

PART __ POTTS HILL RESERVOIRS SITE

DIVISION 1 PRELIMINARY

1 Definition of particular terms

In this Part:

dwelling and **floor space ratio** have the same meanings as they have in the standard instrument prescribed by the Standard Instrument (Local Environmental Plans) Order 2006.

Potts Hill Reservoirs site means the land as shown edged heavy black on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No __) — Potts Hill Reservoirs Site"

[NOTE. As at the commencement of this Part, the Potts Hill Reservoirs Site comprises: part of Lot 2, DP 225818, Lot 2, DP 456502, Part Lot 1, DP 610303 and Lots 11, 23, 55, and 64-67 in DP 16924, in Potts Hill.]

Storey means a floor, but does not include:

- a) a loft; or
- b) a parking or storage area contained wholly within a basement level where the vertical distance measured from natural ground level to the roof of the basement level does not exceed 1 metre.

[NOTE: Definition of "storey" taken from Bankstown Development Control Plan 2005]

2 Maps

- (1) A reference in this Part to a named map adopted by this Part is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended from time to time by maps declared by environmental planning instruments to amend that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Part to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

3 Meaning of development purposes

Words and expressions used to refer to a development purpose in clause 8, 9 or 10 have the same meaning as they have in the standard instrument prescribed by the Standard Instrument (Local Environmental Plans) Order 2006.

4 Application of this Part

Nothing in this Part applies to or with respect to development for the purposes of a public utility undertaking.
Note. Development for the purposes of a public utility undertaking may, by operation of another Schedule to this Policy, be a project to which Part 3A of the Act applies.

DIVISION 2 PART 3A PROJECTS

5 Part 3A projects

- (1) Development (with a capital investment value of more than \$5 million) on land within the Potts Hill Reservoirs Site.
- (2) Subdivision of land within the Potts Hill Reservoirs Site that includes the creation of an allotment with an area of 2000m² or greater, other than a strata title subdivision, a community title subdivision, or a subdivision for any one or more of the following purposes:
 - (a) widening a public road,
 - (b) making an adjustment to a boundary between lots, being an adjustment that does not involve the creation of a greater number of lots,
 - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,
 - (d) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
 - (e) rectifying an encroachment on a lot,
 - (f) creating a public reserve,

- (g) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public conveniences.

DIVISION 3 PROVISIONS APPLYING TO DEVELOPMENT WITHIN POTTS HILL RESERVOIRS SITE

6 Application of Division

This Division applies with respect to development within the Potts Hill Reservoirs Site and so applies whether or not the development is a project to which Part 3A of the Act applies.

7 Land use zones

- (1) For the purposes of this Policy, land within the Potts Hill Reservoirs Site is in a zone as follows if the land is shown on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No __)—Zoning Map" as being within that zone:
 - (a) R2 Low Density Residential Zone
 - (b) R3 Medium Density Residential Zone,
 - (b) B7 Business Park Zone,
 - (c) RE1 Public Recreation Zone.
- (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

8 R2 Low Density Residential Zone

- (1) The objectives of the R2 Low Density Residential Zone are as follows:
 - (a) To provide for the housing needs of the community within a low density residential environment.
 - (b) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
 - (c) To complement the single dwelling suburban character of the residential areas of Bankstown City, and
 - (d) To enable dual occupancy, rowhouse and villa development that is otherwise consistent with the objectives of the zone, and
 - (e) To ensure that sites are of sufficient size to provide for buildings, vehicular and pedestrian access, landscaping and retention of natural topographical features, and
 - (f) To ensure that development is of a height and scale which complements existing buildings and streetscapes (noting that 2 storey dwellings may occur throughout residential areas), and
 - (g) To encourage energy efficiency and resource conservation measures in the design, construction and occupation of residential buildings, and other buildings permitted in this zone, and
 - (h) To ensure adequate public and private open space is available to residents, and
 - (i) To require satisfactory drainage, and
 - (j) To require landscaping of development sites.

[NOTE: Objectives taken from Bankstown City Council draft Standard Instrument for the Low Density Residential Zone]

- (2) Development for any of the following purposes is permitted with consent within the R2 Low Density Residential Zone:

Attached dwelling, Bed and breakfast accommodation; Building identification signs; Business identification signs; Car parks, Child care centres; Community facilities; Drainage, Dual Occupancies; Dwelling houses; Earthworks; Environmental facility, Group homes; Health consulting rooms; Home-based child care, Home businesses; Home office, Hospital, Marinas; Multi dwelling housing, Places of public worship; Public administration buildings, Public utility undertakings; Recreation areas; Rainwater tank; Roads; Schools; Seniors housing, Swimming pools; Utility installations, Water recreation structure.

[NOTE: Permissible land uses taken from Bankstown City Council draft Standard Instrument for the Low Density Residential Zone]

- (3) Except as otherwise provided by this Policy, development is prohibited within the R2 Low Density Residential Zone unless it is permitted by subclause (2).

9 R3 Medium Density Residential Zone

- (1) The objectives of the R3 Medium Density Residential Zone are as follows:
 - (a) To provide for the housing needs of the community within a medium density residential environment.
 - (b) To provide a variety of housing types within a medium density residential environment.
 - (c) To enable other land uses that provide facilities or services to meet the day to day needs of residents.
 - (d) To promote landscaping as a major element in the residential environment, and

- (e) To provide for housing which is compatible with surrounding buildings in terms of bulk, height and scale, and
- (f) To allow for some non-residential uses that provide services to residents which would not adversely affect the living environment of the area, and
- (g) To ensure that buildings include adaptable and accessible housing, and
- (h) To encourage residential development which has regard to local amenity and public and private views, and
- (i) To encourage energy efficiency and resource conservation measures in the design, construction and occupation of residential buildings, and other buildings permitted in this zone, and
- (j) To ensure adequate public and private open space is available to residents, and
- (k) To require satisfactory drainage, and
- (l) To require landscaping of development sites.

[NOTE: Objectives taken from Bankstown City Council draft Standard Instrument for the Medium Density Residential Zone – June 07 version]

- (2) Development for any of the following purposes is permitted with consent within the R3 Medium Density Residential Zone:

Attached dwelling, Bed and breakfast accommodation; Building identification signs; Business identification signs; Boarding houses; Car parks, Child care centres; Community facilities; Drainage, Dual Occupancies; Dwelling houses; Earthworks; Environmental facility, Group homes; Health consulting rooms; Home-based child care, Home businesses; Home office, Hospital, Hotel accommodation, Marinas; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings, Public utility undertakings; Recreation areas; Residential flat building, Roads; Seniors housing; Rainwater tank; Roads, Schools; Serviced apartments, Shop top housing, Swimming pools; Utility installations, Water recreation structure.

[NOTE: Permissible land uses taken from Bankstown City Council draft Standard Instrument for the Medium Density Residential Zone]

- (3) Except as otherwise provided by this Policy, development is prohibited within the R3 Medium Density Residential Zone unless it is permitted by subclause (2).

10 B7 Business Park Zone

- (1) The objectives of the B7 Business Park Zone are as follows:

- (a) to provide a range of office and light industrial uses,
- (b) to encourage employment opportunities,
- (c) to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

[NOTE: Objectives taken from Standard Instrument Order for B7 Business Park Zone – at the time of writing BCC was not proposing a business park zone in its draft comprehensive LEP]

- (2) Development for any of the following purposes is permitted with consent within the B7 Business Park Zone:

Building identification signs; Business identification signs; Child care centres; Community facilities; Correctional Centre; Depots; Earthworks; Environmental facility; Health consulting rooms; Helipads, Hospitals; Light industries; Medical centres; Neighbourhood shops; Office premises; Place of public worship; Public administration building; Recreation areas; Public utility undertakings; Roads; Telecommunication facilities; Utility installations; Warehouse or distribution centres.

[NOTE: Permissible land uses adapted from Bankstown City Council draft Standard Instrument for General Industrial Zone (June 2007 version) – at the time of writing BCC was not proposing a business park zone in its draft comprehensive LEP]

- (3) Except as otherwise provided by this Policy, development is prohibited within the Business Park Zone unless it is permitted by subclause (2).

11 RE1 Public Recreation Zone

- (1) The objectives of the RE1 Public Recreation Zone are as follows:

- (a) to enable land to be used for open space or recreational purposes,
- (b) to provide a range of recreational settings and activities and compatible land uses,
- (c) to protect and enhance the natural environment for recreational purposes.

- (2) Development for any of the following purposes is permitted with consent within the RE1 Public Recreation Zone:

car parks; child care centres; community facilities; environmental protection works; kiosks; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); roads that are not classified roads; telecommunications facilities.

- (3) Except as otherwise provided by this Policy, development is prohibited within the RE1 Public Recreation Zone unless it is permitted by subclause (2).

12 Development controls

- (1) The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No __) — Building Height Map".
- (2) The floor space ratio of a building on any land is not to exceed the floor space ratio shown for the land on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No __) — Density Map".
- (3) Development for the purposes of a dwelling must not be carried out if it would result in an average density of dwellings per hectare greater than that shown for the land on the map marked "State Environmental Planning Policy (Major Projects) 2005 (Amendment No __) — Density Map".
- (4) For the purposes of subclause (3), the average density is to be calculated by reference to the total area of that part of the Potts Hill Reservoirs Site which is within the Low Density Residential zone.

DIVISION 4 MISCELLANEOUS

13 Relationship with other environmental planning instruments

The only environmental planning instruments that apply, according to their terms, to or in respect of development within the Potts Hill Reservoirs Site are as follows:

- (a) in the case of development that is a project to which Part 3A of the Act applies—this Policy and all other State environmental planning policies except State Environmental Planning Policy No 1—Development Standards,
- (b) in the case of all other development—all environmental planning instruments except State Environmental Planning Policy No 1—Development Standards.

14 Exempt development

Development within the Potts Hill Reservoirs Site that satisfies the requirements for exempt development specified in Bankstown City Council's *Development Control Plan 2005 – Part D1 - Exempt and Complying Development*, is exempt development.

15 Complying development

Residential development within the Potts Hill Reservoirs Site that complies with the built form guidelines in Part B3 of the Potts Hill Residential Precinct Design Guidelines is complying development.

POTTS HILL RESERVOIRS SITE – LAND TO WHICH THIS PART APPLIES

