

22.05 NON-RESIDENTIAL USES IN RESIDENTIAL AREAS03/03/2016
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This policy applies to non-residential uses in a Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone.

22.05-1 Policy basis03/03/2016
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This policy builds on the Municipal Strategic Statement (MSS) objectives in Clause 21.05 and 21.06 which aim to balance the need for residents to access services in residential locations while ensuring that residential amenity is not adversely affected.

The residential zones (Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone) 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 and character of an area through high levels of on-site activity, traffic generation, the emission of noise, odour, light and visual disorder (storage of waste). Based on the residential zones, which define areas where growth will be directed and where only incremental and minimal change will be encouraged, discretionary non-residential uses need to be responsive to the existing or preferred character and amenity of their residential location in the following ways:

- In the General Residential Zone and the Neighbourhood Residential Zone areas, discretionary non-residential uses need to be responsive to the existing neighbourhood character and environmental and landscape values.
- In the Low Density Residential Zone areas, discretionary non-residential uses need to be responsive and subordinate to existing neighbourhood character and environmental and landscape values.
- In the Residential Growth Zone areas, the integration of non-residential uses as part of higher density development is encouraged to avoid the underutilisation of land.

22.05-2 Objectives03/03/2016
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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, avoiding linear commercial development outside this area.
- To ensure that the siting, design, scale and appearance of development reflects either the existing or preferred residential and streetscape character..
- 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 the layout of buildings and outdoor areas meets the highest standards of accessibility. To provide for a high level of privacy and protection from unreasonable overlooking.
- 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, light, odour and waste.
- To ensure that the location of the use does not adversely affect the role and function of the road network and that adequate provision is made for on-site car parking.

- To encourage the design of frontages of buildings at footpath level to offer visual interest, passive surveillance and opportunity for social interaction.
- To ensure that non-residential use and development within low density residential areas are subordinate to the bulk and scale of surrounding residential development and is sensitive to the landscape character and environmental values of the site and area.
- To ensure the design and siting of buildings are appropriate to the environment and low density housing character of the area.
- To encourage consolidation of existing allotments located in the Residential Growth Zone to facilitate integrated mixed use development on larger sites.
- To encourage non-residential uses within the Residential Growth Zone to be integrated at ground level within developments, with residential above.

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It is policy that non-residential discretionary uses are assessed against the following criteria which applies to all zones identified in the preamble to this clause, unless specifically identified otherwise:

Location

- Non-residential uses should be located close to or within activity centres or near other community based facilities.
- Non-residential uses should abut a Road Zone, and where possible, with vehicular access from a service road to avoid the generation of additional through traffic on residential streets, particularly where such uses are likely to serve catchments beyond the local level.
- Non-residential uses should be located where they are readily and safely accessible by road, public transport, bicycle and pedestrian networks.
- In locations not identified for residential growth, non-residential uses are encouraged to utilise existing residential buildings (where appropriate converted to suit the use), in preference to a purpose-built premise.
- Within Low Density Residential Zone areas, non-residential uses should also comply with all of the following location criteria:
 - The site is serviced by reticulated sewerage;
 - Access to the site is via a sealed main road with existing kerb and channel;
 - The site is not constrained by factors such as slope, significant vegetation cover; drainage lines and highly visible ridgelines or hilltops; and
 - The site does not require significant earthworks to facilitate the development.

Siting, Scale, Design and Built Form

- Buildings and works should complement the surrounding or preferred built form with respect to building scale, siting, height, massing, setbacks, existing roof form and window and door proportions.
- Buildings and works proposed within the Low Density Residential Zone should be subordinate to the existing scale of development and landscape character.
- Development should 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 should have visual interest, not exceed 70% glazing, and be articulated by non-glazed vertical and horizontal elements to accentuate windows and other openings.
- Entries should be clearly defined and accessible.
- The choice of colours and materials should be appropriate to the existing or preferred neighbourhood character and, where appropriate, respond to the natural environment.
- High solid fences located along a site frontage are discouraged.

Landscape

- Native and other mature vegetation should be retained on-site wherever possible.
- Landscape buffers are encouraged to ensure that the streetscape character and amenity of abutting residential properties is maintained.
- A planting strip should be provided 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.
- Landscaping of car parking areas should incorporate appropriate canopy trees, where practicable.
- Landscaping within car parking areas should provide opportunities for shade and increase visual amenity.

Amenity

- 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 should 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 residential properties through the sensitive siting and design of car parks, windows, doors, service areas, outdoor and storage 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 should be designed so that noise from animals does not affect the amenity of the area.
- Any external play areas within child care centres should 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 should be maintained through the sensitive siting of car parks, play areas, windows, doors and the use of appropriate design techniques.
- Adequate waste disposal facilities should be appropriately located on site to reduce the potential for negative on site/offsite noise, visual appearance, lighting and odour impacts.

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.
- On-street car parking will be discouraged in locations where kerb and channel is not available.
- Car parking should be located at the side or rear of a property. For developments within the Residential Growth Zone, consideration should be given to the provision of car parking within basement and or undercroft parking areas.
- Car parks, accessways and set down areas should provide for safe and efficient traffic movement.
- Car parking areas and driveways should 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.
 - Clearly delineating the separation between residential and non-residential parking areas within developments which include integrated residential and non-residential uses.
 - 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 (where appropriate) with dark coloured concrete or bitumen, coloured patterned concrete or brick paving.
 - Encouraging car parking areas within the Low Density Residential Zone areas to be non-intrusive in scale, having regard to visibility and materials of construction.
 - Minimising the height of basement car parks above ground level.
 - Incorporating undercroft parking where appropriate, visually integrating multi-deck car parks with adjoining streetscapes.
 - Adequately screening car parking areas with landscaping and positioned to ensure minimal removal of existing vegetation.

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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:
 - The number of staff, hours of operation, attendees, and number of car spaces provided.
 - Information regarding how the use will serve the needs of the local residential community.
 - A traffic and parking demand impact assessment.
 - A site context assessment, outlining how the proposed development will respond to the existing or preferred residential character of the area.

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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 objectives of the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and Low Density Residential Zone and relevant overlay provisions.
- The Municipal Strategic Statement (MSS), in particular Clauses 21.05 and 21.06.
- For sites within the Residential Growth Zone, how the proposal demonstrates its integration within apartment-style development on a minimum lot area of 1,800sqm.