

**22.02 DISCRETIONARY USES IN RESIDENTIAL ZONES**

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C152

This policy applies to applications for use and development for a Section 2 (discretionary) use in a residential zone.

**22.02-1 Policy Basis**

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Protection of the character and amenity of existing residential areas is an important issue that is reflected in the purposes of the residential zones. The zones also recognise the need, in appropriate locations, for educational, recreational, religious, community and a limited range of other uses to serve local needs.

The provision of services and facilities compatible with and within walking distance of residential areas supports Moreland's vision to create Sustainable Neighbourhoods outlined in Clause 21.02-2 of the Municipal Strategic Statement. Care must be taken in decision making on discretionary uses to avoid unreasonable loss of residential amenity and streetscape character.

This policy provides guidance on preferred locations for discretionary uses and guidelines to protect the amenity and built form character of residential areas.

**22.02-2 Policy Objectives**

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**Location**

- To ensure that discretionary uses in residential areas are appropriately located.

**Built Form**

- To ensure that the scale and character of discretionary development meets the Neighbourhood Character policy at Clause 22.01.

**Amenity**

- To ensure that discretionary uses do not unreasonably impact residential amenity.

**22.02-3 Policy**

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It is policy to:

**Location**

- Facilitate discretionary uses that serve the needs of the local community.
- Ensure that discretionary uses that serve catchments beyond the local level are located within the defined boundaries of Activity Centres, in accordance with clause 21.03-1 or within precincts designated for industry and economic generation, in accordance with clause 21.03-2.
- Encourage discretionary uses to locate in accordance with the preferred location guidance in Table 1.
- Encourage location of discretionary uses on main roads to reduce generation of extra traffic on the local street network.
- Discourage 24 hour operations.

**Built Form**

- Encourage the retention of existing housing stock.

- Ensure that the built form of development to accommodate discretionary uses is of a scale, design and appearance compatible with the neighbourhood character, in accordance with the provisions of Clause 22.01 Neighbourhood Character.
- Limit signage to one sign per premises and ensure signage is compatible with neighbourhood character.
- Encourage car parking spaces to be screened from view and provided in a basement or at the rear or side of the site.
- Ensure that landscaping is undertaken to buffer the use from residential areas.
- Encourage landscaping of the front setback area.

#### **Amenity**

- Locate discretionary uses where the use will have a minimal impact on the residential amenity of the local area.
- Ensure that residential amenity is protected from:
  - significant changes to traffic conditions in local streets including an increase in car parking demand;
  - noise, light, odours emitted from the site; and
  - disturbance associated with the hours of operation or site facilities.

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#### **Application Requirements**

An application should be accompanied by the following information, as appropriate:

- A report that identifies the intensity of use and operational requirements of the proposal.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- An acoustic report to demonstrate compliance with relevant State Environmental Protection Policies.
- A master plan and management plan for applications for a Hospital or Education Centre.

#### **22.02-5**

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#### **Decision Guidelines**

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

- Number of practitioners, staff, customers or persons likely to attend the premises
- Traffic generation
- Car parking
- Pedestrian and vehicular access
- Drop off and pick up areas
- Hours of operation
- Security lighting
- Advertising signs
- Fencing details

- Landscaping details
- The Neighbourhood Character Policy at Clause 22.01
- Location and design of outside storage and amenities
- Compliance with relevant State Environment Protection Policies
- Commercial deliveries
- Refrigeration equipment
- Waste generated by the use

**Table 1 Requirements for discretionary use and development**

Land Use	Preferred Location	Requirements
Car wash	Corner site Frontage to a Road zone On a site previously used for non-residential purposes	Noise attenuation measures.
Child care centre	Frontage to a Collector Road	Provision of a drop off and pick up area.
Education Centre	Frontage to a Road zone or a Collector Road	
Food and drink premises	On a site previously used for non-residential purposes	
Funeral parlour	Adjacent to a commercial area Frontage to a Road Zone	Provision of a drop off and pick up area
Hospital	Frontage to a Road zone or a Collector Road	
Medical centre	Frontage to a Road zone or a Collector Road	On site car parking at the rear of the site
Service Station	Frontage to a Road zone	
Place of assembly	Adjacent to a commercial area Frontage to a Road Zone	Provision of a drop off and pick up area
Place of worship	Frontage to a Road Zone	
Restricted recreation facility	In or adjacent to a commercial area On a site previously used for non-residential purposes.	