

22.01 NON-RESIDENTIAL USES IN RESIDENTIAL ZONES POLICY

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

22.01-1 Policy Basis

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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 Objectives

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- To ensure non-residential uses are appropriately located having regard to the amenity of the local area and nearby residential facilities.
- To ensure the sensitive integration of complementary non-residential uses into residential areas.
- ~~To ensure that non-residential uses do not prejudice the development of areas designated for future urban/residential purposes.~~
- 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 regard to intensity of use, hours of operation, any overshadowing, overlooking, noise, traffic impacts, avoidance of light spill, waste management and the provision of facilities.
- To ensure that area of limited development are protected from scale and intensity of non-residential uses.
- To discourage clustering of non-residential uses.

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General

It is policy to:

- Ensure that the siting and design of buildings and works including car-parking areas is sympathetic to the surrounding housing and streetscape and of a scale and architectural style compatible with the residential area.
- Encourage development to include features to reduce noise, loss of privacy and to enhance the appearance of the development including landscaping to the frontage,

screening and acoustic fencing to cause minimal loss of amenity, privacy and convenience of people living in nearby dwellings.

- Encourage a landscape setback of a minimum of 3 metres at the front 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 and are located in and adjacent to commercial areas or sited on roads, which avoid extra generation of traffic on residential [streets](#)[MT1].
- 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.](#)
- [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.](#)
- [Discourage non-residential uses in Neighbourhood Residential Zones.](#)
- [Ensure access to a non-residential use from major roads is via service roads.](#)

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 must not be 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 to be through the car park.
- [Encourage hours of operation between 9.00am to 6.00pm 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.](#)

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.](#)

- 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 drive through drop-off bay that caters for at least three vehicles, or three conveniently located short-term visitor spaces, should be provided.
- 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.
- Larger child care centres that cater for in excess of 40 children should abut or have direct access to an arterial or collector road.

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 to be enclosed in buildings.
- 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.

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).
- 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 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 streets.
- Buildings should be sited to minimise the effect of the activity generated on the site upon adjoining residential properties.
- Discourage places of assembly in limited change areas as described in the Wyndham Housing and Neighbourhood Character Strategy.

Convenience Shop

- Encourage commercial deliveries before 7am and after 9pm, on any day of the week.

- Ensure refrigeration equipment is located so as not to be detrimental to nearby residential uses.
- -The site should abut or have direct access to an arterial road to minimise disruption to nearby residential streets.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.
- The scale and form of building design , including setbacks, façade treatment, building materials and colour scheme, should be consistent with the surrounding residential environment.

Vehicle Stores/Depots[MT2]

- 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 outside the building.
- 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 residential amenity of the area.
- The site should be landscaped to minimise the visual impact of the development on adjoining and nearby residential properties.

Truck Parking[MT3]

- All vehicles should be stored/parked within the property boundaries.
- No repairs of vehicles parked should be carried out on the property.
- Vehicular access to the subject land from any roadway or service lane (and vice versa) must be by way of a vehicle crossing constructed at right angles to the road, to suit the proposed driveway(s) and vehicles that will use the crossing.
- The parking area must not be used for any other purpose.
- Hours of operation should be restricted to maintain residential amenity of the area.
- The site should be landscaped to minimise the visual impact of the truck to adjoining and nearby residents.

22.01-4 Decision Guidelines

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

- The impact of the proposal on the amenity of nearby residential uses and the character of the surrounding area[MT4].

- The extent to which the application for a non-residential use meets the objectives and policy statements of this policy.
- The scale and form of the site and building design including setbacks, facade treatment, building materials, colour scheme and landscaping consistent with the surrounding residential environment.
- 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.
- [The cumulative impacts of non-residential uses clustering in residential areas.](#)

22.01-5 Policy References

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[Wyndham Housing and Neighbourhood Character Strategy 2015](#)

[Wyndham Housing Strategy and Neighbourhood Character Study – Neighbourhood Character Paper 2015](#)