

Local Planning Policy - Non-Residential Development in the Residential Zone

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy - Non-Residential Development in the Residential Zone.

2. Purpose

To guide the development of non-residential land uses within the Residential zone.

3. Application

3.1 This policy applies to all non-residential land uses and development in the Residential zone, excluding, Child care premises, Unhosted short-term rental accommodation and Home business.

3.2 Where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

4.1 To ensure non-residential development is compatible with and complements the scale and character of surrounding residential areas.

4.2 To minimise the impact of non-residential uses on the amenity of surrounding residential areas.

4.3 To encourage non-residential uses to be located within close proximity to activity centres.

5. Development requirements

5.1 Preferred Location

5.1.1 Non-residential uses shall generally be located where they abut, or are opposite to an existing Neighbourhood or Local Centre.

5.1.2 Non-residential uses shall generally not be located:

- (a) On lots fronting 'Local Roads';

- (b) On lots where sole access is provided from a cul-de-sac, right-of-way, common driveway or battle-axe access leg;
- (c) Situated in isolation between residential uses; or
- (d) In areas where the established character is exclusively dominated by residential development.

5.2 Built Form and Building Design

- 5.2.1 Buildings shall generally be designed in accordance with the building height, street and side setback, plot ratio (where applicable), open space/site cover (where applicable) and overshadowing requirements of the Residential Design Codes (R-Codes) with regard to the assigned density code.
- 5.2.2 For the purposes of 5.2.1, R-Codes Volume 1 Part B applies to land coded R25 and below, R-Codes Volume 1 Part C applies to land coded R30 to R60, and R-Codes Vol.2 applies to land coded R80 and above.
- 5.2.3 With regard to lot boundary setback requirements under R-Codes Volume 1 Part B, any wall which contains a window, door, or any other opening (excluding highlight windows) will be treated as a major opening and subject to the setback requirements of Table 2b.
- 5.2.4 The built form of proposals shall be consistent with the existing residential character of the streetscape.
- 5.2.5 Building facades shall be designed to address the street via entries and windows and shall provide visual interest and surveillance to the public realm.

5.3 Traffic and Parking

- 5.3.1 Applications shall be accompanied by a Traffic Impact Statement or Traffic Impact Assessment in accordance with WAPC's Transport Impact Assessment Guidelines to demonstrate that the surrounding road network can accommodate any additional traffic generated by the proposal.
- 5.3.2 Vehicle parking shall be contained wholly on-site and should generally be to the rear of the lot and screened from view of neighbouring residential dwellings.

5.4 Landscaping

- 5.4.1 A minimum of 10% of the site area shall be landscaped.
- 5.4.2 Landscaping shall be located in street setback areas and along side boundaries.
- 5.4.3 Landscaping shall include existing and new trees in accordance with Table 1. Tree sizes and associated deep soil area to be provided in accordance with R-Codes Vol.2.

Table 1: Tree Provision requirements

Site Area	Minimum requirements for trees
Less than 700m ²	1 medium tree and small trees to suit area
700 – 1,000m ²	2 medium trees; Or 1 large tree and small trees to suit area
> 1,000m ²	1 large tree and 1 medium tree for each additional 400m ² in excess of 1,000m ² ; Or 1 large tree for each additional 900m ² in excess of 1,000m ² and small trees to suit.

5.4.4 All development applications shall include a landscaping plan on lodgement to the City.

5.5 Servicing

5.5.1 Services should be screened from view and located at the rear of the building where practical.

5.5.2 Any proposed bin storage area shall be designed and located so that it does not detract from the amenity of adjacent residential development.

5.6 Noise Management

5.6.1 An Acoustic Report and Noise Management Plan, prepared by a suitably qualified Acoustic Consultant, may be required for the development, where it is determined that the proposal may impact the surrounding properties through the generation of noise. This requirement will be determined on a case-by-case basis, based on land use, residential density, existing buildings, hours of operation and proposed scale of operations.

5.7 Operation

5.7.1 Non-residential uses in the Residential zone will generally be permitted to operate between the hours of 7:00am. and 7:00pm, Monday to Saturday and not at all on Sundays or public holidays.

5.7.2 Proposals are to be accompanied by a management plan, detailing nature of the business, number of staff, number of clients/customers, hours of operation and what measures will be taken to minimise amenity impacts on adjoining residential uses.

6. Definitions

Deep soil area: *In accordance with R-Codes Vol.2.*

Landscaping: *means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds and any such area approved by the City as landscaped area.*

Non-residential development: *means any development to which the Residential Design Codes (R-Codes) do not apply.*

R-Codes Volume 1: *Residential Design Codes Volume 1*

R-Codes Vol.2: *Residential Design Codes Volume 2*

7. Relevant Legislation, Policies, Documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

City of South Perth Local Planning Scheme No. 7

City of South Perth Local Planning Policies

Residential Design Codes Volume 1

Residential Design Codes Volume 2

8. Document Control

Adoption date	OCM 28 May 2024
Date Modified	None
Strategic Community Plan Reference	Economy Environment (Built and Natural)