

22.05

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INTERFACE USES POLICY

This policy applies to applications for use or development within:

- Mixed Use, Business and Industrial Zones
- a Residential 1 Zone where the subject site is within 30 metres of a Business or Industrial Zone
- a Residential 1 Zone where the subject site is within 30 metres of an existing business or industrial use.

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Policy Basis

The policy supports the objectives of the MSS by protecting Yarra's diverse land use mix and built form, reducing conflict between commercial, industrial and residential activities, and supporting appropriate industrial and commercial activity.

While the mix of land use creates a diverse and interesting inner city character, it also may create conflict at the interface between the land uses. Issues of concern include:

- Noise
- Visual impact and appearance
- Overlooking
- Odour and air emissions
- Light spill
- Loading and unloading
- Rubbish removal and storage
- Construction noise

In order to maintain the viability of industrial and business areas there is a need to ensure that new residents do not have unrealistic expectations of the level of amenity that can be achieved. New dwellings must be constructed to protect residents as much as reasonably possible from the inherent conflicts. There is also a need to ensure that commercial and industrial activities are well managed having regard to their proximity to residential uses.

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Objectives

- To enable the development of new residential uses within and close to activity centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.
- To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

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Policy

It is policy that:

- New residential use and development in or near commercial centres and activity centres and near industrial uses includes design features and measures to minimise the impact of the normal operation of business and industrial activities on the reasonable expectation of amenity within the dwellings.
- New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.

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Guidelines

22.05-4.1

Dwelling Design

- New residential development located in Mixed Use, Business Zones, or in a Residential 1 Zone within 30 metres of a Business or Industrial Zone or 30 metres of an existing industrial or business use, is to be designed to:
 - Incorporate appropriate measures to protect the residents from unreasonable noise, fumes, vibration, light spillage and other likely disturbances.
 - Locate noise-sensitive rooms (in particular, bedrooms) and private open space away from existing and potential noise sources, and where appropriate incorporate other measures such as acoustic fencing, landscaping and setbacks.
 - Incorporate appropriate measures to minimise the effects of fumes or air emissions from nearby business or industrial operations upon those living in the dwellings, including through the orientation of windows and ventilation systems.
 - Minimise the potential for views from existing business or industrial premises to habitable room windows and private open space areas, through the use of appropriate siting, setbacks, articulation and screens.

22.05-4.2

Non-Residential Development Near Residential Properties

New non-residential development is to be designed to / so that:

- Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens.
- The location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk or loss of day light to habitable room windows.
- Where private open space and/or windows to adjoining residential properties are unreasonably affected, appropriate setbacks from boundaries are to be provided to address loss of daylight, overshadowing and visual bulk impacts.
- Provide for a high level of acoustic protection to adjoining residential properties by:
 - Locating plant and other service infrastructure (including automatic garage doors) in discrete locations
 - Using masonry wall construction rather than, for example, curtain walling
 - Building in effective acoustic insulation.
- Minimise noise transmission within the building, including from machinery and ventilation systems, between floors or separate units and to adjoining residential properties.
- Minimise the opportunity for views from adjoining residential properties into the site, especially where the storage, preparation, business or industrial activity could present an unsightly appearance.
- Minimise the opportunity for light spill due to fixed or vehicular lights, outside the perimeter of the site and on to habitable room windows of nearby residential properties.

22.05-4.3 Commercial Waste

- Business and industrial use is to ensure that commercial waste (solid, gas and liquid) management practices, storage and disposal are carried out with a minimum of odour and noise disruption to nearby residential properties.
- A Waste Management Plan that includes details of proposed waste management practices, storage and disposal will be required where waste disposal, collection or storage may cause unreasonable detriment to the amenity of adjoining residential properties.

22.05-4.4 Construction Management

- All developments are to ensure that construction times, storage and disposal methods minimise disruption to nearby residential and business uses.

22.05-5 Application Requirements

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Permit applications for residential development to include details of proposed acoustic attenuation design features or measures, and other design features to mitigate the potential noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

An Acoustic Assessment Report is to be provided in circumstances where the Council determines the potential for noise disturbance to residents is present. The report should demonstrate that the residents will enjoy a reasonable level of acoustic amenity within the dwelling.

Permit applications for non-residential development within Mixed Use or Business zones and within Industrial zones within 30 metres of a Residential 1 or Mixed Use zone to include details of proposed methods to address potential noise, fumes and air emissions, light spillage, waste management and other operational matters that may cause negative impacts upon nearby residential properties.

22.05-6 Decision Guidelines

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Before deciding on an application for residential development, Council will consider as appropriate:

- The extent to which the proposed dwellings may be subject to unreasonable noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.
- Whether the dwellings are designed or incorporate appropriate measures to minimise the impact of noise, fumes and air emissions, light spillage, waste management and other operational matters from the nearby business or industrial uses.

Before deciding on an application for non-residential development, Council will consider as appropriate:

- The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.
- Whether the buildings or uses are designed or incorporate appropriate measures to minimise the impact of unreasonable overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances on nearby residential properties.

22.05-7 Reference Documents

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- *Noise Control Guidelines, EPA Publication, 1992*

YARRA PLANNING SCHEME

- *Hansen Partnership – Charter Keck Cramer, Yarra Industrial and Business Land Strategy Review (September 2004)*
- *Interface Uses Policy – Planisphere 2005*