

Subdividing while retaining an Existing Dwelling



Introduction

This brochure provides a summary of Council's requirements when building an additional dwelling(s) on an allotment where a house already exists and is to be retained (i.e. in a battleaxe/hammerhead configuration or on a corner allotment).

These requirements apply to both the existing and new dwelling(s). This brochure summarises the Development Plan requirements for site area, frontage width, depth, private open space, car parking, driveway width, setbacks and site coverage. For a more comprehensive summary of relevant criteria, please refer to the brochure titled "Residential Developments" and the Marion Council Development Plan.

Information to be submitted with an application

Applications which involve the retention of existing buildings on a property require the submission of a survey plan (drafted by a licensed surveyor based on a survey of the land) to confirm the precise location of existing buildings/structures. This information is critical to ensure that existing buildings/structures are located in accordance with Council's design criteria, such as driveway width, private open space, setbacks, etc.

Please refer to Council's information brochure titled "Information to be Supplied with an Application" for further details of all information required to lodge an application.

Site Area

A dwelling may be classified as a "detached" dwelling if it maintains its own driveway and street frontage (i.e. Torrens Title allotment). If the dwelling gains vehicle access from a shared common driveway as part of the new development, it will be classified as a "group" dwelling (i.e. Community Title allotment).

The minimum site areas for each dwelling type are detailed below:

Policy Area	Detached Dwelling (m ²)	Group Dwelling (m ²)
Hills 11	700-1100*	700-1100*
Medium Density 12	300	250
Northern 13	375	300
Oaklands Park 14	420	450
Racecourse 15	560	Not permitted
Regeneration 16	250	250
Residential	420**	Not permitted

Character 17		
Southern 18	420	300
Worthing Mine 20	300-540*	Not permitted

* Dependent on gradient of land

** Battleaxe/hammerhead allotments are not permitted.

Note: In the case of a battleaxe allotment, the area of battleaxe driveway (or "handle" of such an allotment) is excluded from site area.

Depth

An allotment for the purposes of a detached dwelling should not be less than 20 metres in depth.

An allotment for the purposes of group dwellings should not be less than 45 metres in depth.

Frontage Width

Policy Area	Detached Dwelling (m)	Group Dwelling (m)
Hills 11	18-20*	24-26*
Medium Density 12	10	18
Northern 13	12	20
Oaklands Park 14	15	20
Racecourse 15	15	Not permitted
Regeneration 16	9	18
Residential Character 17	15**	Not permitted
Southern 18	14	20
Worthing Mine 20	10-18*	Not permitted

* Dependent on gradient of land

** Battleaxe/hammerhead allotments are not permitted.

Driveway Width

The "handle" of battleaxe/hammerhead allotments should maintain a minimum width of 4.0 metres, which consists of a driveway width of 3.0 metres and 0.5 metre width landscaping strips on both sides of the driveway.

Additionally, an existing dwelling should be set back at least 0.9 metres from the "handle" driveway/boundary.

Bedroom windows should be separated or shielded from the driveway to minimise noise and light intrusion.

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Private Open Space (POS)

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

Minimum area of POS	Provisions
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.

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

- to be accessed directly from the internal living rooms of the dwelling
- to be generally at ground level (other than for dwellings without ground level internal living rooms)
- to be located to the side or rear of a dwelling and screened for privacy
- to take advantage of, but not adversely affect, natural features of the site
- to minimise overlooking from adjacent buildings
- to achieve separation from bedroom windows on adjacent sites
- to have a northerly aspect to provide for comfortable year round use
- to not be significantly shaded during winter by the associated dwelling or adjacent development
- to be partly shaded in summer
- to minimise noise or air quality impacts that may arise from traffic, industry or other business activities within the locality
- 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:

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

Both the existing dwelling and the proposed new dwelling(s) 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, verandas 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 finished floor level	0.3 metres
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

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	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.

Rear Setbacks

Both the existing dwelling and new dwelling(s) 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 on a Side Boundary

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.

Dwellings and associated garages and/or carports should only abut one side 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.

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.

Driveways serving hammerhead sites, or more than one dwelling, should satisfy the following:

Dwellings served	Trafficable width (metres)		Width beyond first 6 metres	Minimum landscape strips on both sides of driveway (metres)
	Intersection with public road and first 6 metres			
	Arterial roads	Other roads		
1 – 3	6	3	3	0.5
4 – 7	6	5	3	0.8
8 or more	6	6	5	1.0

Driveways serving 3 or more dwellings which exceed 30 metres in length should include one passing section of not less than 5 metres trafficable width for each 25 metre section of 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.

A minimum of one on-street car parking space should be provided for every 2 allotments unless separately defined

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shared visitor parking spaces exist on-site and at the same ratio (e.g. for group dwellings or residential flat buildings).

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 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.

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
- (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.