



Appendix G: Land use definitions

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# Land use definitions

Except for the following definitions, BAL adopts the definitions used in the NSW Standard LEP Template (with a limited number of definitions as indicated below the following definitions adopted from the *Bankstown Local Environmental Plan 2001*).

**Aircraft Maintenance Facility** means a building or place used for the repair and fitting of accessories to aircraft or vehicles associated with airport operations, and includes work involving body building, panel building, panel beating, spray painting or chassis restoration.

**Bulky goods retailing** means a building or place used primarily for the sale by retail or auction, the hire or display of items (whether goods or materials) which are of such a size, shape or weight as to require: a large area for handling, storage or display; or 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 or hire.

**Bush regeneration works** means the regeneration of bushland or vegetation areas including the removal of exotic species and material.

**Business identification sign** means a sign:

- (a) that indicates:
  - (i) the name of the person or business, and
  - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not include any advertising relating to a person who does not carry on business at the premises or place.

**Business premises** means a building or place in which there is carried on an occupation, profession, service, light industry or trade which provides a service directly and regularly to the public.

**Child care centre** means a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the *Education Reform Act 1990* (NSW), and
- (b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator).

**Club** means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes whether of the same or of a different kind and whether or not the whole or a part of such building is the premises of a club registered under the *Registered Clubs Act 1976* (NSW).

**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 MP or a building or place used for a purpose elsewhere specifically defined in this MP.

**Compatible land use** means development that is not inconsistent with the provisions of the MP; is not inconsistent with the objectives of the zone in which the use will be located; will not have an adverse effect on other land within the locality; and will not render the land unfit for the purpose for which it has been zoned.

**Development for the purposes of this MP** means:

- (a) constructing buildings or other structures,
- (b) altering the structure of buildings or other structures,
- (c) undertaking, constructing or altering earthworks (whether or not in relation to buildings or other structures),
- (d) undertaking, constructing or altering engineering works, electrical works or hydraulic works (whether or not in relation to buildings or other structures),
- (e) demolishing, destroying, dismantling or removing:
  - (i) buildings or other structures, or
  - (ii) earthworks, or
  - (iii) engineering works, or
  - (iv) electrical works, or
  - (v) hydraulic works,
- (f) Undertaking land clearing.

**Earthworks or engineering works** means:

- (a) runways, taxiways and aprons
- (b) surface car parks
- (c) retaining walls
- (d) dams
- (e) roads
- (f) railways
- (g) pipelines
- (h) tunnels.

**Educational establishment** means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

**Flood mitigation work** means work designed and constructed for the express purpose of mitigating flood impacts (on-site or downstream). It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

**Freight transport or handling facility** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

**Generating works** means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

**Heritage conservation management plan** means a document that details the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

**Heritage item** means a building, work, archaeological site, tree, place or Aboriginal object described in an inventory of heritage items within the *Bankstown Airport Heritage Strategy 2005*.

**Heritage significance** means archaeological, architectural, cultural, historical, natural, or aesthetic value, scientific or social value.

**Hospital** means a building or place (other than an institution) used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not outpatients are also cared for or treated there), and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use.

**Hotel or motel accommodation** means tourist and visitor accommodation (whether or not licensed premises under the *Liquor Act 2007* [NSW]):

- (a) comprising rooms or self-contained suites, and
- (b) that may provide meals to guests or the general public and facilities for the parking of guests' vehicles,
- (c) but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

**Industrial retail outlet** means a building or place that:

- (a) is used in conjunction with an industry (including, but not limited to, a light industry or aviation activity),
- (b) is used for the storage, display, or sale (whether by retail or wholesale) of those goods that have been manufactured, stored or distributed on the land on which the industry is carried out.

**Liquid fuel depot and distribution facility** means storage and distribution premises that are used for the bulk storage and distribution of petrol, oil, petroleum or other inflammable liquid for aircraft and airport vehicles.

**Land filling** means all works or activities involved in the placement of fill on land, or an excavation of land, which significantly alters the shape, natural form or drainage of land.

**Mixed use development** means a building or place comprising two or more different land uses, identified as permissible in the zone.

**Motel** means a building or buildings (other than a hotel, boarding-house or residential flat building) substantially used for the overnight accommodation of travelers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travelers or the general public.

**Motor showroom** means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed therein or thereon.

**Navigational aids** means any aircraft surveillance equipment, control towers, radars, visual and non-visual navigation aids and the like.

**Passenger transport facility** means a building or place used for the assembly or dispersal of passengers by any form of transport, including public transport and facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

**Place of assembly** means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship, an institution or an educational establishment.

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

**Plant nursery** means a building or place used for either the growing or retail selling of plants, whether or not ancillary products are sold therein.

**Pub** means licensed premises under the *Liquor Act 1982* (NSW) the principal purpose of which is the sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold on the premises, but excludes gaming facilities.

**Public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes police stations, customs, aviation rescue and fire fighting services and the like.

**Public utility undertaking** means any development involving the provision of infrastructure services to the site, including, but not limited to, hydraulic power, electricity, gas, telecommunications, water, sewer, stormwater and fuel.

**Recreation facility** means a building or place used for sporting activities, recreation or leisure activities, and may incorporate a shop or office, whether or not operated for the purpose of gain.

**Refreshment room** means a restaurant, cafe, tea room, eating house or the like.

**Research facility** means a building or place used for the design, research or development of any industrial goods or any articles for commercial purposes, but does not include a building or place elsewhere defined in this Schedule.

**Road** means road, street, lane, highway, pathway or thoroughfare.

**Road transport terminal** means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and for the parking, servicing and repair of those vehicles.

**Runway** means a paved strip on which aeroplanes land and take off.

**Shop** means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Plan, a building or place used for a purpose elsewhere specifically defined in this Plan.

**Structures** mean:

- (a) bridges
- (b) fences
- (c) towers and pylons
- (d) tents and other temporary structures.

**Taxiway** means a paved strip used by aircraft in taxiing to and from a terminal or runway.

**Temporary structure** includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

**Transport terminal** means a building or place used as an airport terminal, a road transport terminal, a bus station or a bus depot.

**Utility installation** means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a show-room.

**Utility undertaking** means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services;
- (c) and a reference to a person carrying on a utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

## **Definitions from Bankstown Local Environmental Plan 2001**

Advertisement means a sign, notice, device or representation in the nature of an outdoor advertisement visible from any public place or public reserve and includes any structure intended to display an advertisement.

**Communications facility** means a building or other structure, work or place used primarily for transmitting or receiving signals for the purpose of communication, including radio masts, transmission towers, satellite discs and the like. Compatible use, in relation to a heritage item, means a use which involves no change to culturally significant fabric, but involves a change which is substantially reversible, or which results in a minimal impact on heritage significance.

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