

**22.02**

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**NON-RESIDENTIAL USES IN RESIDENTIAL AND FUTURE RESIDENTIAL AREAS POLICY**

**Where the policy applies**

This policy applies to all land in a residential zone and to land that is designated for future residential development, including in the Activity Centre Zone, where a permit is required to establish a non-residential use.

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**Policy basis**

Residential areas require complementary non-residential uses for the convenience of local residents. These uses include convenience shops, places of worship, schools, child care centres, medical centres and service stations. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity and convenience to residents living nearby.

Similarly, in areas located within the Urban Growth Boundary that are earmarked for future urban/residential development, care must be taken to ensure that non-residential uses, particularly industrial-type uses such as vehicle stores/depots, do not cause a nuisance to surrounding residents or prejudice the future use and development of these areas for residential purposes.

Both the *Casey C21: A vision for our future* strategy and the Municipal Strategic Statement state that new residential communities should be planned and developed around activity centres that comprise a cluster of local commercial, community, educational and recreational facilities. The clustering of such facilities benefits the local community by allowing multi-purpose trips to be made, reducing car dependency and providing a visible focal point that residents can identify with. Community activity clusters that do not comprise a core retail goods and services component have also been recognised in the City of Casey Activity Centres Strategy.

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**Policy objectives**

- To facilitate, in appropriate locations, the establishment of non-residential uses that serve the needs of the local community.
- To reduce car dependency in Casey by encouraging non-residential uses to locate adjacent to an activity centre or commercial/industrial area, or within a recognised community activity cluster.
- To ensure the sensitive integration of complementary non-residential uses into residential areas.
- To ensure that non-residential uses in residential areas do not adversely affect residential amenity.
- To ensure non-residential development provides a positive contribution to the character and appearance of residential and future residential areas.
- To ensure that new buildings and alterations to existing buildings associated with a non-residential use complement the appearance of nearby dwellings.
- To ensure that non-residential uses do not prejudice the development of areas designated for future urban/residential purposes.
- To ensure that residential and future residential areas do not become a repository for non-residential uses that are more appropriately located in a commercial/industrial area.

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**Policy**

It is policy that:

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- In established residential areas, non-residential uses be located adjacent to an activity centre or commercial/industrial area, or within a recognised community activity cluster, and, wherever possible, nearby similar non-residential uses to reduce car dependency and maximise accessibility to public transport.
- In new and future residential areas, non-residential uses be clustered around planned activity centres.
- Non-residential uses be required to result in a net benefit and convenience to the local community.
- Non-residential uses be located along roads that are capable of carrying anticipated traffic volumes, such as arterial or collector roads, and on or close to a designated public transport route.
- Non-residential uses not be located fronting service roads due to the impact on the residential character of the arterial road and the potential for “ribboning” along such roads.
- Non-residential uses do not segregate a single dwelling or a collection of dwellings from the surrounding residential area.
- The scale, design and appearance of any new buildings, works or landscaping associated with a non-residential use be complementary to the existing or preferred character of the surrounding area.
- Non-residential uses/developments be designed, constructed and operated in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings, having regard to traffic, car parking, access, built form and overall site layout.
- New stand-alone places of assembly/worship be discouraged from locating in established residential areas.
- Industrial/warehouse-type uses, such as land used for the storage of goods, vehicles or machinery, not be supported if the use would have an adverse impact on residential amenity, particularly in terms of vehicle noise and visual impact.
- A master plan defining the parameters of future development be required to be submitted with a planning application in circumstances where less than 50 per cent of a site is proposed to be developed for a non-residential use (inclusive of associated car parking), or the balance of the site is of an area that has the potential to accommodate a significant expansion of the use.

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### Performance standards

It is policy that proposals are assessed against the following performance standards, as appropriate:

#### Child care centres

- Larger child care centres that cater for in excess of 40 children should abut or have direct access to an arterial or collector road.
- Car parking should be provided at the rate of one space per staff member and one space per 20 children.
- A drive-through drop-off bay that caters for at least three vehicles, or three conveniently located short-term visitor spaces, should be provided.
- The scale and form of building design, including setbacks, façade treatment, building materials and colour scheme, should be consistent with the surrounding residential environment.
- A landscape strip of at least 2 metres in width should be provided along any street frontage.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

### **Display homes**

- Display villages should be located at the entrance to residential estates or fronting major collector roads.
- Car parking should be provided in a highly visible location.
- Pedestrian access to the display homes should be through the car park.
- The hours of operation should be restricted to between 9.00 a.m. and 6.00 p.m. seven days-a-week.
- A landscape strip of at least 2 metres in width should be provided along any street frontage.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

### **Medical centres**

- The site should be located on a through-road and adjacent to other community-based uses.
- The scale and form of building design, including setbacks, façade treatment, building materials and colour scheme, should be consistent with the surrounding residential environment.
- The hours of operation should be restricted to between 8.00 a.m. and 9.00 p.m. Monday to Saturday, and 9.00 a.m. and 1.00 p.m. Sunday.
- A landscape strip of at least 2 metres in width should be provided along any street frontage.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

### **Places of assembly/worship**

- The building design should be consistent with the overall scale and character of the surrounding residential area, particularly in terms of style, height, massing and roof pitch.
- The site should abut or have direct access to an arterial road to minimise disruption to nearby residential streets.
- Entry and exit points should be located to avoid car-headlight glare affecting nearby residential properties.
- Buildings should be sited to minimise the effect of the activity generated on the site upon adjoining residential properties.
- A management plan should be submitted with a planning application to detail the practices to be employed, including hours of operation, to ensure that the proposed facility would not result in a loss of amenity to adjoining and nearby residential properties.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

### **Vehicle stores/depots**

- The site should abut or have direct access to an arterial or major collector road to minimise disruption to nearby residential streets.
- Entry and exit points should be located to avoid vehicle-headlight glare affecting nearby residential properties.
- A maximum of two vehicles (including any commercial vehicle used in association with a dwelling on the same land) should be stored/parked on the site at any one time.
- All vehicles and associated equipment should be stored/parked within a building with no part of the use carried on outside the building.

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- Buildings should be located toward the rear of a site, or in a location that is not visually obtrusive if the building(s) would be visible from outside of the site, and offset from habitable room windows of dwellings on adjoining land in order to mitigate any off-site impacts of the use.
- No repairs to vehicles being stored should be carried out on the site.
- Hours of operation should be restricted to maintain the residential amenity of the area.
- The site should be landscaped to minimise the visual impact of the development on adjoining and nearby residential properties.

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#### Decision guidelines

Before deciding on an application, it is policy that the responsible authority considers:

- The impact of the proposal on the amenity of nearby residential uses and the character of the surrounding area.
- The location of the site and its suitability for the proposed use, having regard to the proximity of neighbouring residential uses, the capacity of the road servicing the site and its proximity to a designated public transport route.
- Whether the proposal would form part of, and positively contribute to, a community activity cluster identified in the City of Casey Activity Centres Strategy.
- The impact of the proposal on the use and development of the land for future residential purposes.

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#### Policy references

*Casey C21: A vision for our future*, City of Casey, 2002.

*Casey C21: Building a Great City*, City of Casey, 2011.

*City of Casey Activity Centres Strategy*, City of Casey, in association with Ratio Consultants Pty Ltd, 2006.

*Child Minding Centres Policy*, City of Casey, 1996.

*Display Homes Policy*, City of Casey, 1996.

*Medical Centres Policy*, City of Casey, 1996.

*Places of Assembly/Worship Policy*, City of Casey, 2004.