

Non-Residential Uses in Residential Zones

Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit	Property and Economic Development
Responsible Officer	Manager Property and Economic Development
Affected Business Units	Property and Economic Development Statutory Planning and Compliance
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Purpose

This policy is intended to guide the development of those non-residential uses that may be considered in the City of Bayswater's residential zones.

Objectives

The objectives of this policy are to:

1. Ensure that non-residential development is consistent with, and does not detract from residential scale, character and amenity.
2. Ensure that any potential undue amenity impacts are appropriately managed.

Introduction

The City of Bayswater's town planning scheme includes a number of non-residential uses that may be considered in residential zones.

The primary purpose of the City's residential zones is to accommodate residential uses; therefore, non-residential uses will only be considered favourably where it can be adequately demonstrated that they will not unduly impact upon the amenity of the surrounding residential area.

Scope

This policy applies to all non-residential development and land use in residential zones within the City of Bayswater.

Requirements

1. Location

- (a) Non-residential uses in residential zones shall be located adjacent to established commercial, industrial or mixed-use zones and facing the same street as those land uses, to act as a transition between them and surrounding residential areas.
- (b) Proposals to locate non-residential uses in residential zones on local access roads, in a cul-de-sac and/or situated in isolation between residential uses will generally not be supported.
- (c) Non-residential uses shall be restricted to lots, buildings or parts of a building that have direct frontage to a street or public right-of-way, i.e. not accessed via a battle-axe or shared driveway.
- (d) Notwithstanding the above, specific locational requirements will not be applied to:
 - i. The extension of an existing, approved non-residential use
 - ii. Car park (only when in association with a Display Home Centre or Home Store)
 - iii. Display Home Centre
 - iv. Home Store
 - v. Public Utility
 - vi. Radio Equipment.

2. Operation

- (a) A non-residential use in a residential zone shall not unduly impact upon local amenity through traffic generation, car parking inadequacies, or emissions including, but not limited to noise, odour or waste.
- (b) Non-residential uses in residential zones will be permitted to operate between the hours of 7:00 a.m. and 7:00 p.m. and not on Sundays or public holidays.
- (c) An Operational Management Plan shall be provided detailing how the use will be operated and what measures will be taken to minimise undue amenity impacts on adjoining residential uses.
- (d) Any approved development is to be operated in accordance with the operational management plan and any subsequent variation will require the submission of a new application for development approval.

3. Development Controls

- (a) The development is to be of a scale and form that is consistent with the surrounding residential area, and not detract from the amenity of adjoining properties.
- (b) The development shall be designed in accordance with the City's Town Planning Scheme and the Residential Design Codes.
- (c) Facades fronting the street or public domain shall be designed in accordance with relevant principles of the Crime Prevention Through Environmental Design (CPTED) Planning Guidelines prepared by Department of Planning, Lands and Heritage and address matters such as personal safety, passive surveillance and vandalism minimisation.

- (d) Car parking is to be contained entirely within the site, designed in accordance with Australian Standards AS2890.1 and/or AS 2890.2, located to the rear of the building and designed to allow for all vehicles to enter the street in a forward gear.
- (e) Only one crossover permitted per lot.
- (f) The public road verge is not to be developed or relied upon for car parking.
- (g) A minimum of 2 bicycle parking facilities shall be provided, and end of trip facilities are encouraged for all non-residential development.
- (h) Landscaping is to be used to enhance the streetscape with a minimum landscaping strip of 1.5 metres wide provided to all street boundaries.
- (i) A single sign of up to 0.2m² in area is permitted. Larger signs may be considered where it can be adequately demonstrated that there will be no detrimental impact on residential character or amenity.
- (j) Services, air conditioners, and other service equipment should be screened from view, and located at the rear of the building where practicable.
- (k) Bin storage areas are to be in accordance with the following requirements:
 - i. Bin storage areas must be screened from view by a wall not less than 1.8 metres in height, constructed of brick, masonry or other approved material, and located behind the main dwelling line or primary street setback whichever the greater.
 - ii. Bin storage areas must be accessible to waste collection vehicles and not adversely affect car parking and vehicular or pedestrian access.
- (l) All lighting is to be installed in accordance with Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting not result in negative impacts on surrounding residential properties.

4. Advertising development applications

- (a) Applications for non-residential uses may be advertised for public comment at the discretion of the City of Bayswater.

Related legislation

City of Bayswater Town Planning Scheme

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*

Planning and Development (Planning Codes) Regulations 2024

Residential Design Codes

Related documentation

Crime Prevention through Environmental Design Planning Guidelines

Document details

Relevant delegations	TP-D01 Local Planning Schemes		
Risk evaluation	Low-Medium		
Strategic link	E1 and L4		
Council adoption	11 February 2020	Resolution	10.5.1.1
Reviewed/modified	26 August 2025	Resolution	10.5.1.6.3
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