

New Homes And Additions

Last updated May 2016



Introduction

This information brochure explains Council's requirements for new houses, and additions to existing houses on existing allotments of land.

Council's requirements for residential developments vary, dependent on the zoning of the property. To find out which zone and policy area a property is located in, you may:

- Refer to the Mapping Section contained in the Marion Council Development Plan (available for viewing at www.planning.sa.gov.au).
- Refer to the map titled "Marion's Residential Zones and Policy Areas" located on Council's webpage (www.marion.sa.gov.au, select *Development* or *Planning & Building*, then *Information Guides and Forms*)
- Contact the City of Marion on 8375 6600

For more information regarding the objectives, desired character and principles of development control regarding a specific policy area, please refer to the Marion Council Development Plan, or to the associated Policy Area brochures available on Council's webpage, or at Council's Administration Centre. A separate information brochure titled "Residential Developments" explains Council's requirements for residential developments where more than one dwelling is being proposed.

Design Requirements

Front Setback

The main face of dwelling should be set back from the primary road frontage in accordance with the following table:

Where no established streetscape exists	8 metres from arterial roads
	8 metres from any road within <i>Hills Policy Area 11</i>
	5 metres in all other circumstances
Where an established streetscape exists	5 metres within <i>Medium Density Policy Area 12</i> and <i>Regeneration Policy Area 16</i> (except where located on an arterial road)
	8 metres from arterial roads
	8 metres from any road within <i>Hills Policy Area 11</i>

All other cases:

- a) where the setback difference between buildings on adjoining allotments with the same primary street frontage is less than 2 metres: the same setback as one of the adjoining buildings.
- b) Where the setback difference between buildings on adjoining allotments with the same primary street frontage is greater than 2 metres: at least the average setback of the adjoining buildings

Except in areas where a new character is desired, the setback of buildings from public roads should:

- a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
- b) contribute positively to the function, appearance and/or desired character of the locality.

Secondary Street Setback

In the case of a corner allotment, the minimum setback distance for a dwelling from the secondary road frontage should be as follows:

- 2 metres within *Medium Density Policy Area 12*, *Northern Policy Area 13*, *Regeneration Policy Area 16* and *Worthing Mine Policy Area 20*.
- 3 metres in all other circumstances.

Side Setbacks

Minimum setback from side boundaries where the wall height is not greater than 3 metres:

- (a) 2 metres within *Hills Policy Area 11*
- (b) 0.9 metres in all other circumstances.

Where the wall height is between 3 metres and 6 metres:

- (a) 3 metres if adjacent southern boundary
- (b) 2 metres in all other circumstances.

Where the wall height is greater than 6 metres:

- (a) if not adjacent the southern boundary, 2 metres plus an additional setback equal to the increase in wall height above 6 metres
- (b) if adjacent the southern boundary, 3 metres plus an additional setback equal to the increase in wall height above 6 metres.

Building on a Side Boundary

Dwellings and associated garages and/or carports should only abut one side boundary (excluding common walls associated with semi-detached, row or residential flat dwellings).

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Walls on boundaries are generally not appropriate in the *Hills Policy Area 11*, that part of *Residential Character Policy Area 17* within the suburb of Marion, and *Watercourse Policy Area 19*.

In all other policy areas of the Residential Zone, dwelling walls located on side boundaries should not exceed 8 metres in length and 3 metres in height.

Where a wall adjoins communal open space or a public reserve it should not exceed 50 per cent of the length of the boundary and 4 metres in height.

Rear Setbacks

Dwellings should be set back from rear boundaries the following minimum distances:

- a) 6 metres for single storey parts of the dwelling (where no wall height exceeds 3 metres), and
- b) 8 metres for all other parts of the dwelling with a wall height greater than 3 metres, subject to the following variations:
 - i. within *Hills Policy Area 11* - (a) is 8 metres;
 - ii. within *Medium Density Policy Area 12* and *Regeneration Policy Area 16* - (b) is 6 metres;
 - iii. within *Medium Density Policy Area 12*, *Northern Policy Area 13*, *Racecourse Policy Area 15*, *Regeneration Policy Area 16*, *Southern Policy Area 18*, *Worthing Mine Policy Area 20* - (a) may be reduced to 3 metres for no more than 50 per cent of the width of the rear boundary.

Building Height

Maximum building height (from natural ground level):

- a) *Medium Density Policy Area 12*:
 - i. 2 storeys of not more than 9 metres
 - ii. 2 storeys with an ability to provide a 3 storey addition within the roof space of not more than 10 metres
- b) *Regeneration Policy Area 16*, 3 storeys of not more than 12 metres
- c) *Residential Character Policy Area 17*:
 - i. within the suburb of Marion, 2 storeys of not more than 9 metres
 - ii. in all other areas, one storey with an ability to provide a 2 storey addition within the roof space subject to Principles of Development Control within the policy area of not more than 7 metres
- d) all other policy areas, 2 storeys of not more than 9 metres.

Buildings on battle-axe allotments or the like should be single storey to reduce the visual impact of taller built form towards the rear of properties, and to maintain the privacy of adjoining residential properties.

Private Open Space (POS)

Dwellings should include POS that conforms to the requirements identified in the following table:

Site area of dwelling	Minimum area of POS	Provisions
Less than 175 square metres	35 square metres	Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater and they have a minimum dimension of 2 metres. One part of the space should be directly accessible from a living room, have an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10. The remainder of the space should have a minimum dimension of 2.5 metres.
175 square metres or greater	20 per cent of site area	Balconies, roof patios, decks and the like, can comprise part of this area provided the area of each is 10 square metres or greater and they have a minimum dimension of 2 metres. One part of the space should be directly accessible from a living room and have an area equal to or greater than 10 per cent of the site area with a minimum dimension of 5 metres and a maximum gradient of 1-in-10. The remainder of the space should have a minimum dimension of 2.5 metres.

Dwellings comprising of supported accommodation should provide a minimum area of private open space of 30 square metres, one part of which should be capable of containing a rectangle of at least 3 metres by 5 metres.

Private open space should be provided for exclusive use by residents of each dwelling, and should be sited and designed:

- a) to be accessed directly from the internal living rooms of the dwelling
- b) to be generally at ground level (other than for dwellings without ground level internal living rooms)
- c) to be located to the side or rear of a dwelling and screened for privacy
- d) to take advantage of, but not adversely affect, natural features of the site
- e) to minimise overlooking from adjacent buildings
- f) to achieve separation from bedroom windows on adjacent sites

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- g) to have a northerly aspect to provide for comfortable year round use
- h) to not be significantly shaded during winter by the associated dwelling or adjacent development
- i) to be partly shaded in summer
- j) to minimise noise or air quality impacts that may arise from traffic, industry or other business activities within the locality
- k) to have sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.

Private open space should not include:

- a) any area covered by a dwelling, carport, garage or outbuildings
- b) driveways, effluent drainage areas, rubbish bin storage areas, site for rainwater tanks and other utility areas
- c) common areas such as parking areas and communal open spaces
- d) any area at ground level at the front of the dwelling (forward of the building line)
- e) any area at ground level with a dimension less than 2.5 metres

A minimum of 50% of the private open space provided should be open to the sky and free from verandas.

Car parking

Dwellings should incorporate the following minimum number of on-site car parking spaces:

Detached Semi-detached Row	2 per dwelling containing up to 3 bedrooms*, one of which is to be covered. 3 per dwelling containing 4 or more bedrooms*, one of which is to be covered.
Group Residential flat building	1.5 per dwelling, one of which is to be covered, plus 1 visitor space per 3 dwellings.

* "Bedrooms" includes rooms capable of being used as bedrooms.

Garages, Carports, Verandas and Outbuildings

Garages, carports, verandahs and outbuildings, whether freestanding or not, should not dominate the streetscape and (except where otherwise specified) be designed within the following parameters:

Parameter	Value
Maximum floor area	60 square metres
Maximum wall or post height	3 metres
Maximum building height	5 metres
Maximum height of	0.3 metres

finished floor level	
Minimum setback from a primary road frontage	Garages and carports; 5.5 metres and at least 0.5 metres behind the main face of the dwelling, or in line with the main face of the dwelling if the dwelling incorporates minor elements such as projecting windows, verandas, porticos, etc which provide articulation to the building as it presents to the street. Outbuildings should not protrude forward of any part of the associated dwelling.
Minimum setback from a secondary road frontage	0.9 metres or in-line with the associated dwelling (whichever is the lesser)
Minimum setback from a rear or side vehicle access way	1 metre
Minimum setback from side or rear boundaries (when not located on the boundary)	0.6 metres for an open structure, or 0.9 metres for a solid or enclosed wall
Maximum length on the boundary	8 metres or 45 per cent of the length on that boundary (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing the street	6 metres or 50 per cent of the width of the front façade of the dwelling to which the garage or carport is associated (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing a rear access lane	No maximum

Garages, carports, verandas and outbuildings should have a roof form and pitch, building materials and detailing that complements the associated dwelling.

Vehicle Access

The width of driveway crossovers serving single dwellings should be minimised and have a maximum width of:

- (a) 3 metres wide for a single driveway
- (b) 5 metres wide for a double driveway.

The number of vehicle access points onto a public road should be minimised and each access point should be a minimum of 6 metres apart to maximise opportunities for on street parking.

Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, pram ramps etc.).

On an arterial road, vehicle access points should be minimised or avoided where possible, and vehicles

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should be able to enter and exit the site in a forward direction. Council is required to refer most applications for development on land fronting an arterial road to the Commissioner of Highways for advice and direction.

Visual Privacy

Buildings with upper level windows, balconies, terraces and decks should minimise direct overlooking of habitable rooms and private open spaces of dwellings through one or more of the following measures:

- a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
- b) building setbacks from boundaries (including boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms
- c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.

Permanently fixed external screening devices should be designed and coloured to complement the associated building's external materials and finishes.

Overshadowing

The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of:

- a) windows of habitable rooms
- b) upper-level private balconies that provide the primary open space area for a dwelling
- c) solar collectors (such as solar hot water systems and photovoltaic cells).

Development should ensure that:

- a) north-facing windows to living rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9 am and 3 pm on the 21 June
- b) ground level private open space of existing buildings receive direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June to at least the smaller of the following:
 - i. half of the existing ground level private open space
 - ii. 35 square metres of the existing ground level private open space
- c) where overshadowing already exceeds the requirements contained in part (b), development should not increase the area overshadowed.

Design & Appearance

Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- (a) building height, mass and proportion
- (b) external materials, patterns, colours and decorative elements
- (c) roof form and pitch
- (d) façade articulation and detailing
- (e) verandas, eaves, parapets and window screens.

Dwellings and accommodation at ground floor level should contribute to the character of the locality and create active, safe streets by incorporating one or more of the following:

- a) front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants
- b) individual entries for ground floor accommodation
- c) opportunities to overlook adjacent public space.

Entries to dwellings or foyer areas should be clearly visible from the street, or from access ways that they face, to enable visitors to easily identify individual dwellings and entrance foyers.

Dwellings should be designed and oriented to address the street by presenting a front entrance door, porch/portico/veranda and habitable room windows toward the primary street frontage.

Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.

Buildings, landscaping, paving and signage should have a coordinated appearance that maintains and enhances the visual attractiveness of the locality.

Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.

Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

Energy Efficiency

Development should provide for efficient solar access to buildings and open space all year around.

Buildings should be sited and designed:

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- (a) to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings
- (b) so that open spaces associated with the main activity areas face north for exposure to winter sun.

Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:

- (a) taking into account overshadowing from neighbouring buildings
- (b) designing roof orientation and pitches to maximise exposure to direct sunlight.

Noise

Residential development close to high noise sources (e.g. major roads, railway lines, tram lines, industry, and airports) should be designed to locate bedrooms, living rooms and private open spaces away from those noise sources, and protect these areas with appropriate noise attenuation measures.

Residential development on sites abutting established collector or higher order roads should include a landscaped buffer between the dwellings and the road as well as front fences and walls that will supplement the noise control provided by the building facade.

Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid nuisance to adjoining landowners and occupiers.

Sloping Land

The cutting and/or filling of land should:

- a) be kept to a minimum and be limited to a maximum depth or height no greater than 1.5 metres so as to preserve the natural form of the land and the native vegetation
- b) only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment
- c) only be undertaken if the resultant slope can be stabilised to prevent erosion
- d) result in stable slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character of the area.

Retaining walls should:

- a) not exceed 1.5 metres in height
- b) be stepped in a series of low walls if more than 1.5 metres is to be retained in total
- c) be constructed to a high standard from high amenity materials

- d) be landscaped to enhance their appearance.

Other Information

Public Notification

Some types of residential developments require public notification. For more information, please refer to Council's information brochure titled "*Public Notification*".

Stormwater Detention

In residential areas north of Seacombe Road, all new houses must be provided with an on-site stormwater detention/retention system (this slows the flow of stormwater that is discharged to the street water table). Stormwater Detention Systems should be designed to meet the runoff flow requirements contained in Council's information brochure titled "*Stormwater Detention*".

Easement and Encumbrances

The Certificate of Title for a property contains information regarding the location and nature of any easements and the details of any encumbrances that apply to the land. If your proposed development extends over an easement or is affected by an encumbrance on your property, documentation must be submitted to the Council demonstrating that the authority controlling the easement (e.g. SA Water, SA Power Networks) have approved the proposed development.

Regulated and Significant Trees

Any work that may substantially damage or affect a regulated or significant tree or trees requires approval from the Council. For clarification on what a regulated/significant tree is and what are considered to be tree damaging activities, please refer to Council's information brochure titled "*Regulated & Significant Trees*".

Flooding

The Cities of Marion and Holdfast Bay have released a long-term plan which identifies properties at risk of inundation in a 1-in-100 year average return interval (ARI) flood event. Properties at risk of inundation can be identified via maps on the following website:

<http://www.marion.sa.gov.au/page.aspx?u=858>

Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following:

- a) it is developed with a public stormwater system capable of catering for a 1-in-100 year average return interval flood event; and

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- b) buildings are designed and constructed to prevent the entry of floodwaters in a 1-in-100 year average return interval flood event.

Proposed development in flood-affected areas will be subject to review by Council's Engineering Department to ensure that the above can be achieved.

National Broadband Network (NBN)

The Telecommunications Act requires new dwellings to be "fibre-ready". Residents and developers should familiarise themselves with the technical criteria for the required infrastructure. More information is available at www.nbn.com.au

Want to Know More?

The above information is advisory only. It is intended to provide a guide and a general understanding of the key points associated with the particular topic. It is not a substitute for reading the relevant legislation or the Development Plan. It is recommended that if you are intending to undertake development, you seek professional advice or contact the Council for any specific enquiries or for further assistance.

City of Marion - Development and Regulatory Services Department

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Site Coverage & Floor Area Ratio

Site coverage and floor area ratio should not exceed that outlined in the following table. Additionally, a minimum of 20% of the total site area should be pervious and remain undeveloped including driveways, car parking areas, paved areas and other like surfaces.

<i>Policy Area</i>	<i>Maximum Site Coverage</i>		<i>Maximum Floor Area Ratio</i>
Cement Hill Policy Area 10	40%		--
Hills Policy Area 11	35%		0.4
Medium Density Policy Area 12	Site area > 325 m ²	building up to 2 storeys: 40%	0.6
		2 storey building with a 3rd storey within the roof space: 40%	0.8
	250 - 325 m ²	130 m ²	0.6
	< 250 m ²	100 m ²	0.7
Northern Policy Area 13	40%		0.6
Oaklands Park Policy Area 14	40%		--
Racecourse Policy Area 15	60% (house & horse keeping activities)		--
Regeneration Policy Area 16	Site area > 325 m ²	building up to 2 storeys: 40%	0.6
		3 storey building: 40%	0.8
	250 - 325 m ²	130 m ²	0.6
	200 - 249 m ²	100 m ²	0.7
	< 200 m ²	80 m ²	0.7
Residential Character Policy Area 17	40%		0.5
Southern Policy Area 18	35%		0.5
Watercourse Policy Area 19	--		--
Worthing Mine Policy Area 20	50%		0.7
Coastal Policy Area 21	35%		0.4

Site coverage comprises the total roofed area of all buildings on the site, divided by the site area.

Site area is the total land size of a dwelling and its curtilage, excluding the area of the "handle" of hammerhead/battle-axe allotments and common areas in a group or residential flat building development.

Floor area ratio means the ratio between—

- (a) the total floor area contained on all floors within a building or buildings (excluding areas permanently set aside for the parking, loading, unloading or movement of vehicles); and
- (b) the area of the site, where the area of the site is expressed as unity.

Site coverage should not exceed the amount specified by the relevant policy area unless it is demonstrated that doing so:

- (a) would not be contrary to the relevant setback and private open space provisions
- (b) would not adversely affect the amenity of adjoining properties
- (c) would not conflict with other relevant criteria of this Development Plan.