

22.04 NON-RESIDENTIAL USE AND DEVELOPMENT IN RESIDENTIAL ZONES POLICY

01/10/2015
C71

This policy applies to Section 2 use and associated development in the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and the Low Density Residential Zone within the City of Banyule.

22.04-1 Policy Basis

24/07/2014
C100

Residential zones can accommodate a range of non-residential uses which provide services to the local community, however non-residential uses and associated development can also impact on the character and amenity of residential zones and undermine the role of activity centres.

Banyule's Municipal Strategic Statement recognises that residential character and amenity are key contributors to the quality of life in Banyule and that threats to residential character and amenity need to be managed. A high quality living environment, including a high level of amenity and high quality residential character is an objective of the MSS in relation to residential land use and development and minimising the impacts of non-residential use and development in residential areas and restricting non-residential traffic and parking intrusion into residential areas are some of the specific strategies for achieving that objective.

The residential zones provide conditions where non-residential uses and associated buildings and works do not require a permit. There are also many non-residential uses which do require a permit in residential zones, as do the buildings and works associated with those uses. It is important that these uses and development are responsive to their residential setting and do not adversely affect the character and amenity of the residential areas in which they are proposed to be located. This policy aims to manage this potential impact.

22.04-2 Policy Objectives

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- To ensure non-residential uses serve the needs of the local community.
- To ensure that non-residential uses are appropriately located and readily accessible.
- To ensure that non-residential uses and associated development do not adversely affect residential amenity.
- To ensure that buildings and works associated with non-residential uses make a positive contribution to the neighbourhood character as relevant and appearance of the surrounding residential area.
- To retain existing housing stock in residential zones.

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It is policy that proposals are assessed against the following criteria:

Preferred Location

Primary Location Criteria

- Non-residential uses should be located where there is a demonstrable need for the proposed facility or service.

- Commercial uses (including multi-practitioner medical centres) should be located in or adjacent to commercial centres.
- Recreational, religious and community uses and single practitioner medical centres should be located in or adjacent to commercial centres unless they predominantly serve local community needs.
- Educational uses should be located close to public transport and to minimise traffic impacts on local streets.
- Non-residential uses should be discouraged from locating in residential areas if there are suitable sites in nearby commercial centres.
- The development and expansion of larger non-residential uses should be planned strategically and undertaken in accordance with the provisions of an approved master plan.

Specific Location Criteria

- Where it is appropriate that a non-residential use locate in a residential area having regard to the Primary Location Criteria, the non-residential use should be:
 - located on a corner lot and/or road in a Road Zone
 - within easy walking distance of public transport
 - in an existing non-residential building where possible.
- Non-residential uses should not isolate dwellings from the surrounding residential area.

Siting and Design

- Existing buildings built for non-residential purposes should be used for non-residential uses in preference to dwellings.
- Existing dwelling stock should be retained in preference to purpose built non-residential facilities.
- Buildings and works should be designed and sited in a manner that is consistent with design objectives and requirements as outlined the Residential Neighbourhood Character Policy (as relevant).
- Purpose built premises should resemble nearby dwellings in terms of siting, density, scale, form and design.

Landscape and Amenity

- Front setbacks should be landscaped.
- Landscaping should enhance the appearance of the site and the locality.
- Landscape buffers should be provided between non-residential uses and neighbouring residential properties.
- Landscape buffers should minimise visual, noise intrusion and any other detrimental impacts on the amenity of neighbouring residential properties.
- Non-residential uses should not adversely affect the amenity, privacy or the convenience of nearby residents by way of noise, traffic, parking, lighting, odours, disturbance associated with hours of operation, or loss of security.

Traffic and Car Parking

- Increases in traffic should not adversely affect the amenity, environment or safety of the residential neighbourhood.

- The demand for on street parking should not adversely affect the amenity, environment or safety of the neighbourhood.
- Sufficient on-site parking should be provided for staff, residents and visitors.
- Car parking should be located at the side or at the rear of the property.
- Car parking should not dominate the development or street frontage.
- Car parks, accessways and set down areas should provide for safe, and efficient traffic movement.
- The number of crossovers should be minimised.

Application requirements

Where a permit is required for a non-residential use in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone or Low Density Residential Zone, in addition to the information requirements specified in the relevant City of Banyule: Plan Well and Build Better Checklist, the following information is also required:

- Information regarding the expected catchment and patronage of the proposed use and how the use will serve the needs of the local residential community.
- Information regarding traffic and parking demand generation.
- An explanation of the likely effects on the amenity of the neighbourhood in terms of hours of operation, traffic and parking and general amenity.
- An explanation of how the proposed development would maintain and enhance the identified neighbourhood character of the area.

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Reference document

City of Banyule Neighbourhood Character Strategy, 2012