FACT SHEET 3

Land Use Tables and Group Terms

THE HILLS
Sydney's Garden Shire

WHAT IS A LAND USE TABLE?
A land use table identifies the objectives of the zone, and the land uses permitted or prohibited in the zone. Part 2 of the Written Instrument has the Land Use Table for each zone.

WHY DO I NEED TO USE THE LAND USE TABLE?
The land use table will show what land use activities or buildings you can undertake on your land. Within each zone land uses are listed as:

- Permitted without consent (i.e you do not need Council approval subject to meeting specific controls)
- Permitted with consent (i.e you need Council approval before commencing the activity or building)
- Prohibited (i.e the land use is not allowed in the zone)

The Dictionary at the back of the Written Instrument defines the land use terms.

WHAT ARE GROUP TERMS?
A group term is a number of land use terms that are broadly related by their definition and grouped. For example 'Residential Accommodation' is the group term and includes the following sub-terms: group home, seniors housing, attached dwelling, boarding house, dual occupancy, dwelling house, hostel, multi dwelling housing, residential flat building, rural workers dwellings, secondary dwellings, semi-detached dwelling and shop top housing.

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WHAT IS A GROUP TERM?

- agriculture
- air transport facility
- commercial premises
- educational establishment
- health services facility
- heavy industrial storage premises
- industry
- waste or resource management facility
- residential accommodation
- rural industry
- sewerage system
- signage
- storage premises
- tourist and visitor accommodation
- water supply system

HOW DO GROUP TERMS WORK IN THE LAND USE TABLE?

A group term hierarchy is used which means that some sub-terms do not need to be listed in the land use tables despite the fact that they may be prohibited or permissible in a zone. The purpose of this is to avoid specifically listing individual uses.

For example, in the R3 Medium Density Residential zone 'Residential Accommodation' is prohibited. However, attached dwellings, boarding houses, dual occupancies, dwelling houses, group homes, multi dwelling housing and seniors housing are pulled out of the group term and listed in 'permitted with consent'. All other types of residential accommodation that form part of the group term are prohibited. This includes hostels, residential flat buildings, rural workers dwellings, semi detached dwellings and shop top housing.

In most cases not all land uses under a group term are appropriate for the zone, therefore, land uses that meet the zone objectives are pulled out of the group term and listed in 'permitted with consent' and the group term is listed in the 'prohibited' item to ensure all other land uses associated with the group term are prohibited. This can also work in reverse, in which the group term is permitted and certain land uses are pulled out and listed in the prohibited item.

For further information on group terms, please view the Fact Sheet prepared by the Department of Planning and Infrastructure (Practice Note PN11-003 Preparing LEPs Using the Standard Instrument: definitions).

WHAT IS AVAILABLE TO HELP ME UNDERSTAND THE LAND USE TABLE?

A land use matrix is available to assist with understanding the permitted and prohibited land uses within each zone. This is a visual interpretation of the land use tables and does not form part of the Draft LEP 2010 legal instrument.

The land use matrix can be viewed online at http://www.thehills.nsw.gov.au

HOW DO I USE THE LAND USE MATRIX?

1. Identify your zone (each zone is listed on the top row)
2. Identify the relevant land use (listed on the left side)
3. Use the legend to identify whether the land use is:
   - Permitted without consent (do not need Council approval subject to meeting certain requirements)
   - Permitted with consent (Council approval required)
   - Prohibited (the land use is not allowed in the zone)
   - Permitted under a State Environmental Planning Policy (SEPP)

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WHAT DO I DO IF MY USE IS PERMITTED UNDER A SEPP?

If your land use is permitted under a SEPP you will need to refer to the relevant State Environmental Planning Policy. These include:

- State Environmental Planning Policy No. 62 Sustainable Aquaculture
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

WHERE CAN I SEE THE SEPP?

All relevant State Environmental Planning Policies are available via http://www.thehills.nsw.gov.au