

Quote No 18859

Telephone / Personal Enquiries
Ask for Planning Team

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ABN 84 873 116 132

Planning Certificate No 18859
Environmental Planning And Assessment Act 1979

		<div><div><div>Fee</div><div>Receipt No</div><div>Applicant Ref</div><div>Owner</div></div><div><div>OFFICE USE ONLY</div><div>\$156.00</div><div>_Planning Pty Ltd</div><div>Health Admin Corp c/-Far West</div><div>Local Health District</div></div></div>
Applicants Name	_Planning Pty Ltd	
Postal Address	33/129 Spit Road MOSMAN NSW 2088	
DESCRIPTION OF LAND		
Property Address	170-320 Thomas Street BROKEN HILL 2880	
Property Description	Lot: 4376 and Lot 3751 DP: 757298	

A. As at the date of this certificate the abovementioned land is land to which an environmental planning instrument applies. Where an environmental planning instrument applies to the land, details are set out as follows:

Name of Planning Instrument and Date When It Took Effect	Yes /No	Effect of Planning Instrument on Abovementioned Land
Broken Hill Local Environmental Plan 2013 – 30/08/2013	Yes	The land is zoned R1 General Residential under the existing planning instrument (See development control table – Attachment 2)
State & Regional Environmental Planning Policies	Yes	(see Attachment 1)
Draft State Environmental Planning Policy submitted to the Minister*	No	
Draft Regional Environmental Plan*	No	
Exhibited Draft Environmental Planning Instrument	No	
Draft Development Control Plan	No	

B. For the purposes of Section 10.7(2) it is advised that as at the date of this certificate the abovementioned land is affected by the matters referred to in Column 1 of the following table:

Column 1	Yes/No	Identification Of The Matter Referred To In Column 1 And The Manner In Which It Applies To Or Affects The Land
Development Control Plan	Yes	City of Broken Hill Development Control Plan 2016.
Whether additional permitted uses apply to the land.	Yes	Development for the purpose of retail premises associated with art galleries is permitted, subject to development consent.
Whether a contributions plan applies to the land.	Yes	Council has adopted the Broken Hill City Council Section 7.12 Developer Contributions Plan.
Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land.	Yes	Minimum lot size of 230m ² .
Whether the land is in an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> .	No	
Whether the land is in a heritage conservation area.	No	
Whether an item of environmental heritage is situated on the land.	Yes	The property is listed as a Heritage Item in Broken Hill Local Environment Plan 2013
Whether the subject land is land on which complying development may be carried out under SEPP (Exempt and Complying Development Codes) 2008.		Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.
Rural Housing Code	No	
General Housing Code	No	
Demolition Code	No	
General Development Code	No	
Housing Alterations Code	No	
General Commercial & Industrial Code	No	
Subdivisions Code	No	
Inland Code	Yes	
Whether the land is land on which Exempt development may be carried out.	No	Council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land. (refer to SEPP Exempt and Complying development codes.)
Affected building notices and building product rectification orders.	No	
Whether any Environmental Planning Instrument, deemed or draft instrument applying to the land provides for the acquisition of the land by a public authority, under Section 27 of the Act.	No	

Whether or not the land is affected by any road widening or road realignment under- <ul style="list-style-type: none"> i) Part 3 Division 2 of the <i>Roads Act 1993</i>; ii) any environmental planning instrument; or iii) any resolution of the Council 	No	
Whether the land or part of the land is within the flood planning area and subject to flood related development controls.	No	
Whether or not the land is affected by a policy: <ul style="list-style-type: none"> (a) Adopted by the Council; or (b) Adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).	No	
Whether some, or all, of the land is bushfire prone.	No	
Loose-fill asbestos insulation	See Notation	Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants. Contact NSW Fair Trading for further information.
Section 15 of the <i>Mines Subsidence Compensation Act 1961</i>	No	Whether the land has been proclaimed a mine subsidence district.
Whether a development plan has been adopted by a relevant authority that applies to the land.	No	
Whether the land is land to which a property vegetation plan under the <i>Native Vegetation Act 2003</i> applies.	No	
Whether the land is a Biodiversity stewardship site under a Biodiversity stewardship agreement.	No	
Whether the land is Biodiversity certified land.	No	
Whether Council has been notified of an order being made under the <i>Trees (Disputes Between Neighbours) Act 2006</i> to carry out work in relation to a tree on	No	Council has not been notified of an order under this Act in relation to this land.

the land.		
Whether the <i>Coastal Management Act 2016</i> applies.	No	
Whether any development consent conditions for Seniors Housing under SEPP (Housing) 2021 applies.	No	
Whether there is a current Site Compatibility Certificate (Affordable Rental Housing), of which Council is aware in respect of proposed development on the land.	No	
Whether there is a valid Site Compatibility Certificate (Infrastructure), of which Council is aware in respect of proposed development on the land.	No	
Contaminated Land: Whether Council is aware that, at the date of issuing this certificate, the land is: Declared to be significantly contaminated (under the <i>Contaminated Land Management Act 1997</i>). Subject to a Management Order (under the <i>Contaminated Land Management Act 1997</i>). Subject to an approved voluntary management proposal (under the <i>Contaminated Land Management Act 1997</i>). Subject to an ongoing maintenance order (under the <i>Contaminated Land Management Act 1997</i>). Subject to a site audit statement (under the <i>Contaminated Land Management Act 1997</i>).		
	No	
	No	
	No	
	No	
	No	

* Information is provided only to the extent that the Council has been notified by the Department of Commerce or the Department of Planning.

C. Additional information provided in accordance with Section 10.7(5):

Information	Reply
(a) Has any development consent with respect to the land been granted within the previous two years?	No
(b) What is the current approved use of the property?	Hospital – Health Services facility
(c) Is the current use of the property in accordance with such approval?	Yes
(d) Is the land affected by any resolution of the Council to seek amendment to any environmental planning or draft environmental instrument applying to the land?	No
(e) Is the land affected by any Interim or Permanent Conservation Order?	No
(f) Additional contamination information.	This land may contain levels of heavy metals associated with Broken Hill being a mining town. Council has not undertaken testing specific to this property in relation to this matter.
(g) Clearing of native vegetation.	Under the provisions of the <i>Native Vegetation Act 2003</i> No 103 approval may be required under the <i>Environmental Planning and Assessment Act 1979</i> for the clearing of native vegetation within the Broken Hill Local Government Area.
(h) Other matters affecting the property.	There is the possibility that structures on the parcel of land being purchased may not have been constructed entirely upon or within the relevant boundaries.

The above information has been taken from Council's records, but Council cannot accept responsibility for any omissions or inaccuracy.

The information contained in this certificate needs to be read in conjunction with the provisions of the:

- *Environmental Planning and Assessment Act 1979 and Regulations.*

Date: 10/10/2023

General Manager per:



Any request for further information in connection with the above should be directed to

Customer Relations - Telephone No. (08) 8080 3300

Or

Council@brokenhill.nsw.gov.au

ATTACHMENT 1 - S.E.P.P.'S - R.E.P.P.'s

The name of each State & Regional Environmental Planning Policy that applies to the carrying out of development on the land.

[State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing\) 2021](#)

[State Environmental Planning Policy \(Industry and Employment\) 2021](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy \(Planning Systems\) 2021](#)

[State Environmental Planning Policy \(Precincts—Regional\) 2021](#)

[State Environmental Planning Policy \(Primary Production\) 2021](#)

[State Environmental Planning Policy \(Resilience and Hazards\) 2021](#)

[State Environmental Planning Policy \(Resources and Energy\) 2021](#)

[State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#)

ATTACHMENT 2 - DEVELOPMENT CONTROL TABLE

ZONE R1 – General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses which provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations; Roads.

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Food and drink premises; Group homes; Hostels; Home industries; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Shop top housing; Waste or resource transfer stations; Water recycling facilities.

Any development not specified in item 2 or 4.

4 Prohibited

Agriculture; Animal boarding or training establishments; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Car parks; Charter & tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Moorings; Mooring pens; Mortuaries; Open cut mining; Port facilities; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural worker's dwellings; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies.