

# Broken Hill Local Environmental Plan 1996 (1997 EPI 88)

[1997-88]



New South Wales

## Status Information

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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# Broken Hill Local Environmental Plan 1996 (1997 EPI 88)



New South Wales

## Part 1 Preliminary

### 1 What is this plan called?

This plan is called *Broken Hill Local Environmental Plan 1996*.

### 2 What is the purpose of this plan?

The general aims of this plan are:

- (1) to encourage the proper management, development and conservation of natural and cultural resources within the City of Broken Hill by protecting, enhancing or conserving:
  - (a) places and buildings of archaeological or heritage significance, including Aboriginal relics and places, and
  - (b) timber, minerals, soil, water and other natural resources, and
  - (c) areas of significance for nature conservation, and
  - (d) areas of high scenic or recreational value, and
- (2) to replace the former planning controls with a single local environmental plan to help facilitate growth and development of the City of Broken Hill in a manner which is consistent with the aims specified in Item (1) and which:
  - (a) minimises the cost to the community of fragmented and isolated development of rural land, and
  - (b) facilitates the efficient and effective delivery of amenities and services, and
  - (c) facilitates a range of residential and employment opportunities in accordance with demand, and
  - (d) ensures that the efficiency of arterial roads is not adversely affected by development on adjacent land, and

(e) provides for orderly development of tourist activities, and

(3) to reclassify land vested in or under the control of the Council in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993* as “operational land” (land which need not be retained for use by the general public).

### 3 Where does this plan apply?

This plan applies to all land within the City of Broken Hill, as shown on the map, with the boundaries as indicated on the map.

### 4 How does this plan affect other plans?

On the day this plan is published in the Government Gazette, the following are repealed:

- (a) *Interim Development Order No 1—City of Broken Hill*,
- (b) all local environmental plans and all other deemed environmental planning instruments that, immediately before that day, applied to land within the City of Broken Hill, but only to the extent that they so applied.

### 5 What do terms in this plan mean?

In this plan:

**abattoir** means a building or place used for the slaughter of animals, whether or not animal by-products are processed, manufactured or distributed there and includes a knackery.

**advertisement** means the display of symbols, messages or other devices for promotional purposes or for conveying information, instruction, directions or the like whether or not the display includes the erection of a structure or the carrying out of work.

**advertising structure** means a structure used or to be used for the display of an advertisement.

**aerodrome** has the meaning ascribed to it in the *Air Navigation Regulations* made pursuant to the Commonwealth *Air Navigation Act 1920*.

**agriculture** means:

- (a) the cultivation of crops, including cereals, fruit, vegetables and flowers, or
- (b) the keeping or breeding of livestock or bees, or
- (c) the cultivation of plants in a wholesale plant nursery,

but does not include the use of land for an intensive livestock keeping establishment.

**animal boarding or training establishment** means a building or place used for the

breeding, boarding, training, keeping or caring for animals, for commercial purposes, and includes a riding school.

**appointed day** means the day on which this plan takes effect (which is the day on which it is published in the Government Gazette).

**arterial road** means an existing road indicated on the map by heavy broken black lines.

**boarding house** means a building or place, where accommodation, together with meals and laundry facilities, are provided, but only to residents, and which is not licensed to sell liquor.

**bulky goods sales room or showroom** means a building or place used for the sale by retail or auction, the hire or the display of items (whether goods or materials) which are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase, and which may also be used for the sale of motor powered or motor drawn vehicles and agricultural or industrial plant or machinery, but is not used for any sale of foodstuffs or clothing.

**caravan park** means land used as a site for moveable dwellings, including tents and caravans and other vehicles used for temporary or permanent accommodation.

**child care centre** means a building or place used for the purpose of supervising or caring for six or more children under the age of six years and includes facilities known as a long day care centre, preschool, occasional care centre, children's neighbourhood centre, or multipurpose child care centre, but does not include a home based care establishment.

**commercial premises** means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause.

**community facility** means a building or place owned or controlled by the Council, any other public authority or a body of persons which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place elsewhere specifically defined in this clause.

**Council** means the Broken Hill City Council.

**demolish** a heritage item or a building, work, relic, tree or place within a heritage conservation area means wholly or partly destroy or dismantle the heritage item or building, work, relic, tree or place.

**Department** means the Department of Urban Affairs and Planning.

**depot** means a building or place used only for the storage of plant, machinery, materials or goods used or intended to be used by the owner or occupier of the building or place, but does not include a building or place elsewhere specifically defined in this clause.

**dual occupancy development** means development to create two dwellings, whether attached or detached.

**environmentally sensitive land** means land shown horizontally hatched with black lines on the map.

**existing holding** means:

- (a) except as provided by paragraph (b)—the area of a lot, portion or parcel of land as it was at the appointed day, or
- (b) where, as at the appointed day, a person owned 2 or more adjoining or adjacent lots, portions or parcels of land—the aggregation of those lots, portions or parcels as they were on that day.

**extractive industry** means:

- (a) an undertaking, not being a mine, which depends for its operation on the winning of extractive material from the land on which it is carried on, and
- (b) includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

**extractive material** means sand, gravel, clay, turf, soil, rock, stone or any similar substance extracted for the purpose of refinement to obtain a metal or mineral.

**heritage conservation area** means land marked “Heritage Conservation Area” on the map and includes buildings, works, relics, trees and places situated on or within that land.

**heritage item** means building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) described in Schedule 1.

**home occupation** means an occupation carried on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling-house or dwelling which does not involve:

- (a) the registration of the building under the *Factories, Shops and Industries Act 1962*, and
- (b) the employment of persons other than those residents, or
- (c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or

- (d) the display of goods, whether in a window or otherwise, or
- (e) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on the dwelling-house or dwelling to indicate the name and occupation of the resident).

**horticulture** means fruit farming and vegetable farming, and includes plant propagation, plant breeding, ornamental floriculture, landscape horticulture and turf farming.

**institution** means a hospital within the meaning of the *Mental Health Act 1990* or a penal or reformatory establishment.

**intensive livestock keeping establishment** means a building or place in which or on which cats, cattle, dogs, fish, goats, sheep, poultry or other livestock are held for the purpose of breeding, boarding or nurturing by a feeding method other than natural grazing and, without limiting the generality of the foregoing, includes:

- (a) feedlots, and
- (b) piggeries, and
- (c) poultry farms, and
- (d) fish farming (including farming of crustaceans and oysters),

but does not include an animal boarding or training establishment or land used for the keeping of livestock or poultry intended solely for personal consumption or enjoyment by the owner or occupier of the land, and does not include a building or place used for short-term feeding or feedlots operated during periods of declared drought, or at times of other natural disasters such as fire or flood.

**manufactured home** means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises one or more major sections that are each constructed, and assembled, away from the manufactured home estate on which it will be erected and transported to the estate for installation on the estate, and
- (b) that is not capable of being registered under the *Traffic Act 1909*,

and includes any associated structures that form part of the dwelling.

**manufactured home estate** means land on which manufactured homes are, or are to be, erected.

**offensive industry or storage establishment** means an industry which, by reason of the processes involved or the method of manufacture or the nature of the materials used



or produced, requires isolation from buildings.

**place of worship** means a building or place used for the purpose of religious worship, whether or not the building or place is also used for counselling, social events or religious training by a congregation or religious group.

**plant nursery** means a building or place used for both the growing and selling by retail of plants, whether or not landscape supplies (including earth products) and other landscape and horticultural products are sold there.

**potential archaeological site** means land identified as such a site on the map or land known to the Council to have archaeological potential even if it is not so identified.

**public utility undertaking** means any undertaking carried on by or by an authority of any Government department, or in pursuance of any Commonwealth or State Act, for the purpose of providing:

- (a) railway, road, water or air transport, or wharf or river services or facilities, or
- (b) sewerage or drainage services, or
- (c) water, hydraulic power, electricity or gas, or
- (d) telecommunications facilities, or
- (e) paramedical facilities.

**recreation area** means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
  - (i) the Council, or
  - (ii) a body of persons associated for the purpose of the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse, a showground, or the activity of paintball.

**relic** means any deposit, object or material evidence (which may consist of human remains) relating to:

- (a) the use or settlement of the area of the City of Broken Hill, not being Aboriginal habitation, which is more than 50 years old, or

- (b) Aboriginal habitation of the area of the City of Broken Hill before or after its occupation by persons of European extraction.

**residential flat building** means a building containing three or more dwellings.

**roadside stall** means a place used for the purpose of offering for sale by retail agricultural goods produced on the allotment on which the place is located or on allotments in the locality, but only where the building, structure or device used for offering produce for sale is of a temporary nature (that is, capable of being erected or dismantled in 24 hours).

**rural industry** means:

- (a) the handling, selling, treating, processing or packing of rural products, and
- (b) the regular servicing or repairing of plant or equipment used for the purpose of agriculture, aquaculture or a rural industry in the locality.

**rural tourist facility** means a building or place on a farm (which may include a refreshment room and limited tourist accommodation) which is used to provide tourists education and experience concerning the growing, production or processing of rural products which are grown or cultivated on that farm (for the purpose of this definition, a farm is an area of adjoining or adjacent land held in the same ownership and in continuous use for agricultural, forestry or pastoral purposes).

**service station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oils and other petroleum products, whether or not the building or place is also used for any one or more of the following:

- (a) the hire of trailers,
- (b) the sale by retail of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles,
- (e) the retail sale or hire of other goods within an ancillary area.

**shop** means a building or place used for selling items, whether by retail or auction, for hiring items or for displaying items for the purpose of selling or hiring them, whether the items are goods or materials.

**stables** means a building and yards used for the accommodation of one or more horses, cattle, donkeys or the like.

**stock and saleyard** means a building or place used for offering livestock or poultry for sale.

**the map** means the sheets of the map marked “*Broken Hill Local Environmental Plan 1996*” kept at the offices of the Council, as amended by the maps (or specified sheets of maps) that are also kept at those offices and are marked as follows:

**Editorial note—**

The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

*Broken Hill Local Environmental Plan 1996 (Amendment No 1)*

*Broken Hill Local Environmental Plan 1996 (Amendment No 2)*

**tourist accommodation** means a building or buildings predominately used for the temporary accommodation of tourists, visitors and travellers, which may have facilities for the convenience of patrons, such as restaurants, convention areas and the like, but does not include a building or place elsewhere defined in this clause or a building or place used for a landuse elsewhere defined in this clause.

**tourist facilities** means an establishment providing for holiday accommodation or recreation, and may include a boat shed, boat landing facilities, a camping ground, a caravan park, cultural and historical interpretative centres, holiday cabins, a hotel, a house boat, a marina, a motel, a playground, a refreshment room, art, craft and souvenir outlets, water sport facilities or a club used in conjunction with any such activities.

**transport depot** means a building or place used for the parking or storage of motor powered or motor drawn vehicles used in connection with a passenger transport undertaking, business, industry or shop.

**turf farming** means the commercial cultivation, removal from land and sale of turf.

**vehicle repair station** means a building or place used for carrying out repairs or the selling and fitting of accessories to vehicles or agricultural machinery in conjunction with repairs.

**veterinary hospital** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for treatment.

**warehouse or distribution centre** means any building or place used mainly for:

- (a) the storing of goods, or
- (b) handling or displaying items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale, to the public from the building or place.

## 6 What Model Provisions are adopted?

- (1) The *Environmental Planning and Assessment Model Provisions 1980* are standard

provisions for adoption by environmental planning instruments, such as this plan.

- (2) This plan adopts those model provisions, except for:
- (a) the definitions of words defined in clause 5 of this plan, and
  - (b) clause 31 relating to development below high water mark.

## **7 Who is the Consent Authority?**

The Council is the consent authority for the purposes of this plan.

## **Part 2 General zoning controls**

### **8 What zones apply?**

Land is included in one of the following zones which are shown on the map as follows:

- Zone 1 (a) (*General Rural Zone*)—edged heavy black and lettered “1 (a)”.
- Zone 1 (c) (*Rural Small Holdings Zone*)—edged heavy black and lettered “1 (c)”.
- Zone 1 (m) (*Mining Zone*)—edged heavy black and lettered “1 (m)”.
- Zone 2 (c) (*City Zone*)—edged heavy black and lettered “2 (c)”.
- Zone 7 (a) (*Environment Protection (Regeneration Reserve) Zone*)—edged heavy black and lettered “7 (a)”.

### **9 What does the development control table mean?**

The following development control table gives the objectives of each zone and, for land within each zone, the development that may be carried out without development consent or only with development consent and the development that is prohibited.

The Council must not grant development consent if the proposed development does not satisfy the objectives of the zone in which it is intended to be carried out.

Development control table

#### **Zone 1 (a) (General Rural Zone)**

##### **1 Objectives of the zone**

The objective of this zone is to promote the proper management and utilisation of resources by:

- (a) protecting, enhancing and conserving:
  - (i) agricultural land in a manner which sustains its efficient and effective agricultural production potential, and

- (ii) soil stability by controlling and locating development in accordance with soil capability, and
  - (iii) valuable deposits of minerals, coal, petroleum and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits, and
  - (iv) trees and other vegetation in environmentally sensitive areas where the conservation of the vegetation is significant to scenic amenity, recreation or natural wildlife habitat or is likely to control land degradation, and
  - (v) water resources for use in the public interest, and
  - (vi) areas of significance for nature and geological conservation, including areas with rare plants, wetlands and significant habitat, and
  - (vii) places and buildings of archaeological or heritage significance, including Aboriginal relics and places, and
- (b) preventing the unjustified development of agricultural land for purposes other than agriculture, and
  - (c) facilitating farm adjustments, and
  - (d) minimising the cost to the community of:
    - (i) fragmented and isolated development of rural land, and
    - (ii) providing, extending and maintaining public amenities and services, and
  - (e) providing land for future urban development, for rural residential development and for development for other non-agricultural purposes, in accordance with the need for that development.

## **2 Development allowed without development consent**

Development for the purpose of:  
agriculture.

## **3 Development allowed only with development consent**

Development not included in item 2 or 4.

#### **4 Development which is prohibited**

Development for the purpose of:

motor showrooms; residential flat buildings; shops (other than general stores not exceeding 200 square metres in gross floor area).

#### **Zone 1 (c) Rural Small Holdings Zone**

##### **1 Objectives of the zone**

The objective of this zone is to promote the development of land identified as suitable for:

- (a) rural residential or hobby farm development, or
- (b) a range of industrial, storage or intensive livestock keeping purposes which are compatible with the environmental capabilities of the land and which are unlikely to affect land or development in the vicinity adversely, or
- (c) the creation of small holdings to allow an attractive rural lifestyle.

##### **2 Development allowed without development consent**

Any exempt development.

Development for the purpose of:

Agriculture.

##### **3 Development allowed only with development consent**

Development not included in item 2 or 4.

##### **4 Development which is prohibited**

Development for the purpose of:

boarding houses; commercial premises; hotels motels; motor showrooms; residential flat buildings; road transport terminals; shops (other than general stores not exceeding 200 square metres in gross floor area).

#### **Zone 1 (m) (Mining Zone)**

##### **1 Objectives of the zone**

The objectives of this zone are:

- (a) to promote the efficient extraction of metals and minerals from proven and potential ore bearing ground through predominantly traditional underground mining methods, and
- (b) to facilitate the efficient extraction of metals and minerals by open cut mining where:
  - (i) the land has been declared unsafe for underground mining, and
  - (ii) the reclamation of the land would enhance the potential reuse of the land, and
- (c) to ensure that works associated with mining do not interfere with the natural environment, particularly surface water run-off systems and windblown dust, and
- (d) to facilitate conservation, education, heritage or tourist development related to mining activities in a manner compatible with:
  - (i) the continued extraction of metals and minerals, and
  - (ii) the environmental capabilities of the land, and
  - (iii) the cost of providing public services or amenities.

## **2 Development allowed without development consent**

Development for the purpose of:

agriculture.

## **3 Development allowed only with development consent**

Development for the purpose of:

advertisements; educational establishments; extractive industries; industries; junk yards; mines; road transport terminals; tourist facilities; warehouses.

## **4 Development which is prohibited**

Development not included in item 2 or 3.

### **Zone 2 (c) City Zone**

### **1 Objectives of the zone**

The objective of this zone is to promote development in the City of Broken Hill in a manner which is compatible with its urban function.

### **2 Development allowed without development consent**

Any exempt development.

### **3 Development allowed only with development consent**

Development not included in item 2 or 4.

### **4 Development which is prohibited**

Development for the purpose of:

abattoirs; extractive industries; intensive livestock keeping establishments; mines; offensive or hazardous industries.

## **Zone 7 (a) (Environment Protection (Regeneration Reserve) Zone)**

### **1 Objectives of the zone**

The objectives of this zone are to identify and protect land which is environmentally sensitive and, in particular:

(a) to protect significant wildlife habitats, and

(b) to preserve hillscapes and ridgelines, and

(c) to promote the preservation, conservation and enhancement of major landscape features and indigenous fauna and flora in the City of Broken Hill, and

(d) to reduce dust nuisances and erosion.

### **2 Development allowed without development consent**

Nil.

### **3 Development allowed only with development consent**

Development for the purpose of:

rehabilitation and conservation works.



## 4 Development which is prohibited

Development not included in item 3.

### Part 3 Special provisions

#### 10 What must Council consider, other than zone objectives, when deciding whether to consent to development?

In deciding whether to consent to development of land, the Council must consider:

- (a) the present use of the land and the potential of such of the land as is prime crop and pasture land for sustained agricultural production, and
- (b) the effect of the proposed development on vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage and riparian rights), and
- (c) the effect of the proposed development on the future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials, and
- (d) the protection of areas of significance for nature conservation or of high scenic or recreational value, and of places and buildings of archaeological or heritage significance (including Aboriginal relics and places), and
- (e) the cost of providing, extending and maintaining public amenities and services to buildings or works that will result from carrying out the development, and
- (f) future expansion of settlements in the locality.

#### 10A What is exempt and complying development?

- (1) Development of minimal environmental impact listed as exempt development in *Development Control Plan No 9—Exempt and Complying Development*, as adopted by the Council on 18 December 2002 is **exempt development** despite any other provision of this plan.
- (2) Development listed as complying development in *Development Control Plan No 9—Exempt and Complying Development*, as adopted by the Council on 18 December 2002 is **complying development** if:
  - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
  - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the

development standards and other requirements applied to the development by *Development Control Plan No 9—Exempt and Complying Development*, as adopted by the Council on 18 December 2002.

- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Development Control Plan No 9—Exempt and Complying Development* as adopted by the Council, as in force when the certificate is issued.

## **11 Subdivision of land generally**

- (1) A person must not subdivide land to which this plan applies except with the consent of the Council.
- (2) Before granting consent for subdivision, the Council must consider:
- (a) any impact the development will have on the future or current use of adjoining land, and
  - (b) whether an adequate water supply is available, and
  - (c) what services are or may be required, and
  - (d) any natural hazards likely to affect the development of other land as a result of the development, and
  - (e) what effect the development might have on water quality, and land with environmental or conservation value, and
  - (f) the effect the development will have on aquatic fauna or habitat and the natural flow of any watercourse or stream, and
  - (g) the effect the development will have on riparian vegetation and habitat, and
  - (h) whether the development will contribute to ribbon development or substantially change the appearance and/or character of the amenity of the area, and
  - (i) the effect of the proposed development on traffic, and whether adequate vehicular and pedestrian access is available to the site.
- (3) When considering these matters, the Council must also take into account any measures that may be taken to minimise any adverse impacts and also whether, in its opinion, the benefits of the development outweigh any adverse effect.

## **12 What is the minimum size for new allotments in Zone 1 (a)?**

The following requirements apply to the creation of a new allotment proposed to be used for the purpose of agriculture in Zone 1 (a):

- (1) where the allotment has no dwelling erected on it, the allotment may be of any size which, in the Council's opinion is adequate for the purpose for which the allotment is to be used, and
- (2) where there is a dwelling already built on it, the allotment is to have an area of not less than 40 hectares.

### **13 Dwelling-houses within Zone 1 (a)**

- (1) In this clause, ***vacant land*** means land on which no dwelling is erected.
- (2) A person must not erect a dwelling-house on vacant land within Zone 1 (a) unless:
  - (a) the land comprises:
    - (i) an existing holding, or
    - (ii) an allotment created in accordance with this plan for a purpose other than agriculture, or
    - (iii) an allotment created as a result of subdivision in accordance with clause 12, or
    - (iv) an allotment created in accordance with a consent granted before the appointed day, being an allotment on which a dwelling-house could have been lawfully erected immediately prior to the appointed day, and
  - (b) the land has an area of not less than 40 hectares, and
  - (c) the use of the dwelling-house will be ancillary and incidental to the present or intended development of the land.
- (3) One additional dwelling-house may, with the consent of the Council, be erected in land to which this clause applies which has an area of not less than 40 hectares for each 40 hectares of the land if the Council is satisfied that each such additional dwelling-house will be actually occupied by a person employed or engaged by the owner of the land in the use, for the purpose of agriculture, of that land or land belonging to that owner which adjoins or is adjacent to that land.

### **14 What general requirements apply to subdividing land in Zone 1 (c)?**

- (1) Any lots created in Zone 1 (c) must each have an area of not less than 4000 square metres.
- (2) When considering the design of a proposed subdivision of land within Zone 1 (c), the Council must have regard to:
  - (a) the suitability of the land for future urban development, and

- (b) the proposed location of dwellings, and how they will relate to each other and to the topography of the land, and
- (c) whether the subdivision will minimise access that will be required to arterial roads, and
- (d) whether each allotment to be created by the subdivision will be suitable for the on-site disposal of private wastes, and
- (e) the likely impact of the development on water quality, land degradation, and habitat destruction, and other environmental impacts that may result from the development, and
- (f) whether each allotment to be created by the subdivision will be suitable for the economic provision of services.

**15 Subdivision for the purpose of dwelling-houses in Zone 2 (c)**

- (1) The Council must not consent to a subdivision of land within Zone 2 (c) to create an allotment that, in the opinion of the Council, is intended to be used for a dwelling-house, unless the allotment has an area of 230 square metres or more.
- (2) Despite subclause (1), the Council may consent to a subdivision of land within Zone 2 (c) that creates an allotment having an area of less than 230 square metres that, in the opinion of the Council, is intended to be used for a dwelling-house, if the Council is satisfied that other land is to be provided and developed for the communal use of future occupiers of allotments created by the subdivision.

**16 Erection of additional dwelling-houses within Zone 1 (a) or 1 (c)**

- (1) The Council may consent to the erection of a second dwelling-house on land within Zone 1 (a) or 1 (c) (the alteration of an existing dwelling-house to create a second dwelling-house) where:
  - (a) no additional access to a public access to a public road is required from the land,
  - (b) separate ownership of the land on which the additional dwelling house is located would require the lodgment of, and approval by the Council of, a separate subdivision application,
  - (c) in the opinion of the Council, the dwelling house to be erected on the land will not interfere with the purpose for which the land is being used,
  - (d) the land is not prime crop and pasture land, and
  - (e) in the case of land within Zone No 1 (a), a dwelling house could be erected on the land in accordance with clause 13, and
  - (f) in the case of land within Zone No 1 (c), the Council is satisfied that adequate

provision is made for the disposal of effluent.

- (2) Except as provided by this plan, the Council must not consent to the subdivision of land to create separate land title for a second dwelling-house erected or created under this clause.

#### **17 What types of development must be advertised?**

The provisions of sections 84, 85, 86, 87 (1) and 90 of the Act apply to and in respect of development specified in Schedule 2 in the same way as those provisions apply to and in respect of designated development.

#### **18 Development along arterial roads**

- (1) The Council must not consent to development on land which has a frontage to an arterial road, unless:
  - (a) access to that land is provided by a road other than the arterial road, wherever practicable, and
  - (b) in the opinion of the Council, the safety and efficiency of the arterial road will not be adversely affected by:
    - (i) the access to the site of the proposed development, or
    - (ii) the emission of smoke or dust from the proposed development, or
    - (iii) the nature, volume or frequency of vehicles using the arterial road to gain access to the site of the proposed development.
- (2) The Council must not consent to any development of land within Zone 1 (a) or 1 (c) Schedule 3 if the development will have direct access to an arterial road unless the application has been assessed having regard to:
  - (a) the nature, scale and function of any building erected on the land, and
  - (b) the minimisation of distraction to drivers using the road, and
  - (c) the maximisation of sight distances for drivers using the roads.

### **Part 4 Heritage provisions**

#### **19 Protection of heritage items and relics**

- (1) The following development may be carried out only with development consent:
  - (a) demolishing, defacing, damaging or moving a heritage item, or
  - (b) altering a heritage item by making structural changes to its exterior, or

- (c) altering a heritage item by making non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance, or
  - (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic, or
  - (e) erecting a building on, or subdividing, land on which a heritage item is located.
- (2) Development consent is not required by this clause if the Council is of the opinion that the proposed development would not adversely affect the heritage significance of the heritage item.
- (3) When determining a development application required by this clause, the Council must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item.

**Note—**

The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

**20 Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites**

The Council must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity.

**21 Notice of certain heritage development applications**

Sections 84, 85, 86, 87 (1) and 90 of the Act (which provide for the giving of notice, and for the making and consideration of submissions, about proposed development) apply to the demolishing, defacing or damaging of a heritage item or a building, work, relic, tree or place within a heritage conservation area (and to the use of a building or land referred to in clause 23 for a purpose which, but for that clause, would be prohibited by this plan) in the same way as those provisions apply to designated development.

**22 (Repealed)**

**23 Conservation incentives**

- (1) The Council may grant consent to the use, for any purpose, of a building that is a heritage item or is within a heritage conservation area, or of the land on which the building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

- (a) the proposed use would not adversely affect the heritage significance of the item or heritage conservation area or the amenity of the heritage conservation area, and
  - (b) the conservation of the building depends on the granting of consent.
- (2) When considering an application for consent to erect a building on land on which a heritage item is located or on land within a heritage conservation area, the Council may, for the purpose of determining:
- (a) the floor space ratio, and
  - (b) the number of parking spaces to be provided on the site,
- exclude the floor space of the building from its calculation of the floor space of the buildings erected on the land, but only if the Council is satisfied that the conservation of the building depends on it making the exclusion.

#### **24 Development of known or potential archaeological sites**

- (1) The Council may grant consent to the carrying out of development on an archaeological site that has Aboriginal heritage significance (such as a site that is the location of an Aboriginal place or a relic, within the meaning of the *National Parks and Wildlife Act 1974*) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only if:
- (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of National Parks and Wildlife, and
  - (b) except where the proposed development is integrated development, it has notified the local Aboriginal communities (in such a way as it thinks appropriate) of the development application and taken into consideration any comments received in response within 21 days after the notice was sent, and
  - (c) it is satisfied that any necessary consent or permission under the *National Parks and Wildlife Act 1974* has been granted.
- (2) The Council may grant consent to the carrying out of development on an archaeological site that has non-Aboriginal heritage significance or a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only if:
- (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council, and

(b) (Repealed)

(c) it is satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

## Part 5 Miscellaneous

### 25 Can school facilities and sites be used for community purposes?

- (1) If land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with the consent of the Council, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for the purpose of any other community activity, whether or not any such use is a commercial use of the land.
- (2) Nothing in this clause requires consent for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without consent.

### 26 Advertising structures

A person must not, except with the consent of the Council, erect an advertising structure on land to which this plan applies.

### 27 Is development allowed on travelling stock routes?

The Council must, before determining an application for consent to carry out development on land that is part of a travelling stock reserve, within the meaning of the *Rural Lands Protection Act 1998*, take into consideration:

- (a) existing arrangements for use and occupation of that travelling stock reserve under Divisions 5 and 6 of Part 8 of the *Rural Lands Protection Act 1998*, and
- (b) any requirements of the Rural Lands Protection Board in which that travelling stock reserve is vested.

#### Note—

The occupation and use of travelling stock reserves is subject to reserve use and stock permit requirements under Divisions 5 and 6 of Part 8 of the *Rural Lands Protection Act 1998*.

### 28 What development is allowed near aerodromes?

- (1) A person must not, on land shown crosshatched on the map:
  - (a) erect a building of a height that exceeds the limitation specified for the land by the map marked "*Broken Hill Local Environmental Plan 1996—Height Limitation Map*" kept in the office of the Council, or
  - (b) carry out development for the purposes of:



- (i) a dam or reservoir, or
- (ii) the handling or storage of grain, or
- (iii) the disposal of refuse, or
- (iv) a sewage treatment plant or effluent ponds, or
- (v) an abattoir, or
- (vi) a stock yard, or
- (vii) the provision or enhancement of habitat likely to attract birds which may be a hazard to aircraft, or
- (viii) any other land use which, as a result of the creation or disposal of waste foodstuff, could be expected to attract birds,

except with the consent of Council.

- (2) An application made for development consent to carry out any development on land to which the Obstacle Limitation Plan applies must be referred by the Council to Airservices Australia for comment where the development proposed relates to a building or proposed building that exceeds the height specified for the land in the Obstacle Limitation Plan.
- (3) In considering whether to grant consent to development referred to in subclause (1), the Council must take into account any comment furnished by Airservices Australia within 28 days after referral of the application.
- (4) In this clause, **Obstacle Limitation Plan** means the document of that name proposed for land within the boundary of Broken Hill by Airservices Australia and deposited in the office of the Council.

## **29 What sound insulation of buildings is required near aerodromes?**

- (1) A person must not, without the consent of the Council, erect a building on land for which an Australian Noise Exposure Forecast prepared by Airservices Australia is available from the office of the Council.
- (2) The Council must not grant consent to the erection of a building on any such land unless it is satisfied that measures will be taken:
  - (a) which accord with the provisions of the code known as AS 2021—1994 *entitled "Acoustics-Aircraft noise intrusion—Building siting and construction"* published by the Standards Australia, and
  - (b) which, in the opinion of the Council, are adequate for the insulation of the building from aircraft noise.

### 30 Reclassification of public land as operational land

The land specified in Schedule 4 is reclassified as operational land for the purposes of the [Local Government Act 1993](#).

### 31 What special provisions apply to the temporary use of land?

Despite any other provision of this plan, the Council may grant consent to the carrying out of development on land for any purpose (not being designated development) for a maximum period of 28 days, whether consecutive or non-consecutive, in any one year.

### 32 What activities of government instrumentalities are not affected by this plan?

- (1) This plan does not prohibit, restrict or require development consent for the use of land by a public authority for the purpose of roads, drainage or public utility undertakings.
- (2) This clause does not affect the adoption by this plan of clause 35 of, and Schedule 1 to, the [Environmental Planning and Assessment Model Provisions 1980](#).

### 33 Additional uses of land

Despite the development control table, development may be carried out, with the consent of the Council, in accordance with the following Table:

**Table**

Address	Land description	Development and conditions (if any)
Area commonly known as "Old North Dump".	Lot 96 DP 757298 (Reserve 13716) and part of Reserve 5498, Parish of Picton, County of Yancowinna as shown cross-hatched on the map marked " <i>Broken Hill Local Environmental Plan 1996—Amendment No 6</i> " deposited with the Council.	Development for the purpose of archaeological excavations.

## Schedule 1 Heritage items

(Clause 5)

1	76-78 Argent Street	Duke of Cornwall Hotel
2	94-96 Argent Street	Hairdressers and Dwelling
3	98 Argent Street	Barrier Lodging House
4	100-118 Argent Street	Tourist Lodge
5	158-162 Argent Street	Shop—former Nestle Warehouse

6	164 Argent Street	Shop—Assemblies of God
7	166–170 Argent Street	Shop—Spicers Office Equipment
8	176–178 Argent Street	Shop—Austen Brown Thompson Solicitors
9	180–188 Argent Street	Shops—A.B.T., Shannon Electrics, Southon TV
10	190 Argent Street	Shop—Dr. Gan
11	192–196 Argent Street	Shop—B.H. Lifeline
12	198–200 Argent Street	Shop—Dry Cleaner
13	202 Argent Street	Shop—Snack Bar
14	204–218 Argent Street	Barrier Social Democratic Club
15	228–232 Argent Street	Shop—Pizza Hut (formerly Dryens)
16	236 Argent Street	War Memorial Statue
17	240 Argent Street	Court House
18	248 Argent Street	Technical College
19	252 Argent Street	Police Station
20	256 Argent Street	Town Hall
21	260 Argent Street	Post Office
22	320 Argent Street	Royal Exchange Hotel
23	322 Argent Street	Shop—Silver City Milk Bar
24	324–330 Argent Street	Shops—Exchange Arcade
25	332–336 Argent Street	Shop—Dryen’s Pellew & Moore
26	342–348 Argent Street	Shops—Clothing, Chemist, Building Society, Gift
27	350–352 Argent Street	Shops—former Royal Hotel, Travel Agent,
28	352–354 Argent Street	Menswear
29	358–362 Argent Street	Shops—City Centre
30	364–366 Argent Street	Shops—Footwear, Toy Shop
31	374–376 Argent Street	Shop—Fosseys
32	378–380 Argent Street	Shops—Flower, Photography
33	384–386 Argent Street	Shop—Cuban Radio
34	394–400 Argent Street	West Darling Historic Hotel
35	402 Argent Street	Silver City Workingman’s Club
36	404–408 Argent Street	former Walter Sully Emporium

37	428 Argent Street	Silver King Hotel
38	466 Argent Street	Old Willyama Hotel & Motor Inn
39	75-77 Argent Street	Daydream Motel and Apollyon Restaurant
40	79-85 Argent Street	Shops—Darts Corner
41	105-117 Argent Street	Shop—Treloar & Sons
42	119-127 Argent Street	Shop—B.H. Lifeline
43	129 Argent Street	Shop—Butcher
44	135-143 Argent Street	Shop—Schinellas
45	157 Argent Street	Silver Spade Hotel
46	163 Argent Street	Shop—Broken Hill Music, Warehouse
47	171 Argent Street	Shops—Automotive Spares, Restaurant
48	183 Argent Street	National Parks Regional Office
49	185-193 Argent Street	Shops—Fish & Chip, Electrical, Offices
50	195 Argent Street	Shop—Second Hand Goods
51	197-199 Argent Street	Shop—Hobbies and Electronics
52	201-205 Argent Street	Shop—Dressmaker, Paint
53	207-213 Argent Street	Shop—Salvation Army Opportunity Shop
54	217 Argent Street	Neville Spencer Financial Consultants; Hardcastle & Richards
55	221 Argent Street	Shop—Church Group Meeting Rooms
56	227 Argent Street	Palace Hotel
57	229 Argent Street	Office—Argent House
58	231-235 Argent Street	Shops—Flower, Accountant
59	237-247 Argent Street	Carrington Hall & Chambers
60	249-281 Argent Street	Shops—Optometrist, Insurance, Bank, Offices
61	283-295 Argent Street	Shops—Pirie Building
62	309 Argent Street	Shops—Art Gallery, Book
63	311 Argent Street	Shop—Grand Private Hotel
64	325 Argent Street	Shops—Wendt's Building
65	329-345 Argent Street	Shops—Newsagent, Clothing, Cafe, Jeweller, Shoe
66	336-338 Argent Lane (Gawler Place)	Progressive Press

67	330-332 Argent Lane (Gawler Place)	Sample Rooms
68	342 Argent Lane	G & R Wills & Co. Warehouse
69	(Gawler Place)	
70	347 Argent Street	Theatre Royal Hotel
71	351-355 Argent Street	Shops—Cafe, Jeweller, Sunglass
72	373 Argent Street	Shops—Tattersalls House
73	375-381 Argent Street	Shops—Oriental Arcade
74	383-389 Argent Street	Shops—Estate Agent, Computer, Jeweller
75	393 Argent Street	Astra House (former Hotel)
76	395-397 Argent Street	Shop—Restaurant
77	399-403 Argent Street	Shops—R.S.L.
78	405-409 Argent Street	Shops—Butcher, Gift
79	411-413 Argent Street	Shop/Offices
80	415 Argent Street	Shop—Pizza Bar
81	419 Argent Street	Shop—Hairdressers
82	423-425 Argent Street	Shop—Oceania Restaurant & Pussycat Restaurant
83	431-437 Argent Street	Shops & Clubrooms
84	453 Argent Street	Residential Dwelling
85	426 Blende Street	Centennial Hotel
86	352 Blende Street	Dalgety Bennetts Farmers
87	336-338 Blende Street	Shop—Northern Warehouse
88	246 Blende Street	AMA Band Hall
89	244 Blende Street	Residential—Trades Hall Trust
90	34 Sulphide Street	Trades Hall
91	Blende Street	Sulphide Street Station (Railway Museum)
92	426 Blende Street	former Centennial Hotel & Sheds to Beryl St
93	422-424 Blende Street	Elders
94	349 Blende Street	YWCA
95	329-331 Blende Street	Pellew & More
96	249 Blende Street	Charles Rasp Memorial Library
97	231 Blende Street	Broken Hill Water Board Offices

98	179 Blende Street	Barrier Daily Truth Offices
99	159 Blende Street	Black Lion Inn
100	24 Bromide Street	Ant Hill Gallery
101	32-34 Chloride Street	CES Offices
102	4-10 Chloride Street	Shops (Wendt's Building)
103	2 Chloride Street	former R.S.L. Building
104	Crystal Street	Railway Station
105	Off Crystal Steet	Old Sydney Railway Station (Adj Prop Square)
106	336 Crystal Street	former Boarding House
107	160 Crystal Street	Bonds Store
108	90-92 Crystal Street	Residential (former Miners Arms Hotel)
109	82 Crystal Street	Warehouse—Boral Tyres
110	319 Cobalt Street	YMCA
111	397 Cobalt Street	Residence (formerly Imperial Hotel)
112	22 Delamore Street	Shop & Warehouse (Storefront to Iodide St)
113	1 Oxide Street	Shop—Silver City Chinese Restaurant (former Hotel)
114	2 Oxide Street	Crown Hotel
115	29-39 Oxide Street	Shops
116	55-57 Oxide Street	Shop—Disposals
117	73 Oxide Street	Shop—The International Store
118	132 Oxide Street	Scout Hall
119	Cnr Oxide & Blende Sts	Liberty House (former Masonic Club)
120	170 Morish Street (Cnr South Street)	Residence (former Gladstone Hotel)
121	211 Patton Street	South Broken Hill Hotel (formerly Baylin Hotel)
122	157 Patton Street	Residence (formerly South Police Station)
123	155 Patton Street	Residence (former Broken Hill South Post Office)
124	153 Patton Street	South Fire Station
125	212 Hebbard Street	Alma Hotel
126	223-225 Rowe Street	House & former Shop
127	127-129 Rakow Street	Broken Hill Veterinary Clinic
128	408 Williams Street	Bush Childrens Hostel

129	230-232 Lane Street (Cnr Sulphide Street)	Roman Catholic Group (Inc Cathedral & Old Convent)
130	114 Sulphide Street	The Towers (House)
131	Sulphide Street (Cnr Cobalt Street)	Wesley Church & Hall
132	165 Wolfram Street	Historical Society (formerly Synagogue)
133	582-584 Beryl Street (Cnr Buck Street)	Thankakali Aboriginal Corp. (formerly SA Brewing Co.)
134	95 Bromide Street	Pig & Whistle Hotel
135	Buck Street	Mosque
136	560 Argent Street	Junction Hotel
137	213 Mercury Street (Cnr Bismuth St)	Residence (formerly Gasworks Hotel)
138	93 Patton Street (Cnr Bonanza St)	Union Club Hotel
139	100 Bromide Street	Shop—96 Deli
140	140 Chloride Street	Caledonian Hotel
141	Gossan Street (Between Talc & Cobalt Sts)	Broken Hill Gaol
142	Gypsum Street (Near Wills St)	Burke Ward Hall
143	93 Oxide Street	Southern Cross Hotel
144	146 Oxide Street	Old Royal Hotel
145	129 Patton Street	former Baptist Church
146	Rakow Street (Cnr Gypsum St)	Burke Ward Public School
147	13 Thomas Street	Excelsior Hotel
148	253 Wills Street	Tramways O.I.C. House
149	Gypsum Street (Cnr Wills Street)	Railwaytown Post Office & Shops
150	Rakow Street	Cemetery
151	Rakow Street	Brookfield's Grave & Monument
152	McCulloch Street	North Public School
153	637-639 Chapple Street	Shop & House
154	Thomas Street	Hospital
155	15 Garnet Street	House (Cnr Argent St)
156	69 Cobalt Street	House (Cnr Garnet St)
157	456 Williams Street	House (Cnr Iodide St)
158	122-132 Iodide Street	Terrace Houses (Off Wolfram St)

159	320 Chloride Street	House & Shop (Cnr Thomas St)
160	202 Wolfram Street	House—Police (Cnr Sulphide St)
161	141 Sulphide Street	House—NBHC Bachelors Quarters
162	252-260 Sulphide Street	Houses (Off Chapple Lane)
163	303-305 Sulphide Street	Houses (Off Thomas St)
164	342 Cummins Street	House (Cnr Oxide St)
165	328 Cummins Street	House (Between Sulphide/Oxide Sts)
166	Patton Street	The ALMA Institute
167	Zinc Corporation Leases	Old Administrative Building
168	Zinc Corporation Leases	Old Bath House
169	New Broken Hill Consolidated	Southern Cross Shaft
170	New Broken Hill Consolidated	NBHC Head Frames
171	Zinc Corporation Leases	Zinc Corporation Shaft
172	New Broken Hill Consolidated	No 3 Shaft & Winder House
173	New Broken Hill Consolidated	No 2 Shaft & Winders
174	North Broken Hill Leases	North No 1 Shaft
175	MMM Lease, Menindee Road	Browne's Shaft
176	MMM Lease, Menindee Road	Thompson Shaft
177	MMM Lease, South Road	No 7 Winding House
178	MMM Lease, South Road	No 7 Headframe
179	MMM Lease, South Road	Winding House & Motor, No 4 Shaft
180	MMM Lease, South Road	Headframe No 4 Shaft
181	Kanandah Road	Old Broken Hill City Abattoir
182	258-260 Chloride Street	former Thomas Bakery
183	Council Depot, Warnock St	Council Store
184	Council Depot, Warnock St	Stables
185	Galena Street	former Power Station
186	Eyre Street	former Central Power Station
187	Block 10 Hill, South Rd	Block 10 Reservoirs
188	Block 10 Hill, South Rd	B.H.P. Concentration Mill Site
189	Mica Street Filtration Plant	Reservoir



190	Westside Plaza Car Park	former Tramway Workshop Remains
191	Westside Plaza Car Park	Lathe
192	Westside Plaza Car Park	Milling Machine—planer
193	160a Harvy Street	Silverton Tramway Water Tower Remains
194	Westside Plaza Car Park	Railway Signal Post
195	Off Brookfield Ave	Silverton Tramway Mainline Viaduct
196	Galena Street (Opp Rising Sun Hotel)	Horse Trough (Off Beryl St)
197	Silver Street (Outside Jubilee Oval)	Horse Trough (Cnr Beryl St)
198	Chapple, Zebina & Lane Sts	Queen Elizabeth Park
199	Wolfram, Chloride, Beryl & Sulphide Streets	Sturt Park
200	Patton & Wilson Streets	Patton Street Park
201	Gypsum Street (Near Wills Street)	A.J. Keast Park
202	Wentworth Road	Pasminco Twin Lakes
203	Eyre Street (East of Mine Lease 9)	Central Mine Assay Office
204	172 Beryl Street	Marios Hotel/Motel (formerly Masonic Hotel)
205	320 Beryl Street (Cnr Chloride Street)	David Vodic Toyota
206	97-99 Blende Street	Boarding House (Off Bromide St)
207	161 Blende Street	Aerobics Centre (formerly G.U.O.O.F. Hall)
208	183 Blende Street	Car Park
209	Blende Street	Police Residence
210	321 Blende Street	Sturt Club
211	335-314 Blende Street	Southstate Industrial Supplies
212	347 Blende Street	Shop Everybody's Foodtown
213	346 Blende Street	Shop Foodland
214	410-416 Blende Street	Cottons Building Supplies
215	38 Chloride Street	BP Exchange Service Station
216	88 Crystal Street	Boarding House
217	90 Crystal Street	Hall—Italian Community
218	92 Crystal Street	Boarding House (former Crystal Hotel)
219	98 Crystal Street	House
220	114-118 Crystal Street	Boarding House & Dwellings

221	40 Oxide Street	Masonic Centre
222	8-10 Oxide Street	North Economy Stores
223	12-20 Oxide Street (North of Crystal Lane)	Shops
224	3-7 Oxide Street	Repco, N.P.W. & Motor Mechanics
225	41-47 Oxide Street	Cinema Centre
226	23-31 Sulphide Street	Shops
227	264 Oxide Street	Mulga Hill Tavern
228	Schlapp Street	White Rocks Reserve
229	335 Lane Street	St. Peters Anglican Church
230	Lane Street	School of the Air
231	MMM Lease	BHP Mill Foundations
232	MMM Lease Menindee Rd	Junction Mine & Lookout
233	Zinc Corporation Leases	Zinc Mine
234	Argent Street	Duke of Cornwall Park
235	Cnr Blende & Bromide Sts	Kintore Reserve
236	South end of NBHC Area of Pasminco	Southern Power Corporation Building
237	South of Residue Dump "C"	Southern Cross Shaft Headframe
238	South of NBHC Area	Winderhouse & Changerooms
239	North of NBHC Mill, NBHC Area of Pasminco	Mechanical Workshops & Surface Maintenance Workshop
240	Southern End of NBHC Area of Pasminco	NBHC Mill
241	South End of NBHC Area	Metallurgical Research Office & Experimental Mill
242	Adjacent to Haulage Shaft NBHC Area	NBHC Crusher Station
243	Centre of NBHC Area, Pasminco	NBHC General Offices
244	Centre of NBHC Area, Pasminco	NBHC Changehouse
245	East Side of the Haulage & Service Shafts, NBHC	NBHC Winderhouse
246	Centre of NBHC Area, Pasminco	Haulage & Service Shafts Headframes
247	Centre of Zinc Corporation	Zinc Corporation General
248	Area, Pasminco	Offices & Changehouse
249	South of Freeman's Shaft Zinc Corporation	Freeman's Shaft Winderhouse
250	North West of Zinc Corp.	Freeman's Shaft & Crusher

251	General Offices	House
252	East of Zinc Corporation	Zinc Corporation Concentrating
253	General Offices, South	Mill
254	East of Freeman's Shaft, Zinc Corporation	Diamond Drill Shop
255	West of Freeman's Shaft in Ne Cnr Of Mine Lease 5	Block 5 Shaft Area Buildings
256	East Side of the Entrance	Social Club Building &
257	Road to Pasminco South	Sportsground Changehouse
258	South of Old Main Shaft, Mine Lease 6	Number 2 Storage Building
259	East of the Old Main Shaft	Number 1 Storage Building
260	Mine Lease 6 in Old Zinc Corporation Area	Core Storage Building
261	Mine Lease 6, Old Zinc Corporation Area	Old Office Flats
262	Old Zinc Corporation Area, Mine Lease 6	Possible Changehouse Foundation
263	Old Zinc Corporation Area, Mine Lease 6	Carbide Plant (Old Acid Plant)
264	Old Zinc Corporation Area, Mine Lease 6	Fire Pump House
265	North of Fire Pump House, Old Zinc Corporation	Small Concrete Building
266	Old Zinc Corporation Area	Rehabilitation Workshop
267	Old Zinc Corporation Area, Mine Lease 6	Number 4 Shaft Headframe
268	Adjacent to Number 4 Shaft on the East Side	Number 4 Shaft Fan Motor House
269	West Off Number 4 Shaft Headframe & Fanhouse	Foundations of Old Electrical Shop
270	Along Entrance Road to Pasminco (From Eyre St)	Streetlights
271	At Pasminco South Area Front Gate Onto Eyre St	Front Gates & Gatehouse
272	South West of Freeman's Shaft Mine Lease 5	Sand Silos & Residue Plant
273	Eyre Street	General Offices (MMM) &
274	Eyre Street	Radford House (Eyre Street)
275	South Mine, Mine Lease 8	Broken Hill South Mill
276	South Mine, Mine Lease 8	General Store Office
277	South Mine, Mine Lease 7, 8	Number 2 Control Substation
278	South Mine, Mine Lease 7, 8	Water Tower
279	South Mine, Mine Lease 7	Reagent Shed
280	South Mine, Mine Lease 7	Filter House

281	South Mine, Mine Lease 7	Pumphouse
282	South Mine, Mine Lease 7	Mullock Bin
283	South Mine, Mine Lease	Electrical Workshop
284	South Mine, Mine Lease 8	Mechanical Workshop (Old General Workshop)
285	South Mine, Mine Lease 8	Changehouse
286	South Mine, Mine Lease 8	Riggers Shop
287	South Mine, Mine Lease 8	Compressor Room (Old Power House)
288	South Mine, Mine Lease 8	Carpenter's Paint Shop (Old Windershouse)
289	South Mine, Mine Lease 8	Pumphouse & Cooling Water Reservoir
290	South Mine, Mine Lease 8	Two Water Tanks
291	South Mine, Mine Lease 8	Yardman's Office
292	South Mine Lease, Mine Lease 8	Pattern Store (Carpenter's Shop)
293	South Mine Lease	Saw Mill & Extension
294	South Mine, Mine Lease 8	Coal Bins
295	South Mine, Mine Lease 8	Weighbridge Foundations
296	South Mine, Mine Lease 8	Sand Plant
297	South Mine, Mine Lease 8	Number 6 Shaft Vent Fan
298	South Mine, Mine Lease 8	Roaster Plant
299	South Mine, Mine Lease 8	Two Water Tanks and A Stone Foundation
300	South Mine, Mine Lease 8	Square Concrete Foundation
301	South Mine, Mine Lease 8	Tankstand
302	South Mine	Fire & Ambulance Station
303	MMM Area, Mine Lease 9	Brick Pier Foundations
304	MMM Area, Mine Lease 12	Stone Wall
305	MMM Area, Mine Lease 12	Building Foundation
306	MMM Area, Mine Lease 12	Four Concrete Piers
307	MMM Area, Mine Lease 12	Headframe
308	MMM Area, Mine Lease 12	Timber Chute Race
309	Old BHP Area, Mine Lease 12	Delprat Headframe & Shaft
310	Old BHP Area, Mine Lease 12	Delprat Changehouse
311	Old BHP Area, Mine Lease 12	Delprat General Offices

312	Old BHP Area, Mine Lease 12	Delprat Winderhouse
313	Old BHP Area, Mine Lease 12	Delprat Winder Foundations
314	Old BHP Area, Mine Lease 12	Three Water Tanks
315	Old BHP Area, Mine Lease 12	Slag Dump, Foundations & Timber Piles
316	Old BHP Area, Mine Lease 12	Stone Wall & Concrete Footings
317	Old BHP Area, Mine Lease 12	BHP South Smelter Walls & Stack
318	Old BHP Area, Mine Lease 12	BHP Concentration Mill Foundations
319	Old BHP Area, Mine Lease 12	Loading Platform
320	Old BHP Area, Mine Lease 15	British Flats Proprietary Square
321	Proprietary Square	Residences
322	Old BHP Area, Mine Lease 13	BHP North Slag Dump
323	British BHP Area, Mine Lease 16	Thompsons General Offices
324	British BHP Area, Mine Lease 16	Thompsons Changehouse
325	British BHP Area, Mine Lease 16	Thompsons Winderhouse
326	British BHP Area, Mine Lease 16	Thompsons Ambulance Station
327	British BHP Area, Mine Lease 16	Thompsons Headframe, Bracehousing & Conveyor
328	British BHP Area, Mine Lease 16	Thompsons Crusher House
329	British BHP Area, Mine Lease 16	Thompsons Conveyor, Storage Bin & Loading Hooper
330	North Mine, Mine Lease 17	Number 1 Mill Foundations
331	North Mine, Mine Lease 17	Number 1 Mill Tunnel
332	North Mine, Mine Lease 43	Number 2 Mill
333	North Mine, Mine Lease 43	Ambulance Station
334	North Mine, Mine Lease 43	Number 2 Shaft Headframe & Crusher Station
335	North Mine, Mine Lease 43	Number 2 Shaft Winderhouse
336	North Mine, Mine Lease 43	Changehouse & Extension
337	North Mine, Mine Lease 43	Residue Pumphouse & Number 12 Conveyor
338	North Mine, Mine Lease 43	Reagent Shed
339	North Mine, Mine Lease 43	Thickener Vats
340	North Mine, Mine Lease 43	Number 3 Vent Fan
341	North Mine, Mine Lease 49	Weighbridge Station

342	North Mine, Mine Lease 43	Filter House
343	North Mine, Mine Lease 43	Mill Lead Bin
344	North Mine, Mine Lease 46	Number 3 Shaft Headframe
345	North Mine, Mine Lease 46	Crusher House
346	North Mine, Mine Lease 46	Number 3 Winderhouse
347	North Mine, Mine Lease 46	Changehouse & Subsurface Plant
348	North Mine, Mine Lease 46	Loading Station
349	North Mine, Mine Lease 46	North Mine General Offices
350	North Mine, Mine Lease 46	Assay Office
351	North Mine Leases	Houses 17, 18 & 19
352	North Mine Leases	Junction Circle Housing
353	Rainbow Avenue	Rainbow Avenue Housing
354	Cnr of Crystal & Chloride Sts.	Charles Rasp Memorial
355	Garnet Street	Broken Hill High School
356	116 Wyman Street	House

## Schedule 2 Development which must be advertised

(Clause 17)

- (1)** The demolition of a building or work that is a heritage item, or is within a heritage conservation area, not being a partial demolition which, in the opinion of the Council, is of a minor nature and does not adversely affect the significance of the building or work as part of the environmental heritage of the City of Broken Hill.
- (2)** Development for the purpose of boarding houses, hotels, motels or residential flat buildings.
- (3)** Development for the purpose of industries (other than home industries or rural industries) in Zone 1 (a) or 1 (c).
- (4)** Development for the purpose of intensive livestock keeping establishments.
- (5)** Development for the purpose of junk yards, liquid fuel depots, sawmills or stock and saleyards.
- (6)** Dual occupancy development.

## Schedule 3 Restricted development along arterial roads

(Clause 18 (2))

Development for the purpose of:

Bulk stores,

Caravan parks,  
Car repair stations,  
Clubs,  
Commercial premises,  
Educational establishments,  
Hospitals,  
Hotels,  
Industries (other than home or rural industries),  
Institutions,  
Junk yards,  
Liquid fuel depots,  
Mines,  
Motels,  
Places of public assembly,  
Places of public worship,  
Recreation facilities,  
Refreshment rooms,  
Retail plant nurseries,  
Roadside stalls,  
Sawmills,  
Service stations,  
Stock and saleyards,  
Transport terminals,  
Warehouses.

## **Schedule 4 Reclassification of public land as operational land**

(Clause 30)

1	Lots 5843 & 5885— DP 757298	Caravan Park Rakow Street
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2	Lot 1 DP 43251— Vol 14478 Fol 191	Vacant Land Galena/Harvy Streets
3	Lot 105 DP 579116— Vol 12885 Fol 192	Vacant Land Galena/Harvy Streets
4	Lot 2 DP 600949—	Vacant Land Galena/Harvy Streets
5	Lot 1060 DP 624267 Vol 14755 Fol 194	Vacant Land Galena/Harvy Streets
6	Lot 5787 DP 44267	Vacant land 14 Galena Street
7	Lot 15 Sec 4— DP 759092 Vol 14692 Fol 184	Residence 90 Galena Street
8	Lot 52 DP 1014146	Car Park and Library Argent Street