

**22.01**15/12/2016  
C211**NON-RESIDENTIAL USES IN RESIDENTIAL ZONES POLICY**

This policy applies to all applications in a residential zone other than those affected by Clause 54 or Clause 55.

**22.01-1**15/12/2016  
C211**Policy Basis**

The Municipal Strategic Statement emphasises the protection of the character and amenity of existing and future residential areas. Residential areas require complementary non-residential uses for the convenience of local residents. These uses include display homes, childcare centres, medical centres, veterinary clinics, places of assembly and worship, convenience shops and cafes. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity, while still providing convenience to residents living nearby. It is considered appropriate to provide guidelines to adequately protect residential areas, guide uses which have the potential to change the function and character of residential areas and avoid development of defacto commercial strips.

**22.01-2**15/12/2016  
C211**Objectives**

- To ensure non-residential uses are appropriately located having regard to the amenity of the local area and nearby residential facilities.
- To ensure the siting and design of proposed buildings and works is compatible with the surrounding area; including car parking areas and advertising signs, fencing, landscaping, lighting, open space, storage amenities and loading facilities.
- To ensure appropriate location of access points and that traffic generation does not have a detrimental impact on the existing road network or pedestrian and vehicular safety.
- To ensure that non-residential uses are designed and managed in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings in respect of intensity of use, hours of operation, unreasonable overshadowing, overlooking, noise, traffic impacts, avoidance of light spill, waste management and the provision of facilities.

**22.01-3**15/12/2016  
C211**Policy****General**

It is policy to:

- Ensure that the siting and design of buildings and works including carparking areas are sympathetic to the surrounding housing and streetscape and are of a scale and architectural style that is compatible with the residential area.
- Encourage development to include features to reduce noise, loss of privacy and to enhance the appearance of the development by including landscaping to the frontage, utilising screening and acoustic fencing to cause minimal loss of amenity and privacy of people living in nearby dwellings.
- Encourage a landscape setback of a minimum of 3 metres at the road frontages of the property.
- Encourage non-residential uses to locate along roads that are capable of carrying anticipated traffic volumes.
- Discourage major facilities serving catchments beyond the local level in residential areas unless they are located in and adjacent to commercial areas or sited on roads, which avoid extra generation of traffic on residential streets.
- Ensure that any waste generated by the use or development is managed appropriately.
- Ensure all applicable development complies with SEPPN1 Environment Protection Policy (Control of Noise from Commerce, Trade & Industry).

- Ensure any security lighting used is not activated continuously, but designed to respond to sensors only.
- Encourage advertising signage to be in keeping with Council's Advertising Policy for residential areas.
- Discourage flashing and illuminated signs.

#### **Display Homes**

- Discourage display homes in existing residential areas.
- Encourage display homes to consolidate into one area to limit impact.
- Ensure that time limits are applied to permits to minimise the impact on residential area.
- Ensure that any lot which is used for car parking is not sold while required for that purpose.
- Encourage land used for car parking areas to be restored to the natural surface after use ceases.
- Ensure that pedestrian access to the display homes is through the car park.
- Encourage hours of operation between 9.00am to 6.00pm seven days a week.

#### **Child Care Centres**

- Locate open space and outside storage away from abutting residential uses.
- Provide acoustic fencing of a scale and design that protects adjacent residential amenity and the privacy of the children using the centre.

#### **Medical Centres and Veterinary Clinics**

- Encourage hours of operation between:  
8.00am to 9.00pm Monday to Saturday and  
9.00am to 6.00pm Sunday.
- Ensure that animals remaining on site are enclosed in buildings.

#### **Places of Assembly / Worship**

- Encourage hours of operation that maintain the residential amenity of the area.
- Ensure compliance with N2 Environment Protection Policy (Control of Music Noise from Public Premises).

#### **Convenience Shop**

- Encourage commercial deliveries after 7am and before 9pm, on any day of the week.
- Ensure refrigeration equipment is located so as not to be detrimental to nearby residential uses.

### **22.01-4**

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#### **Decision Guidelines**

Before deciding on an application the responsible authority must consider, as appropriate:

- The extent to which the application for a non-residential use meets the objectives and policy statements of this policy.
- The layout of the site, the scale and form of any proposed building, the building design including: setbacks, facade treatment, building materials, colour scheme and proposed landscaping, and whether the proposal is consistent with the surrounding residential environment in these respects.
- The effect of traffic movements on existing networks and whether car parking is sited, marked and sign posted appropriately.
- Whether advertising signs are appropriately sited, dimensioned and non-illuminated.
- Whether a Waste Management Plan is required.