

**22.05**

19/06/2014  
C105

**NON-RESIDENTIAL USES IN RESIDENTIAL AREAS POLICY**

This policy applies to non-residential uses in a Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone.

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**Policy basis**

Residential zones are encouraged to accommodate a range of non-residential uses that service local community needs.

Clustering of non-residential uses benefits the local community by allowing multi-purpose trips to be made, reducing car dependency and providing opportunities for social interaction.

However, non-residential uses in residential areas have the potential to adversely impact on the amenity of an area through high levels of on-site activity, traffic generation, the emission of noise, odour, light and visual disorder (storage of waste).

**Location**

Clauses 21.05 and 21.06 of the Municipal Strategic Statement (MSS) seek to encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities.

**Neighbourhood and streetscape character**

The municipality contains a number of different environments as identified in Clauses 21.05 and 21.06 of the MSS. The development of land needs to respond to the characteristics of these environments so that streetscape and neighbourhood character is enhanced.

**Urban design principles**

Clause 19.03 (Design and built form) contains provisions that seek to achieve high quality urban design and architecture. Other design considerations include:

- Building form
- Colours and materials
- Height and massing
- Setbacks
- Roof form
- Window and door proportions
- Pedestrian safety and access
- Entries
- Landscape design.

**Traffic, car parking and driveway construction**

The provision of car parking and vehicular access needs to be appropriately designed, constructed and drained to ensure functionality, safety and to enhance visual amenity. Landscaping within car parking areas should provide opportunity for shade and increase visual amenity.

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### **Objectives**

The objectives of this policy are:

- To encourage uses with a community service role to be located within or in close proximity to activity centres.
- To avoid the concentration of non-residential uses where it would:
  - Create linear commercial development outside activity centres
  - Isolate residential properties between non-residential uses.
- To ensure that design, scale and appearance of development reflects the residential character and streetscape of the area.
- To retain existing vegetation where possible when sites are developed for non-residential purposes and ensure that a high standard of landscaping is achieved.
- To ensure that equal access is provided to all people.
- To provide for a high level of privacy and protection from unreasonable overlooking and noise for abutting or nearby residents.
- To ensure that residential amenity is not detrimentally affected by the operation of non-residential uses including the effects of noise, car parking and traffic, odour and waste.
- To ensure that the location of the use is appropriate to the role and function of the road network and that adequate provision is made for on-site car parking.
- To ensure that land used for vehicle access and parking is properly designed, constructed and drained.

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### **Policy**

It is policy that:

#### **Location**

- Uses with a community service role should be located within or in close proximity to activity centres or close to other community based facilities.
- Uses should be located:
  - Close to or within commercial zones unless the use is of low intensity and scale and has limited off-site amenity impacts
  - Abutting a Road Zone or a road, which has vehicular access from a service road
  - On roads, which avoid the generation of additional through traffic on residential streets, particularly where such uses are likely to serve catchments beyond the local level.
- Uses are discouraged from locating in residential zones if there are appropriate sites in nearby activity centres or commercial areas.
- Uses should be located where they are readily and safely accessible by road and by pedestrians.
- Commercial use and development, such as restaurants, hotels, reception rooms and convenience restaurants is discouraged in residential zones due to the likely detrimental impact on the amenity of the surrounding residential area.

### **Neighbourhood and streetscape character**

- Existing residential buildings are encouraged to be retained and converted to suit the use, in preference to a purpose-built premise.
- The design, scale and appearance of uses are encouraged to complement the housing styles and general character of the area.
- Front building setbacks are encouraged to be consistent with abutting residences.
- High solid fences located along the site's frontage are to be avoided.
- Landscape treatment should be compatible with the neighbouring area.

### **Urban design principles**

- Development complement the surrounding built form with respect to building form, colours and materials, height, massing, setbacks, roof form and window and door proportions.
- Development be set back sufficient distances from side and rear boundaries to prevent detrimental impacts on neighbouring properties by way of building bulk and overshadowing and to enable appropriate landscape treatment to be provided.
- Commercial building facades have visual interest, not exceed 70% glazing, and be articulated by non-glazed vertical and horizontal elements to accentuate windows and other openings.
- Entries be clearly defined and accessible.
- The choice of colours and materials be appropriate to the neighbourhood character, and where appropriate reflect the natural environment.
- Pedestrians, cyclists and vehicles are able to move onto and around the site with safety and ease.
- Canopy trees be included throughout the development, where appropriate.
- Indigenous and other mature vegetation, including ground-storey, be retained on-site wherever possible.
- Landscape buffers are encouraged to ensure that the streetscape character and amenity of abutting residential properties is maintained.

### **Residential interface**

- Uses should not adversely affect the amenity of nearby residents by way of noise, loss of privacy, traffic, car parking, lighting, odours or disturbance associated with hours of operation.
- A respectful interface be created with residential areas by:
  - Providing appropriate noise attenuation measures that inhibit the transmission of noise from buildings, car parking areas and external plant equipment (eg. exhaust fans, air conditioning units)
  - Maintaining the privacy of adjoining properties through the sensitive siting and design of car parks, windows, doors, service areas, outdoor areas and the use of appropriate techniques including the treatment of windows, boundary fences, screening, and landscaping techniques
  - Designing and siting security lighting to minimise light spill to adjoining properties.
- Animal holding areas in veterinary centres be designed so that noise from animals does not affect the amenity of the area.

- Any external play areas within child care centres be designed and located to provide a high standard of amenity with consideration to slope, solar orientation, shade techniques, external noise sources and landscaping.
- The visual and acoustic privacy of properties adjoining child care centres be maintained through the sensitive siting of car parks, play areas, windows, doors and the use of appropriate design techniques.
- Adequate waste disposal facilities are provided on site.

#### **Traffic, car parking and driveway construction**

- Any expected increase in traffic should not adversely affect the amenity, environment or safety of the residential neighbourhood.
- The demand for on-street car parking should not adversely affect the amenity, environment or safety of the neighbourhood.
- Car parking should be located at the side or rear of a property.
- Car parks, accessways and set down areas should provide for safe and efficient traffic movement.
- Car parking areas and driveways contribute to the function, safety and appearance of the development by:
  - Being designed for convenient access, having well-defined vehicle entry points, clearly separating vehicular and pedestrian circulation, and enabling vehicles to exit the site in a forward direction onto abutting roads
  - Being surfaced, drained, constructed and line-marked in accordance with good engineering practice and, where appropriate, be in accordance with an engineering construction plan submitted to and approved by the responsible authority
  - Encouraging paved surfaces and other hard standing areas to be constructed with dark coloured concrete or bitumen, coloured patterned concrete or brick paving
  - Landscaping car parking areas with appropriate canopy trees, where practical, and maintaining them in accordance with an approved landscape plan
  - Providing a planting strip of a minimum width of 1.5 metres along the residential boundary where at-grade car parking areas and driveways abut residential properties, in order to screen the parking area
  - Minimising the height of basement car parks above ground level
  - Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
- Car parking for child care centres should be provided at the ratio of at least:
  - 1 car space per staff member.
  - 1 car space per 7 children or such lesser number, if car parking is available within driveway areas where one-way vehicle access is proposed or unrestricted on-street parking is conveniently available.

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#### **Application requirements**

In addition to the zone requirements the following information is to be provided with an application to the satisfaction of the responsible authority:

- A written statement with details about the proposed use including, but not limited to: number of staff; hours of operation; attendees, number of car spaces provided.

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**Decision guidelines**

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- The residential amenity of neighbouring and nearby residents.
- Proposed hours of operation.
- Screening techniques to minimise overlooking.
- Acoustic treatments to minimise noise impacts.
- Location and provision of storage areas.
- Techniques or treatments to minimise odour.
- Any traffic impacts, including the impact on the proposed use and development on the safety and efficiency of main roads.
- Whether the location of the site promotes safe and convenient vehicle and pedestrian access.
- The adequacy and efficiency of car parking, vehicle and pedestrian movement.