



**Broken Hill City Council - Additional Permitted Use - Funeral Home 39 Morgan St Broken Hill**

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	<b>Employment Land</b>
No. of Lots :	<b>0</b>	No. of Dwellings (where relevant) :	<b>0</b>
Gross Floor Area :	<b>0</b>	No of Jobs Created :	<b>3</b>
The NSW Government Lobbyists Code of Conduct has been complied with :	<b>Yes</b>		
If No, comment :			
Have there been meetings or communications with registered lobbyists? :	<b>No</b>		
If Yes, comment :	<b>No known meetings or communications</b>		
<b>Supporting notes</b>			
Internal Supporting Notes :	<b>Proposal can be supported given the history and use of the site. It is not uncommon to have non residential development in the residential area of Broken Hill as a consequence of the former township zoning.</b>		
External Supporting Notes :			

**Adequacy Assessment**

**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : **The objectives are clear in respect to the planning proposal**

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? **Yes**

Comment : **The proposed provisions are clear and the additional permitted use is the best mechanism to achieve the proposed outcome.**

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA : **6.3 Site Specific Provisions**

\* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **N/A**

e) List any other matters that need to be considered : **National Heritage Listing - however the proposal is on an existing developed site and will utilise an existing resource.**

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Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

### Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Locality and site mapping is provided.  
An additional permitted use LEP map will be required in accordance with the technical mapping guidelines.**

### Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **28 day community consultation period is appropriate for this proposal**

### Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

### Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

## Proposal Assessment

### Principal LEP:

Due Date : **August 2013**

Comments in relation to Principal LEP : **Broken Hill LEP 2013 was notified on 30 August 2013**

### Assessment Criteria

Need for planning proposal : **The achieve the proposed outcome a planning proposal is required. It is agreed that the proposed additional permitted use is the best mechanism to achieve the outcome in this case.**

Consistency with strategic planning framework : **The proposal is not inconsistent with the endorsed Broken Hill Strategic Land Use Plan dated September 2012. The proposed rezoning will retain zone R1- General residential and permit the additional permitted use as a funeral home on this site.**

Environmental social economic impacts : **The environmental, social and economic impacts are site specific development application considerations. The proposal will utilise an existing resource.**

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**Assessment Process**

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

**No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

**Documents**

Document File Name	DocumentType Name	Is Public
<b>Broken Hill planning proposal.pdf</b>	<b>Proposal</b>	<b>Yes</b>

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **6.3 Site Specific Provisions**

Additional Information : **1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act, 1979 as follows:**

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).**

**No consultation is required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act, 1979.**

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2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning & Assessment Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

3. Broken Hill City Council is to prepare an Additional Permitted Use Map identifying Lots 954 and 4233 DP 757298 with the section 59 reporting. The Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : **The proposal is a good use of an existing resource. The additional permitted use is the best mechanism to achieve the proposed outcome. The proposal can be supported.**

Signature:

W Garnsey

Printed Name:

W Garnsey

Date:

23/3/15