

22.02 NON RESIDENTIAL USES IN RESIDENTIAL ZONES POLICY

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C102

This policy applies to all land within the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Mixed Use Zone. Planning applications for non residential uses in these zones will be assessed using this policy. The exception to this is child care centres and kindergartens to which the Child Care Centres Policy at Clause 22.11 of the Glen Eira Planning Scheme applies.

22.02-1 Policy Basis

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The Municipal Strategic Statement identifies, at Clause 21.08, the need for a Non Residential Uses in Residential Zones Policy. The intent of the Policy is to provide direction for applicants in terms of minimising residential amenity impacts, preferred locations and design of non residential uses and facilities, such as a medical centre, place of worship, and place of assembly in a residential area. It also provides local residents with a degree of certainty as to what Council may allow within a residential area.

The policy includes objectives, policy statements and performance measures. If the performance measure is met, it is deemed to satisfy the associated objectives and policy statements. However, proposals that do not meet these measures may still meet the objectives of this policy.

22.02-2 Preferred Location

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Objective

- To encourage the development or extension of non-residential uses, in suitable locations which comply with orderly and proper planning principles.

Policy

It is policy to:

- Encourage the location of non-residential uses in “preferred locations” including main or secondary roads and on corner sites with vehicular access from a service or side road (see map on page 2 of policy for locations of main and secondary roads in Glen Eira).
- Consider other locations where it can be demonstrated that residential amenity will not be unreasonably compromised.
- Direct uses to locations where there will be minimal impact on the local amenity, including through the introduction of traffic and parking of cars.
- Promote these uses within easy walking distance of public transport.
- Discourage the location of non-residential uses on local streets.

Performance Measure

It is policy to assess proposals against the following criteria:

- New uses and facilities be established in “preferred locations”, identified as abutting main or secondary roads.

Map 1: Main and Secondary Roads in the City of Glen Eira



22.02-3 Siting and Design

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Objectives

- To successfully integrate non-residential uses into residential areas with minimal impact to the residential streetscape and the character of the area.

Policy

It is policy to:

- Ensure that the streetscape character of the neighbourhood is respected and maintained, particularly in terms of building height, length, location, setbacks (front, side and rear), front fences and appearance.
- Retain existing dwelling stock, where practical, and any associated extensions/alterations to maintain or enhance its residential character.

Performance Measure

It is policy to assess proposals against the following criteria:

- Front walls of buildings to be set back from street frontage in accordance with Clause 54.03-1.
- Side walls of buildings to be set back from boundaries in accordance with Clause 54.04-1.
- Any buildings are not greater than the mandatory maximum height specified in the relevant residential zone applying to the subject land.
- Front fences to accord with Clause 54.06-2.
- Walls on boundaries (for both length and height) be in accordance with Clause 54.04-2.

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Landscaping

Objective

- To respect the garden character of the neighbourhood.

Policy

It is policy to:

- Require front setback and side setbacks (corner lots) to be landscaped to reduce any visual dominance of any car parking.
- Require car parking facilities to generally be provided to the side or rear of the site or in a basement unless the use is proposed in a “preferred location”, abutting a main or secondary road.
- Retain any high priority significant trees or landscape features within the design where possible.
- Ensure that where car parking is proposed in the front setback (in limited circumstances where the use is in a preferred location), a generous landscape buffer between the car park and the street frontage be provided.
- Provide for adequate landscape strips along the driveway to soften the appearance of the development, particularly from the street frontage and sides.
- Discourage the removal of any street trees due to the location of a crossover.
- Any proposed car parking to the rear of a corner site should have a landscape buffer to the street equal in distance to the side street setback of the building.
- Require a landscape plan detailing advanced tree and shrub planting for developments that propose car parking in the front setback.

Performance Measure

It is policy to assess proposals against the following criteria:

- Where car parking areas abut neighbouring residential dwellings, an adequate landscape buffer (minimum width of 1.0m) be provided and be heavily planted with large shrubs and trees.
- The width of a driveway landscape buffer be 300-500mm in addition to the driveway width.
- Where car parking is proposed within the front setback, a landscape buffer area of a minimum 3 metres in depth from the street frontage.
- Where car parking is provided to the rear of a corner site, provide a landscape buffer of a minimum 2 metres in width to the side street.

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General Amenity

Objective

- To minimise the effect of non residential uses on the residential amenity.

Policy

It is policy to:

- Ensure the intensity of the use, in terms of staff levels, numbers of people providing health services, patron numbers and hours of operation are appropriate to the site layout, locality and does not unreasonably impact the amenity of the neighbouring properties.
- Promote small scale uses (no more than 2 people providing health services) to operate in the existing dwelling/s, in order to maintain the residential appearance and nature of the locality.
- Minimise any visual and acoustic privacy impacts to neighbouring properties.

Performance Measure

It is policy to assess proposals against the following criteria:

- Hours of operation (not including any ancillary functions/uses that may need to occur for the use outside the prime operation hours):

Mon-Fri	7.00am – 6.30pm
Saturdays	8.00am – 6.00pm
Sundays/Public holidays	Closed

These hours may be varied depending on the location of the proposed development/use and its proximity to sensitive residential areas.

- Where overlooking to adjoining properties occurs, screening treatment must accord with Clause 54.04-6.
- Acoustic treatment and screening should be incorporated into the design to minimise noise impacts associated with car parking, access, indoor/outdoor recreation areas, plant/equipment and/or similar, dependent upon the intensity of use and number of practitioners.

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Advertising Signage

Objective

- To allow adequate and appropriate signage.

Policy

It is policy to:

- Ensure that the proposed height, area and number of any signage is appropriate to the size and location of the development.

Performance Measure

It is policy to assess proposals against the following criteria:

- The advertising area of any business identification signage should not exceed 2.0 square metres, except for main roads where justification for an increased area is given.
- Not protrude beyond the site boundaries.
- Not exceed 2.0m in height.