplete or illegible information may lead to delays. The current fee for a dwelling entitlement search is \$86.50 in accordance with Council's Fees and Charges 2023/2024. Fees must be paid at the time of lodgement.

### Applicant Details

Name .....

Address .....

.....

Phone Number ..... Fax Number .....

### Property Details

Street Number ..... Property Name .....

Street / Road ..... Town .....

Assessment Number .....

Lot Number ..... Section ..... Deposited Plan No .....

Lot Number ..... Section ..... Deposited Plan No .....

Lot Number ..... Section ..... Deposited Plan No .....

NB: If additional space is required please provide information on a separate page.

### Owner Details

Name: .....

Address: .....

.....

Is the Owner aware of your enquiry? .....

### Details

Does the land contain existing dwellings?  Yes  No

Are they currently occupied?  Yes  No

How many existing dwelling(s) are on the site? .....

What is the approximate age of the dwelling(s)? .....

### OFFICE USE ONLY

Certificate No ..... Property Number .....

Fees (\*463) \$..... Receipt Number ..... Date .....

Land Use ..... Date Certificate Issued: .....

**Note:**

- Dwelling Entitlement Searches can require considerable time in researching past subdivision records. Generally ten (10) working days are required.
- Dwelling Entitlement Searches are carried out by assessment number. If the land includes multiple assessment numbers, additional searches must be carried out.

***Dwelling Entitlement Searches***

A dwelling entitlement is a right to apply for development consent for a dwelling on land it is not development consent and does not infer that development consent can be granted in all circumstances. Dwelling entitlements may exist by virtue of one or more of the following:

- The land is an “existing holding”;
- The land is a lot created by subdivision for the purposes of erecting a dwelling;
- Is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to the land.

***Existing Holding –***

An existing holding is defined in the Warrumbungle Local Environmental Plan 2013 as land that:

- a) Was a holding on the relevant date, and
- b) Is a holding at the time the application for development consent referred to in subclause (3) is lodged,

whether or not there has been a change in the ownership of the holding since the relevant date, and includes any other land adjoining that land acquired by the owner since the relevant date.

***holding*** means:

All adjoining land, even if separated by a road or railway, held by the same person or persons.

***relevant date*** means:

- a) In relation to land identified as “Coonabarabran” on the Former LEP Boundaries Map – 25 January 1991, or
- b) In relation to land identified as “Coolah” on the Former LEP Boundaries Map – 19 June 1998.

**Note:** the owner is whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.

To determine whether land is an existing holding, valuation books are used to ascertain ownership on the relevant date.

It should be noted that where a dwelling has been built on one of the lots of an existing holding, then the entitlement for the holding has been exhausted.