

22.01 DISCRETIONARY USES IN RESIDENTIAL AREAS13/11/2014
C300

This policy applies to the consideration of use and development applications within the Residential Growth, General Residential and Neighbourhood Residential Zones.

Policy Basis

Protecting of the amenity of the City's residential areas requires a balance between the need for goods and services that serve local residents and workers and the potential for negative impacts on residential amenity.

Non-residential uses can reduce the amenity of residential areas through the generation of additional traffic, increased demand for car parking, the hours of operation of the use, appearance, noise and other emissions. In order to maintain the residential character and amenity of an area it is important that non-residential uses are located and function having regard to these issues. To protect residential areas it is important to restrict the encroachment of incompatible non-residential uses.

Purpose built non-residential buildings are important features of the City's residential areas, particularly in the inner suburbs. Council encourages appropriate re-use of these buildings for either residential or non-residential uses where it results in an economically viable use of the building and provides a service to the local community.

Objectives

- To provide for non-residential and service uses which are compatible with the residential character, scale and amenity of neighbourhoods.
- To provide for non-residential uses which serve the needs of the local community.
- To encourage the re-use of purpose built non-residential buildings for a mix of appropriate local convenience/service and commercial uses.
- To ensure that car parking can be appropriately accommodated on site and that on street parking is relied upon only where it can be demonstrated that it will not be to the detriment of surrounding residential uses.
- To ensure that traffic generated by the use can be accommodated within the surrounding street network.
- To discourage new non-residential uses in residential zones that could reasonably be located in a nearby commercial or mixed use zones.
- To avoid the concentration of non-residential uses where it would create a de-facto commercial area, isolate residential properties or contribute to unplanned expansion of commercial or mixed use zones into surrounding residential land.

Policy

It is policy that:

Preferred Location

- Non-residential uses are located so as to benefit and be convenient to local residents.
- Non-residential uses generally be encouraged to locate on sites which have access to a Road Zone and discouraged from locating within a local access street, access lane or access place. Other locations may be considered appropriate where it can be demonstrated that residential amenity can be protected.
- Residential properties are not isolated between non-residential uses.

- Non-residential uses are encouraged to locate on sites where it can be demonstrated that due to existing conditions or constraints the site has a low standard of residential amenity.
- Shops, offices, taverns and larger medical centres (5 or more practitioners) be located within commercial zones, unless it is adequately justified that this is not practical, in which case the use should be located adjoining a Road Zone.
- Commercial uses in residential zones within a 400 metre radius of an existing commercial zone are provided only where it can be justified that the use cannot be reasonably located within the nearby commercial zone.

Amenity

- Residential amenity should be protected from:
 - Noise, light and odours emitted from the site.
 - Disturbance associated with the hours of operation.

Design and Siting

- The re-use of buildings originally built for non-residential uses be encouraged and facilitated.
- The design of purpose built premises should have regard to the existing neighbourhood character and reflect a residential scale and appearance, particularly with regard to the following elements:
 - Building and roof form.
 - Building height and setback.
 - Design detail (including façade articulation, verandahs, window and door style and placement).
 - Building materials.
 - Colours and finishes.
- The design and siting of new buildings should have regard to the location of adjacent buildings.

Landscaping

- The landscape character of an area is maintained by ensuring that there is adequate space available for planting of vegetation and that significant trees be retained where practicable.
- Adequate buffers in the form of landscape strips be provided between adjoining properties and areas used for access and parking within the subject site.

Carparking & Traffic

- Adequate area is set aside for on site car parking.
- Areas set aside for car parking be located to ensure that they do not dominate the streetscape.
- Residential amenity be protected from significant changes in traffic conditions and significant increases in on street parking demand.
- Loading and unloading of vehicles does not cause unreasonable detrimental impact to residential amenity.

Advertising Signage

- Advertising signage be designed and located so as to create a balance between providing appropriate identification for visitors to a site and ensuring signage has regard to its residential context.

Application Requirements

- An application should be accompanied by the following information to the satisfaction of the responsible authority, as appropriate:
- A description of the proposal, including hours and days of operation, number of staff, type and frequency of deliveries, number of patrons, length of appointments, number of children at childcare centre and any other relevant information.
- A landscape plan drawn to an appropriate scale and provided by a qualified Landscape Architect who is a member of the Australian Institute of Landscape Architects, or a person with a suitable background in horticultural science or an allied field.
- A traffic report may be required depending on the type and scale of the use proposed and the context of the site.

Performance Measures

Proposals will be measured against the following performance measures:

Amenity

- Hours of operation for all non-residential uses will be considered having regard to the nature and intensity of the use and the context of the site and surrounding areas.
- Loading and unloading of vehicles should only occur between the hours of 8am and 6pm.
- Noise attenuation measures should be provided where appropriate and all external noise sources (air-conditioning, heating, plant equipment etc) should be designed and located to restrict noise emission to adjoining properties.

Design

- Air-conditioning, heating and plant equipment should be located so as to avoid being visible from areas external to the subject site.
- Applications for new buildings should be consistent with the following ResCode objectives and/or standards:
 - Clause 54.03-1 Street setback.
 - Clause 54.04-1 Side and rear setbacks.
 - Clause 54.04-2 Walls on boundaries.
 - Clause 54.04-3 Daylight to existing windows.
 - Clause 54.04-4 North facing windows.
 - Clause 54.04-5 Overshadowing open space.

Landscaping

- A minimum 1.5 metre landscaped buffer should be provided to separate accessways and car parking areas from adjoining residential properties.
- The front setback of sites should be set aside for landscaping.

Car parking

- Car parking should be provided at the side or rear of the site.

References

Advertising Sign Guidelines, City of Greater Geelong November 1997.