

# Residential Landuses in the Mixed Business Zone

## Local Planning Policy No. 10

*Pursuant to Schedule 2, Part 2, Clause 4 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015*

### Policy Basis

Ensuring that residential uses are compatible with existing and future businesses within the 'Mixed Business' zone is imperative. Piecemeal redevelopment of key sites for residential uses which do not seek to achieve a compatible mix between residential uses on the original parent lot and adjoining sites will slowly erode the business base of the Mixed Business Area. This has the potential for long term detrimental impacts not only on the business base of the proposed Mixed Business area but on the sustainability of the City in a broader context as the services and jobs within the Mixed Business area are vital to the sustained health of the City.

This Policy was adopted under Town Planning Scheme No. 14 (August 2007) following extensive consultation in order to achieve a compatible mix of landuses and design elements.

### Policy Area

This policy affects all land within the 'Mixed Business' Zone.

### Policy Objectives

- To identify appropriate locations and development standards for residential landuses within the 'Mixed Business' zone.
- To acknowledge existing business activities within the 'Mixed Business' zone and ensure their continued operation.
- To facilitate and maintain high quality residential development compatible with existing and future business operations.
- To achieve a unified and attractive streetscape within the 'Mixed Business' zone.
- To incorporate design elements which will enhance the safety and security of the locality.

### Policy Statement

The following statements are general principles intended to promote a high standard of development through thoughtful and creative design.

### Application of Policy

The guidelines will apply to all residential development in the 'Mixed Business' zone.

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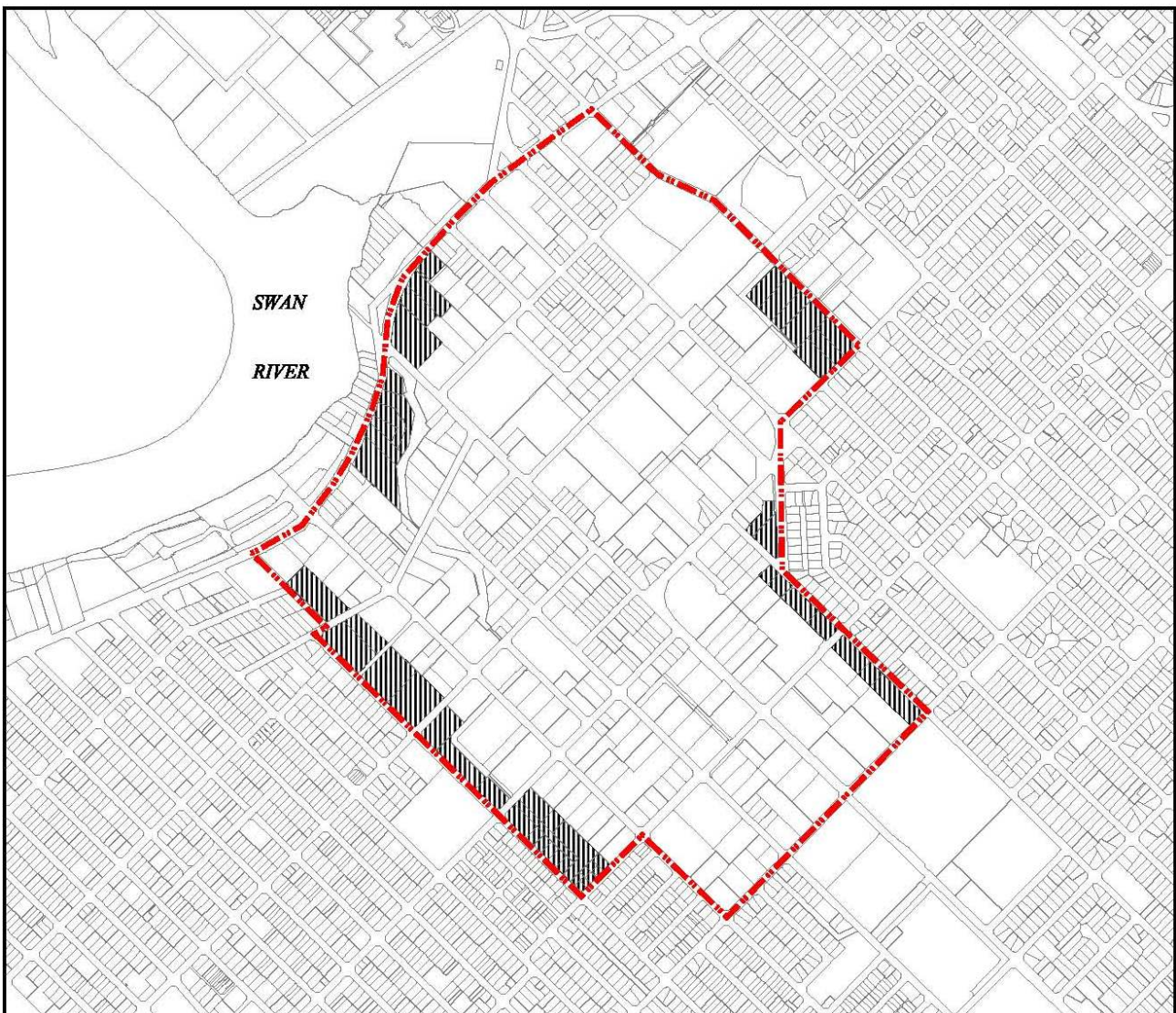
## Density and Landuse

Density of residential development on any site shall be considered within the context of the area in which it is located having regard for the density and scale of nearby existing and potential residential development and the scale of existing and potential businesses adjoining and in the immediate vicinity.

A coding of R20 will apply where 'Residential' landuse may be considered for sites within the 'Mixed Business' zone (refer shaded areas in Plan A below) and where development complies with the Guidelines contained within this Policy Statement. However, Council has the discretion to consider densities up to:

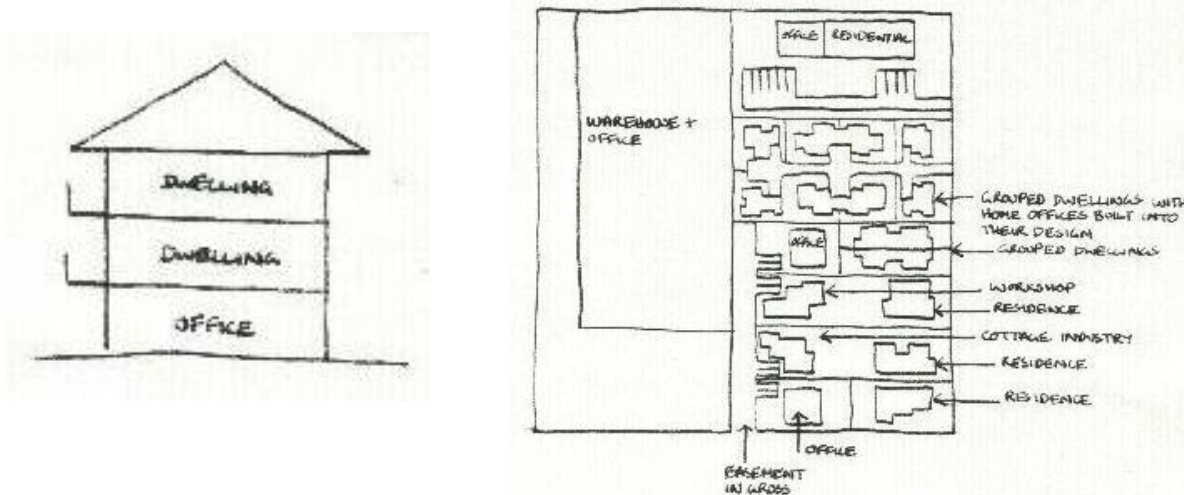
- a maximum density of R40 for quality development that, with the exception of high quality terrace style developments, complies with all aspects of Clause 5.7.3 of Local Planning Scheme No. 15; or
- a maximum density of R80 along Great Eastern Highway;

where development complies with the performance criteria contained within this Policy Statement.



*Plan A – Areas Where 'Residential' Landuses May Be Considered Appropriate*

Where 'residential' use is proposed, the site must also incorporate some 'business' uses - whether it be a vertical or horizontal split or designed to incorporate home based businesses.



### Standard of Development

- Residential development shall have regard for the scale and form of development on abutting lots.
- Separate front doors should be provided to the business and residential components.
- Special consideration should be given to location, size and design of communal open space at ground level as these landscaped areas often perform a semi-public function.
- Particular attention should be given to acoustic privacy with site layout building design and use of materials to minimise impact of external noise factors. An acoustic report will be required to be submitted with any residential development proposal.

### Surveillance

Informal surveillance of the street, public and semi-public spaces by front windows is encouraged.

### Parking Provision

Parking shall generally be provided at the ratio prescribed by Local Planning Scheme No. 15 for the type of non-residential and residential uses proposed, however, a reduction in the total number of car bays provided on-site may be supported on the basis of reciprocal rights where the nature of the landuses and the hours of operation are shown to be complementary on that same site.

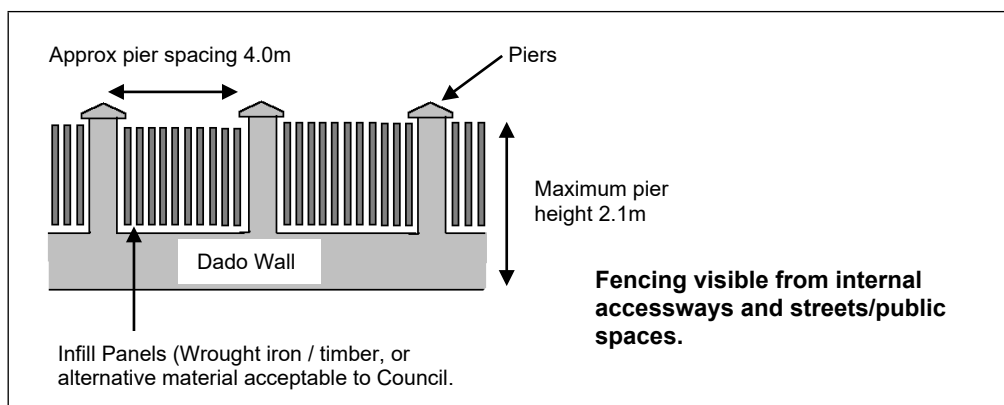
### Signage

- All signage to be integrated with the building design.
- Signs should be aesthetically pleasing as well as functional. They should not however, detrimentally affect, by way of their siting, size, shape, scale, glare, reflection or colour, the amenities of localities in which they are situated.



## Fencing

All fencing visible from a street, internal accessway or public space should be constructed in masonry with open infill in accordance with the fencing details provided in the illustration below.



## Notification on Title

A memorial will be required to be placed on the title of any residential landuse to advise prospective purchasers of the current 'Mixed Business' zoning, and potential for extensive parapet walls to be constructed on the boundary.

## GOVERNANCE REFERENCES

<b>Statutory Compliance</b>	<i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Local Planning Scheme No. 15
<b>Industry Compliance</b>	State Planning Policy 7.0 – Design of the Built Environment State Planning Policy 7.3 – Residential Design Codes
<b>Organisational Compliance</b>	Local Planning Policy No. 12 – Advertisement Signs
<b>Process Links</b>	

## LOCAL PLANNING POLICY ADMINISTRATION

Directorate	Officer Title		Contact		
Development & Communities	Manager Planning Services		9477 7222		
Version Date	13/10/2020	Review Cycle	Triennial	Next Due	13/10/2023
Version	Decision to Advertise	Decision to Adopt	Synopsis		
1	19/12/2006 OCM (Item 12.1.5)	28/08/2007 OCM (Item 12.1.1)	Adoption of policy to facilitate and maintain high quality residential development compatible with existing and future business operations.		
2	25/11/2008 Special Council Meeting (Item 6.1)	14/02/2011 Special Council Meeting (Item 10.1)	Adoption of policy under LPS15 amended to refer to relevant clauses of Scheme 15.		