

Southern Suburbs Residential Policy - Code Amendment

By Marion Council

Draft for Consultation

Version: 8 August 2023

HAVE YOUR SAY	4
1. WHAT IS THE PLANNING AND DESIGN CODE?	5
1.1 Planning and Design Code Framework	5
1.2 Overlays	5
1.3 Zones	5
1.4 Sub zones	5
1.5 General Development Policies	5
1.6 Amending the Planning and Design Code	5
2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?	7
2.1 Need for the amendment	7
2.2 Affected Area/s	7
2.3 Summary of proposed policy changes	9
3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?	12
3.1 Engagement	12
3.2 How can I have my say on the Code Amendment?	12
3.3 What changes to the Code Amendment can my feedback influence?	13
3.4 What will happen with my feedback?	13
3.5 Decision on the Code Amendment	14
4. ANALYSIS	15
4.1 Strategic Planning Outcomes	15
4.2 Infrastructure planning	16
4.3 Investigations	17
ATTACHMENT A – AFFECTED AREA MAPPING.....	25
ATTACHMENT B – CURRENT CODE POLICY	28
ATTACHMENT C – PROPOSED CODE POLICY.....	31
ATTACHMENT D – STRATEGIC PLANNING OUTCOMES.....	46
State Planning Policies	46
Regional Plans	47

HAVE YOUR SAY

This Code Amendment is on consultation from Monday 4 September 2023 to Friday 27 October 2023.

During this time, you are welcome to lodge a written submission about any of the changes proposed in this Code Amendment.

More information can be obtained from:

- Attending one of the community drop-in sessions to be held at
 - Cove Civic Centre, 1 Ragamuffin Drive, Hallett Cove on:
 - Wednesday 20 September 2023 – 3pm to 5pm; or
 - Wednesday 20 September 2023 – 6:30pm – 8:30pm
 - City of Marion Administration Centre on:
 - Thursday 12 October 2023 – 6pm to 8pm
- Contacting David Barone, Senior Strategic and Policy Planner on 8375 6667 or david.barone@marion.sa.gov.au

Submissions can be made before midnight on Friday 27 October 2023 via the following options:

- completing the online survey at makingmarion.sa.gov.au/southernsuburbs
- email your comments to council@marion.sa.gov.au (please ensure you include reference to the Southern Suburbs Code Amendment, your name and contact details in the email)
- posting hard copy survey form or other written submission to 'Southern Suburbs Code Amendment' City of Marion, PO Box 21 Park Holme SA 5043.

1. WHAT IS THE PLANNING AND DESIGN CODE?

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

1.1 Planning and Design Code Framework

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the PlanSA portal.

1.2 Overlays

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk.

They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy trumps the zone policy.

1.3 Zones

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

1.4 Sub zones

Sub zones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

1.5 General Development Policies

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

1.6 Amending the Planning and Design Code

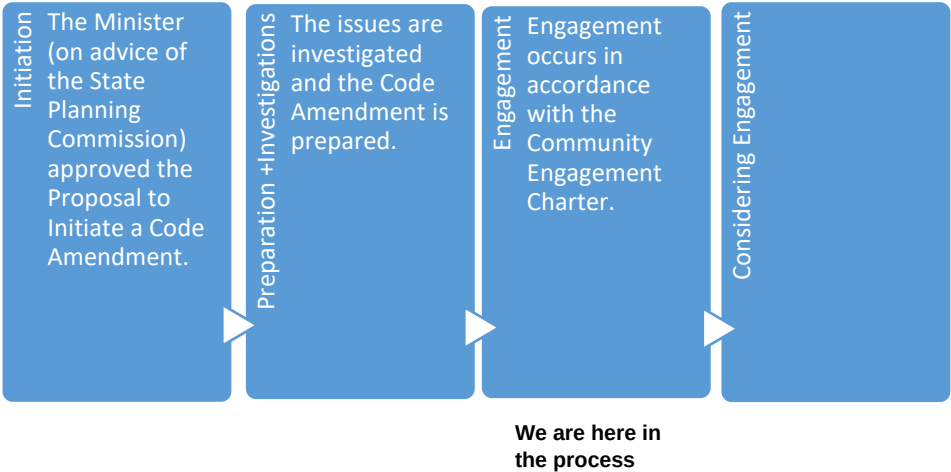
The *Planning, Development and Infrastructure Act 2016* (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint Planning Board, Government Agency, or private proponent may initiate an amendment to the Code and undertake a Code Amendment process.

An approved Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form.

The State Planning Commission (the Commission) is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

The Commission provided independent advice to the Minister for Planning and Local Government on the Proposal to initiate this Code Amendment. The Commission will also provide a report on the Code Amendment (including compliance with the Community Engagement Charter) at the final stage of the Code Amendment process.

The Code Amendment Process



2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

2.1 Need for the amendment

In transitioning to the Planning and Design Code, much of Marion Council's southern suburbs have been rezoned to Hills Neighbourhood Zone (HNZ) and some to the Suburban Neighbourhood Zone which has created a number of policy issues as summarised below.

Hills Neighbourhood Zone

Although the Hills Neighbourhood Zone recognises the sloping nature of the land, the site dimensions and slope gradients require further consideration. Currently, the site dimensions (minimum site area and frontage widths) reflect those of the 3 different Residential Zone Policy Areas under the former Development Plan.

Retaining the varying allotment sizes associated with the different former policy areas on land that has similar topographical characteristics lacks consistency in opportunity for redevelopment.

The resultant Code policy also does not reflect development that has occurred within these locations and unreasonably limits development potential in certain circumstances. There are opportunities for low density infill development in many of these established residential areas (particularly Darlington, Marino, Seacliff Park, Seacombe Heights, Seaview Downs) where much of the housing stock has reached an age where the buildings are no longer of a condition, design and/or size that meets the needs of residents. Many comprise small houses on larger than average suburban allotments (800m² +/-).

As a result, the most appropriate site areas and frontage widths relative to different site slopes in these locations requires further consideration.

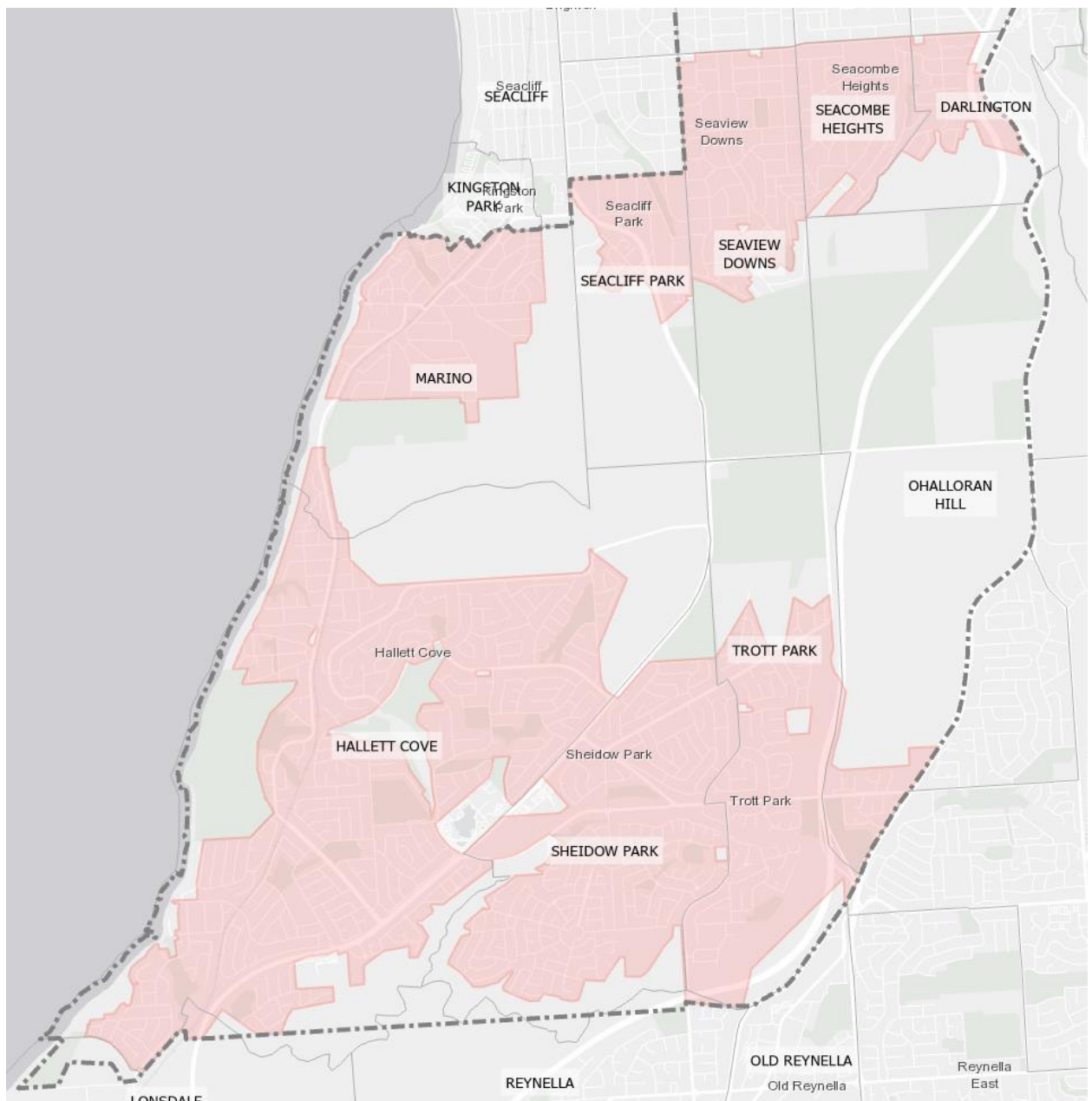
Suburban Neighbourhood Zone

The former Southern Policy Area and former Cement Hill Policy Area (from the previous Development Plan) have been transitioned to the Suburban Neighbourhood Zone, which has no slope related policy. These two areas share similar topographical characteristics to the other three policy areas that have been included in the Hills Neighbourhood Zone, and require a more appropriate policy framework that addresses the challenges that sloping land provides and achieves better design outcomes.

Council is therefore seeking that those southern residential areas recently rezoned to the Suburban Neighbourhood Zone be rezoned to the Hills Neighbourhood Zone and that one set of consistent (and appropriate) slope related policy is used to guide minimum site areas and frontage width for different dwelling types across these areas. This will balance and aid in better guiding where opportunities for subdivision/redevelopment should occur (more gently sloping locations) and where appropriate limitations in increased intensity of development should occur (steeply sloping locations).

2.2 Affected Area/s

The areas affected by the proposed amendment are described as being the residentially zoned land (Hills Neighbourhood Zone and Suburban Neighbourhood Zone) in the suburbs of Darlington, Hallett Cove, Marino, O'Halloran Hill, Seacliff Park, Seacombe Heights, Seaview Downs, Sheidow Park and Trott Park within the City of Marion, shown in the map below and in more detail on the maps within **Attachment A**.



2.3 Summary of proposed policy changes

2.3.1 Current Code Policy

The Affected Areas are currently located in the **Hills Neighbourhood Zone (HNZ)** and the **Suburban Neighbourhood Zone (SNZ)** in the Code, as shown in **Attachment B**:

Hills Neighbourhood Zone (HNZ)

The former Development Plan covered the suburbs in the Hills Neighbourhood Zone within three separate residential policy areas (Hills Policy Area / Worthing Mine Policy Area / Foothills and Seaside Policy Area). Although sharing similar topographical characteristics, minimum site area and frontage policy varies considerably between the former policy areas, and therefore suburbs within the zone in the affected area. These variations related to:

- Different slope gradient parameters (although these have been transitioned to one set of parameters (<1:8 / 1:8 – 1:4 / >1:4) within the Planning and Design Code);
- Substantially diverse minimum site areas and frontages resulting in a lack of consistency in opportunity for redevelopment, despite similarity in land characteristics (relating to slopes). These range in site areas from 300m² to 1,200m² and frontages of 10 to 20 metres, depending on the dwelling type and slope (refer Table 1 for more detail).
- Variations in the types of dwellings envisaged within the policy area with some locations supporting the full range of dwelling types while others supporting either some forms or only detached dwellings (see Table 1 for more detail).

The maximum building height across the affected areas within the HNZ are currently 2 building levels or 9 metres, and this is not proposed to be changed.

Suburban Neighbourhood Zone (SNZ)

The Suburban Neighbourhood Zone accommodates low density housing that is consistent with the established local context and pattern of development. However, the areas covered by the zone within the affected area (portion of Seacliff Park, Trott Park and portions of Sheidow Park) share similar topographical characteristics to the suburbs within the HNZ, yet the SNZ does not provide any slope related policy relating to site dimensions and management of visual prominence of buildings and earthworks. This provides potential for subdivision/redevelopment to occur in inappropriately steep locations, as well as a lack of clear policy direction in the management of retaining walls and inappropriately massed buildings and sites.

Site dimension policy (TNVs) within the existing zone also varies between the suburbs covered by the SNZ, reflecting the criteria of the two previous residential policy areas (Cement Hill Policy Area / Southern Policy Area) under the former Development Plan. All forms of dwellings in the area covered by the former Cement Hill Policy Area have the same site area and frontage criteria (420m² / 15m), whereas site dimensions for properties covered by the former Southern Policy Area vary, dependent on the dwelling type.

Further detail of the site dimensions and applicable dwelling types is indicated in the table below:

The maximum building height across the affected areas within the SNZ are currently 2 building levels or 9 metres, and this is not proposed to be changed.

Table 1: Current Zones and associated Site Area/Frontages Technical and Numerical Variations as they apply across different dwelling types.

Dwelling Type	Site Gradient	Site Area / Frontage				
		Hills Neighbourhood Zone			Suburban Neighbourhood Zone (no gradient related criteria)	
		Former Foothills and Seaside Policy Area (Dev Plan) (gradient >1:8 have same criteria)	Former Hills Policy Area (Dev Plan)	Former Worthing Mine Policy Area (Dev Plan) (gradient >1:8 have same criteria)	Former Cement Hill Policy Area (Dev Plan)	Former Southern Policy Area (Dev Plan)
Detached Dwelling	< 1:8	350m ² /10m	700m ² /18m	450m ² /15m	420m ² /15m	420m ² /14m
	1:8 – 1:4	400m ² /12m	900m ² /20m	540m ² /18m	420m ² /15m	420m ² /14m
	>1:4	400m ² /12m	1100m ² /20m	540m ² /18m	420m ² /15m	420m ² /14m
Semi-Detached Dwelling	< 1:8	350m ² /10m		450m ² /15m	420m ² /15m	350m ² /12m
	1:8 – 1:4	400m ² /12m		540m ² /18m	420m ² /15m	350m ² /12m
	>1:4	400m ² /12m		540m ² /18m	420m ² /15m	350m ² /12m
Row Dwelling	< 1:8	300m ² /9m		450m ² /15m	420m ² /15m	280m ² /8m
	1:8 – 1:4	350m ² /10m		540m ² /18m	420m ² /15m	280m ² /8m
	>1:4	350m ² /10m		540m ² /18m	420m ² /15m	280m ² /8m
Group Dwellings	< 1:8	300m ² /20m	700m ² /24m		420m ² /15m	300m ² /20m
	1:8 – 1:4	400m ² /20m	900m ² /26m		420m ² /15m	300m ² /20m
	>1:4	400m ² /20m	1100m ² /26m		420m ² /15m	300m ² /20m
Residential Flat Buildings	< 1:8	300m ² /20m			420m ² /15m	250m ² /20m
	1:8 – 1:4	400m ² /20m			420m ² /15m	250m ² /20m
	>1:4	400m ² /20m			420m ² /15m	250m ² /20m

2.3.2 Proposed Code Policy

The Code Amendment proposes the following changes:

- rezone the existing locations within the affected area currently in the Suburban Neighbourhood Zone into the Hills Neighbourhood Zone
- provide a consistent suite of Technical and Numerical Variations relating to minimum site areas and minimum frontages widths for different dwelling types across the defined gradient ranges found within the Hills Neighbourhood Zone as detailed in Table 2 below
- apply the Noise and Air Emissions Overlay to properties within the Affected Area abutting Main South Road, Southern Expressway and Lonsdale Road to better address the interface of housing with these roads as noise and air quality sources.

Table 2: Hills Neighbourhood Zone –Proposed Site Area/Frontages (TNVs)

Dwelling Type	Gradient of Site (Ranges controlled by Code)	Proposed Minimum Site Area / Frontage Width
Detached Dwelling	< 1:8	350m ² /10m
	1:8 – 1:4	450m ² /12m
	>1:4	550m ² /15m
Semi-Detached Dwelling	< 1:8	350m ² /9m
	1:8 – 1:4	-
	>1:4	-
Row Dwelling	< 1:8	300m ² /9m
	1:8 – 1:4	-
	>1:4	-
Group Dwellings	< 1:8	300m ² /20m
	1:8 – 1:4	-
	>1:4	-
Residential Flat Buildings	< 1:8	300m ² /20m
	1:8 – 1:4	-
	>1:4	-

The proposed policy amendments is expected to result in more appropriate planning and design outcomes by focussing potential for infill development on gentler sloping areas and restricting the development of steeper land within the affected area to where larger allotments can be accommodated (to better manage earthworks required) and also only to accommodate detached dwellings.

As a result of the proposed policy changes, it is anticipated that not all suburbs / areas will have the same opportunity for redevelopment / subdivision due to:

- differences in existing lot sizes (generally allotments have become smaller over time – therefore older developed suburbs are likely to provide more opportunity)
- older neighbourhoods typically having low land to asset (dwelling) value ratios, meaning they are likely to be more financially viable to redevelop in the short to medium term.

The proposed policy changes are shown in **Attachment C**.

3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

3.1 Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which required that:

- engagement is genuine
- engagement is inclusive and respectful
- engagement is fit for purpose
- engagement is informed and transparent
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter. For more information on the Community Engagement Charter go to the PlanSA portal at (plan.sa.gov.au/en/charter).

A summary of the engagement that is occurring for this Code Amendment is as follows:

- A copy of the draft Code Amendment in the SA Planning Portal.
- A notice in the Advertiser Newspaper inviting submissions online or via post.
- Information on Council's 'Making Marion' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment, information on how to make a submission, and an online survey.
- Copies of draft Code Amendment and information brochure to be made available at Council offices, libraries and local community centre.
- A written notice to all property owners within the affected area and other property owners immediately surrounding the affected area inviting them to review and comment on the draft policy.
- Letters to state agencies and utility providers advising them of the Code Amendment and seeking their comments.
- Information brochure outlining what the draft Code Amendment is about, the proposed policy amendments, how interested persons can comment.
- City of Marion social media platforms.
- Community drop-in sessions to be held at the Cove Civic Centre on Wednesday 30 August 2023 between 3pm - 5pm and 6:30pm - 8:30pm.

3.2 How can I have my say on the Code Amendment?

There are several ways in which you can provide feedback on the Code Amendment. This includes:

- a) Online on the SA Planning Portal
https://plan.sa.gov.au/have_your_say/general_consultations
- b) Via Council's Making Marion website at
<https://www.makingmarion.sa.gov.au/southernsuburbs>
- c) emailing your submission to: council@marion.sa.gov.au

d) Posted to:
Chief Executive Officer
City of Marion
'Southern Suburbs Residential Policy Code Amendment'
PO Box 21
Oaklands Park SA 5046

e) Attending one of the community drop-in sessions to be held:

- Wednesday 20 September 2023 (3pm-5pm or 6:30pm-8:30pm) or
- Thursday 12 October 2023 (6pm – 8pm)

where hard copies of submission forms will be also available for completion.

3.3 What changes to the Code Amendment can my feedback influence?

Aspects of the draft Code Amendment process which stakeholders and the community **can** influence are:

- The type of zone(s) selected for the affected area, and the extent of its spatial application across the affected area.
- Potential applicable minimum site areas and minimum frontage widths (Technical and Numerical Variations) that are proposed for the selected zone across the different dwelling types and gradient ranges.
- The application of the Noise and Air Emissions Overlay

As the Planning and Design Code is a State Government document that applies to the whole State (and not just Council), there is no scope for changes to the specific policy content of Core Modules of the Code, other than where identified as a Technical and Numerical Variation (such as for building heights).

Aspects of the draft Code Amendment process which stakeholders and the community **cannot** influence are:

- The standard policies and wording contained in Zones and Overlays in the Planning and Design Code.
- The policies contained within the General Modules of the Planning and Design Code.
- The extent and placement of desired land uses.
- The design of future development proposals e.g., dwelling applications.

3.4 What will happen with my feedback?

Marion Council is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions will be considered by Marion Council when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register, and you will receive an email acknowledging receipt of your submission. Please note that your submission will be published on the PlanSA portal. Personal addresses, email and phone numbers will not be published; however, any company details will be.

Marion Council will consider the feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the PlanSA portal.

3.5 Decision on the Code Amendment

The Engagement Report and final Code Amendment will be presented to Council for final approval before being sent to the Minister. Marion Council will write to all those who made a submission advising of Council's final approval of the Code Amendment and highlighting the key themes arising from the submissions received and what changes, if any, have been made to the proposed policy in response.

Once the Engagement Report and updated Code Amendment is provided to the Minister, the Commission may provide further advice to the Minister at the Minister's request, if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the PlanSA portal.

Marion Council will write to all those who made a submission advising of the endorsement of the Code Amendment.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

4. ANALYSIS

4.1 Strategic Planning Outcomes

4.1.1 Summary of Strategic Planning Outcomes

The Code amendment will support renewal of older housing stock on larger allotments. This aligns with strategic priorities seeking to provide for increased housing diversity to meet the increasingly diverse needs of the community, including the potential for affordable housing options.

The Code Amendment, by providing additional housing opportunities, focusses the potential for additional housing growth within an established urban area, taking advantage of existing infrastructure, and in the case of Marino and Hallett Cove, supports increasing population within proximity to rail infrastructure. This aids in achieving targets associated with infill development, and reduces the pressure on greenfield housing growth, supporting the protection of valuable environmental and food production areas.

Importantly, the Code Amendment aligns with strategic priorities seeking design quality. This is important in locations where sloping land provides additional challenges and can lead to poor design outcomes. The Code Amendment seeks to provide a policy framework that suitably addresses the land characteristics of the affected area.

4.1.2 Consistency with the State Planning Policies

State Planning Policies define South Australia's planning priorities, goals, and interests. They are the overarching umbrella policies that define the state's interests in land use. There are 16 State Planning Policies and six special legislative State Planning Policies.

These policies are given effect through the Code, with referral powers assigned to relevant Government Agencies (for example, the Environmental Protection Agency for contaminated land). The Code (including any Code Amendments) must comply with any principle prescribed by a State Planning Policy.

This draft Code Amendment is considered to be consistent with the State Planning Policies as shown in **Attachment D**.

4.1.3 Consistency with the Regional Plan

The directions set out in Regional Plans provide the long-term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, will apply until such time as the new Regional Plans are prepared and adopted. Refer to the PlanSA portal for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Attachment D**.

4.1.4 Consistency with other key strategic policy documents

This Code Amendment aligns with other key policy documents in the following manner:

City of Marion Strategic Plan 2019 - 2040

The Strategic Plan establishes the long term vision for the community across six themes and accompanying strategies in which to work achieve the vision. Of relevance to the Code Amendment are the following:

Liveable: By 2040 our city will be well planned, safe and welcoming with high quality and environmentally sensitive housing, and where cultural diversity, arts, heritage and healthy lifestyles are celebrated.

10 Year Goal: By 2029 we will have attractive neighbourhoods with diverse urban development, vibrant community hubs, excellent sporting facilities, open spaces and playgrounds

The Code Amendment seeks to better plan for the southern suburbs of the Council area, particularly in addressing policy inconsistency and anomaly relative to potential development options (supporting diverse development outcomes in appropriate locations) and addressing suitable housing and design outcomes for sloping locations across the southern part of the Council area.

Marion Council Strategic Directions Report 2013

The Code Amendment is documented as a specific recommendation within the previous Strategic Directions Report (noting that this is now aged, but nevertheless points to the strategic priority of the project):

Recommendation 4: Residential' (Southern' Suburbs) (Hallett Cove, Marino, Seaview Downs, Seacombe Heights, Darlington) – Examine the potential to provide greater housing choice (dwelling variety and densities) in appropriate sections of Hallett Cove, Marino, Seaview Downs, Seacombe Heights, & Darlington currently within the Hills Policy Area 11, Southern Policy Area 18, and District Centre Zone. (consideration given to slope of land, impact on existing residential development and proximity to services, facilities, and public transport), and facilitate the opportunity for ageing in place.*

4.2 Infrastructure planning

The following infrastructure planning is relevant to this Code Amendment:

Council Infrastructure Planning	Response/Comment
Stormwater	<i>There are no planned infrastructure upgrades identified for the affected area of relevance to this Code Amendment. Refer Attachment E – Investigations for further commentary on stormwater capacity and any potential requirements.</i>
Roads	<i>There are no major planned local, collector or distributor road upgrades within the affected area. It is noted that the affected area abuts the continuous north-south corridor, however future works are proposed either further south and north of the affected area and not likely to impact on the code Amendment. Refer Attachment E – Investigations for further commentary on road network capacity and any potential requirements.</i>

Government Agency Infrastructure Planning	Response/Comment
Various Infrastructure Providers	<i>No known planning for key service and utility infrastructure has been identified as part of the investigations, however comment will be sought during the Community Engagement process.</i>

4.3 Investigations

4.3.1 Investigations undertaken

The extent of investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister in the Proposal to Initiate. In addition to this, the Commission has also specified certain investigations to be undertaken to support the Code Amendment.

The following investigations have been undertaken to inform this Code Amendment:

Analysis of land characteristics and development potential of the Southern Suburbs

An analysis of the land characteristics and policy framework for the range of dwellings was previously undertaken as part of the former Housing Diversity DPA prepared by Council in 2019. The portion of the DPA that covered the suburbs forming part of the Affected Area was not finalised as part of the Housing Diversity DPA.

The analysis undertaken at the time of all existing residential policy areas in that part of the council area south of Seacombe Road included the nature and spread of existing allotments sizes, the age of dwellings across the areas, the development potential of sites (using a land and capital value ratio), as well as the topography of the land, to get a broader picture of the potential opportunities for greater housing diversity in the southern suburbs (and conversely where additional diversity should not be encouraged).

The analysis found that a large proportion of the older housing stock has potential for redevelopment due to both the size of the existing allotments, and the low land to capital value ratios (largely as a result of the small size of dwellings and their age). The development potential sought is generally at a low to medium density scale in the form of ad hoc infill development of existing allotments into two, and perhaps three, on larger less sloping sites.

The following mapping demonstrates the analysis undertaken to inform development potential and land characteristics.

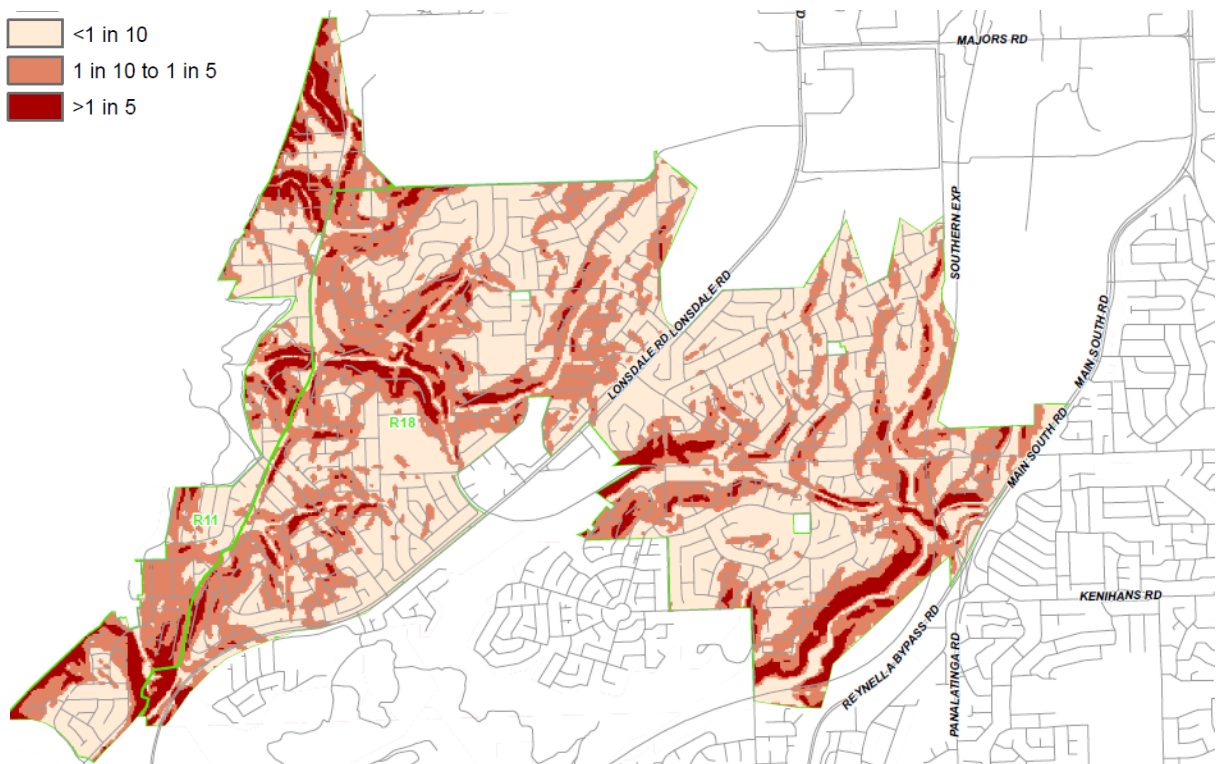
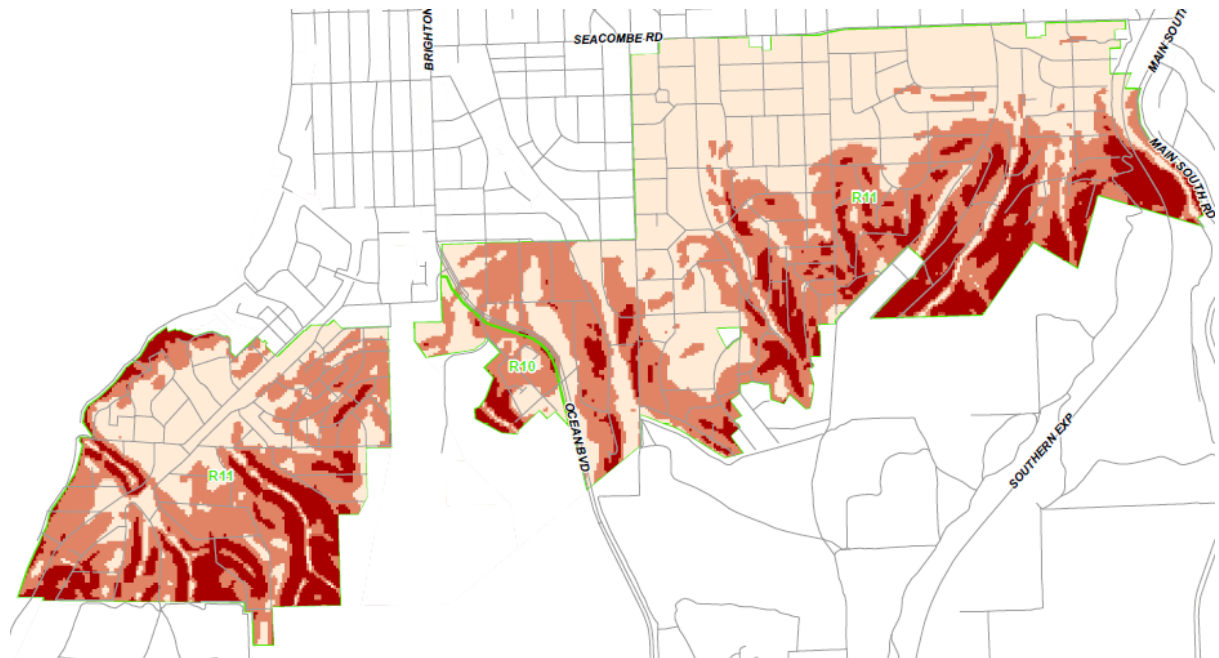


Figure 2: Nature of sloping land across Affected Area

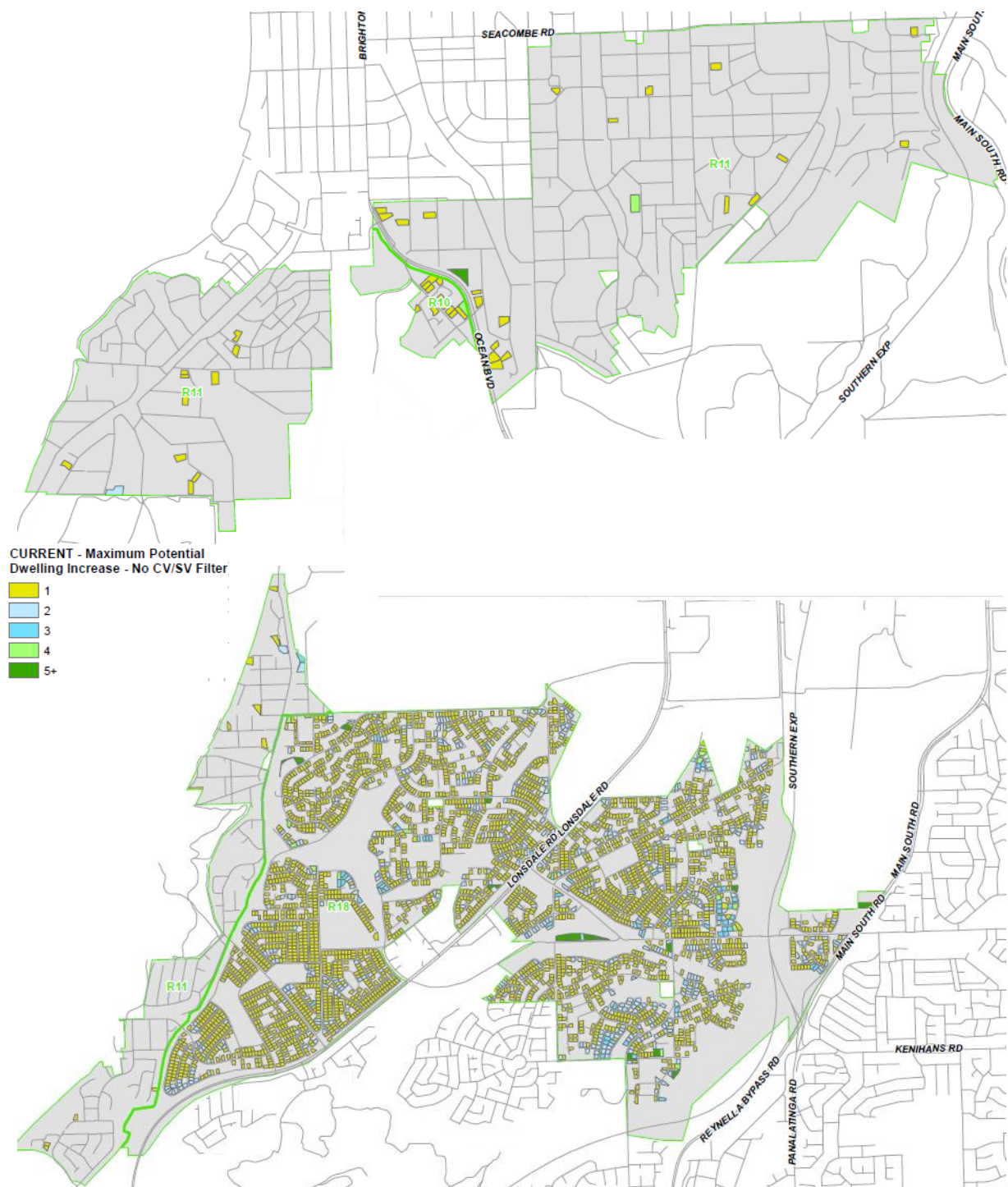


Figure 3: Current development potential based on existing policy across Affected Area

Comparison of the former Development Plan site dimension policy and the current Planning and Design Code Policy

A comparison between site dimensions of the former Development Plan Policy Areas with those transitioned into the Code has been undertaken to determine any difference in likely impacts for future redevelopment.

The analysis identified little consistency between different parts of the affected area, despite similarities in land characteristics, as well as unnecessarily large minimum lot sizes for certain locations where there is scope for accommodating additional housing diversity and infill development (particularly in the areas of Seacombe Heights and Seaview Downs). As a result, there is a desire to apply a consistent suite of policies across the affected area that responds better to the appropriateness of gentler sloping areas to accommodate some forms of infill in support of more diverse housing provision into the future.

Given the interface of some of the affected area with those of neighbouring Councils (notably City of Holdfast Bay at Seacliff Park and Kingston Park and the City of Onkaparinga at Darlington), the analysis has also considered the site area and frontage dimensions applied to these locations, noting:

- the adjacent interfacing policy within the City of Holdfast Bay is the General Neighbourhood Zone, and therefore does not reflect the need to appropriately manage sloping land, therefore offering limited relevance for comparison and consistency;
- the Darlington area within the City of Onkaparinga has limited policy differentiation between the gradients as detailed below:
 - Detached and semi-detached dwellings: 360m² for slopes less than 1:8 and 1:8 – 1:4; and 390m² for slopes greater than 1:4
 - Row dwellings: 250m² for slopes less than 1:8 and between 1:8 and 1:4; 280m² for slopes greater than 1:4
 - Group dwellings and semi-detached dwellings: 300m² for slopes less than 1:8 or between 1:8 and 1:4; 325m² for slopes greater than 1:4
 - No designated minimum frontage dimensions for any dwelling type

Notwithstanding some similarities in the site areas proposed within the code Amendment, the minimum site areas for the sites greater than 1:4 for the City of Onkaparinga are considered small and insufficient in differentiation to that of the gentler slopes given the additional difficulties created by the larger slopes, particularly for land forms that require attached buildings across sites.

As a result of the above analysis, Council is proposing site dimensions, slope gradients and applicable dwelling types, as indicated in the table in section 2.3.2 – ‘Proposed Code Policy’, as appropriate policy criteria for the zone.

Analysis of appropriate site dimensions for particular gradient bands

Analysing whether the gradient bands within the Code (<1:8/1:8 – 1:4/>1:4) are appropriate when considered against the large discrepancy between associated allotment dimensions for the various councils; particularly as Marion comprises smaller dimensions compared to others.

The gradient band policy within the Hills Neighbourhood Zone has a state-wide context so amendment to the established policy structure is typically not supported. Council has therefore considered the most appropriate site dimensions for each existing gradient band, to ensure that appropriately sized allotments are created for a particular gradient of slope that will enable suitably designed planning outcomes that complement and enhance the character of an area.

Road network capacity and potential upgrade needs

ISSUE	COMMENT
Daily traffic movements from residential properties generally range between 6 to 10 vehicle trips/day. The negative amenity effects of local street traffic begin to become noticeable above 1000 vehicle trips/day caused by access to 100 properties.	The expected development take-up rate of less than 40% and as a result it is unlikely that the additional traffic volumes within the local street network would result in negative amenity affects, let alone result in changes to the function of roads.
The potential for increased infill development will also create less availability of on-street parking due to more frequent driveway crossovers, exacerbated by the increased demand for on-street carparking.	The desire for potential additional on-street parking is noted, along with increased interruption to kerb access for parking due to additional crossovers. This is not unique to this location and requires management across all of Adelaide's established urban areas where infill development is envisaged and encouraged.
These factors of increased street congestion and increased traffic volumes will lead to reduced amenity and road safety in our local streets.	It is important appropriate off-street parking is provided in development to support additional dwelling densities. There is sufficient policy within the Code (Design in Urban Areas and Transport and Access) to ensure both on-street parking (including for visitors where three or more dwellings are proposed), as well as sufficient space is retained or on-street parking when considering driveway access points.
Larger traffic volumes can be expected at the intersections of the north-south collector roads (south of Seacombe Rd) with Seacombe Rd, due to the larger road catchment areas of the grid network.	This is not unreasonable and reflects the road hierarchy in place for traffic distribution within these neighbourhoods. Importantly, the local and collector road network south of Seacombe Road is permeable and provides multiple options for traffic distribution. In addition, the wide roads at the intersections of the north-south collector roads with Seacombe Rd afford opportunity for road any future widening to allow for better intersection channelisation and upgrades as required. Indeed, the Seacombe Road corridor is of sufficient width for widening, however this is unlikely to be required for the additional traffic volumes likely as a result of the code Amendment.

Infrastructure and services capacity to support increase in dwellings

Stormwater

An assessment of the potential additional development within the affected area has been undertaken by Council in the established stormwater network in this location. The relevant issues for the stormwater infrastructure is identified below, along with commentary as to how the matter is addressed by policy or where additional policy coverage is needed.

ISSUE	COMMENT
Stormwater Runoff from new developments increase proportionately to the combined effect of increased site coverage and reduced pervious surface. Impervious site coverage of pre-development properties increases from 50% to 90% post-development.	Potential additional flows generated by increased imperviousness of sites because of smaller sites and increased building areas is acknowledged.
The proposed further subdivision of existing properties will accordingly increase the stormwater peak runoff and volume generated in our existing suburbs.	The affected area is subject to the Stormwater Management Overlay which seeks the appropriate management of additional stormwater run-off volumes through the capture and re-use of stormwater (with the DTS/DPF identifying detention tanks as one solution) so that downstream systems are not overloaded.
The potential impact on existing stormwater infrastructure will however have different effects in the newer suburbs of Hallett Cove/ Trott Park/ Sheidow Park/Marino, compared with the older suburbs immediately south of Seacombe Rd (i.e., Seacombe Heights, Seaview Downs, Darlington, Seacliff Park).	Therefore, it is unlikely (subject to rainwater tank installation compliance) that the potential additional dwellings and impervious areas facilitated by the Code Amendment (principally through 1 into 2 developments) will cause unmanageable overload of the existing stormwater infrastructure. This is supported by the likely limited take up of infill development for some locations in the order of less than 40%, and the general limitation to 12.5% (1:8) sloping sites.
The grid pattern of roads on the hill south of Seacombe Road delivers collected stormwater along the downhill north-south roads efficiently, given the steep downhill grades to Seacombe Rd. At Seacombe Rd this stormwater is required to do a 90 degree turn in underground pipes for minor storms and within the road surface for major storms, which exceeds the capacity of Seacombe Rd at most T-Junctions causing overland flooding of the suburbs north of Seacombe Rd (in accordance with flood plain mapping). Any increase in development density will exacerbate the existing flooding problems.	
The development pattern of curvilinear road alignments and cul-de-sacs in the newer suburbs of Hallett Cove/Trott Park/Sheidow Park/Marino, utilise watercourses along drainage reserves to carry the major stormwater events rather than rely on the road surface capacity of the road network to convey the major storms. Flooding concerns from further subdivision is less likely in these suburbs that have more effective stormwater	Due to the relatively recent construction of housing in these newer suburbs and the generally smaller site dimensions, it is anticipated that there will be less opportunity for redevelopment, and particularly in the short to medium term. Therefore, no substantial increase in stormwater flows would be anticipated in these areas, noting that for these areas, the Stormwater Management Overlay still

distribution systems. However, the primary concern is erosion of these watercourses which additional stormwater generated by additional development may cause.	applies, and therefore warrants development to achieve pre-development flows.
The greater expected rate of on-street parking associated with infill development will probably increase the frequency of interruption of gutter flows which are likely to flow over the top of kerb on the steeper roads, causing erosion and flooding for low side properties.	It is therefore important that more off-street parking be required to support additional dwelling density. Although this is a metro wide issue that requires consideration and addressing in the Planning and Design Code at a state level, it is important to recognise that this issue is of greater concern in steeper terrain and may require additional policy support in these areas.

Potential Interface impacts from major road corridors

Existing Interface Overlays

The major urban transport routes in the southern areas of Council affected by the proposed Code Amendment (Seacombe Road, Ocean Boulevard/Lonsdale Road, Southern Expressway and Main South Road) are currently covered by the 'Major Urban Transport Routes', the 'Urban Transport Routes', or the 'Traffic Generating Development' overlays. The residential areas in the southern suburbs are, in the main, fully developed, and many dwellings currently have frontage to or are adjacent to the major road corridors. Future redevelopment of these properties would be subject to the requirements of these overlays whilst being mindful of the current residential land use.

The Code Amendment does not increase the spatial area of land to be used for residential purposes, it is intended to provide opportunity for redevelopment of existing residential properties at a slightly higher density (1 into 2 and perhaps 1 into 3 if site dimensions and slope are appropriate).

Noise and Air Emission Overlay

The Noise and Air Emissions Overlay typically applies to Type A, Type B and Type R Roads, as well as rail corridors, where sources of noise and/or air emissions have the potential to impact on the amenity of sensitive receivers. The intent is to provide not only a policy suite that aids in managing such impacts in building design and placement, but also triggering the application of the *Ministerial Building Standard 010 – Construction requirements for the control of external sound* (MBS 010) as part of the Building Rules Assessment of dwellings.

There are three Type A or Type B roads that run through the Affected Area being Main South Road, the Southern Expressway and Lonsdale Road / Ocean Boulevard.

Residential properties adjacent Lonsdale Road in Hallett Cove and Sheidow Park do not directly front onto the main roads of Lonsdale Road; either being separated by a parallel local road or fronting onto an internal local road with a landscaped buffer area within the main road alignment.

The alignment of the Southern Expressway is in most instances a considerable distance from residential properties and is separated by a landscaped buffer and set down below the level of

nearby residential areas (ie appropriate air and noise buffers have been built into the corridor arrangement).

There are only a few residential properties in close proximity to Main South Road that have opportunity for redevelopment, being in vicinity of Lander Road. Primarily these properties are separated by a service road and/or a landscaped buffer.

Notwithstanding the above, the proximity of existing and potential future dwellings at these interfaces can be as little as 30 metres from road carriageways along Lonsdale Road and Main South Road. MBS 010 seeks to apply construction measures (determined through 5 sound exposure categories) to appropriately mitigate potential noise impacts to dwellings for distances of up to 130 metres for Type A and Type B roads (speed rating between 70km/h and 90km/h).

As such, the application of the Noise and Air Emissions Overlay is of value to ensure appropriate measures are put into place for the sites interfacing with the Type A and Type B roads in the affected area.

4.3.2 Recommended policy changes

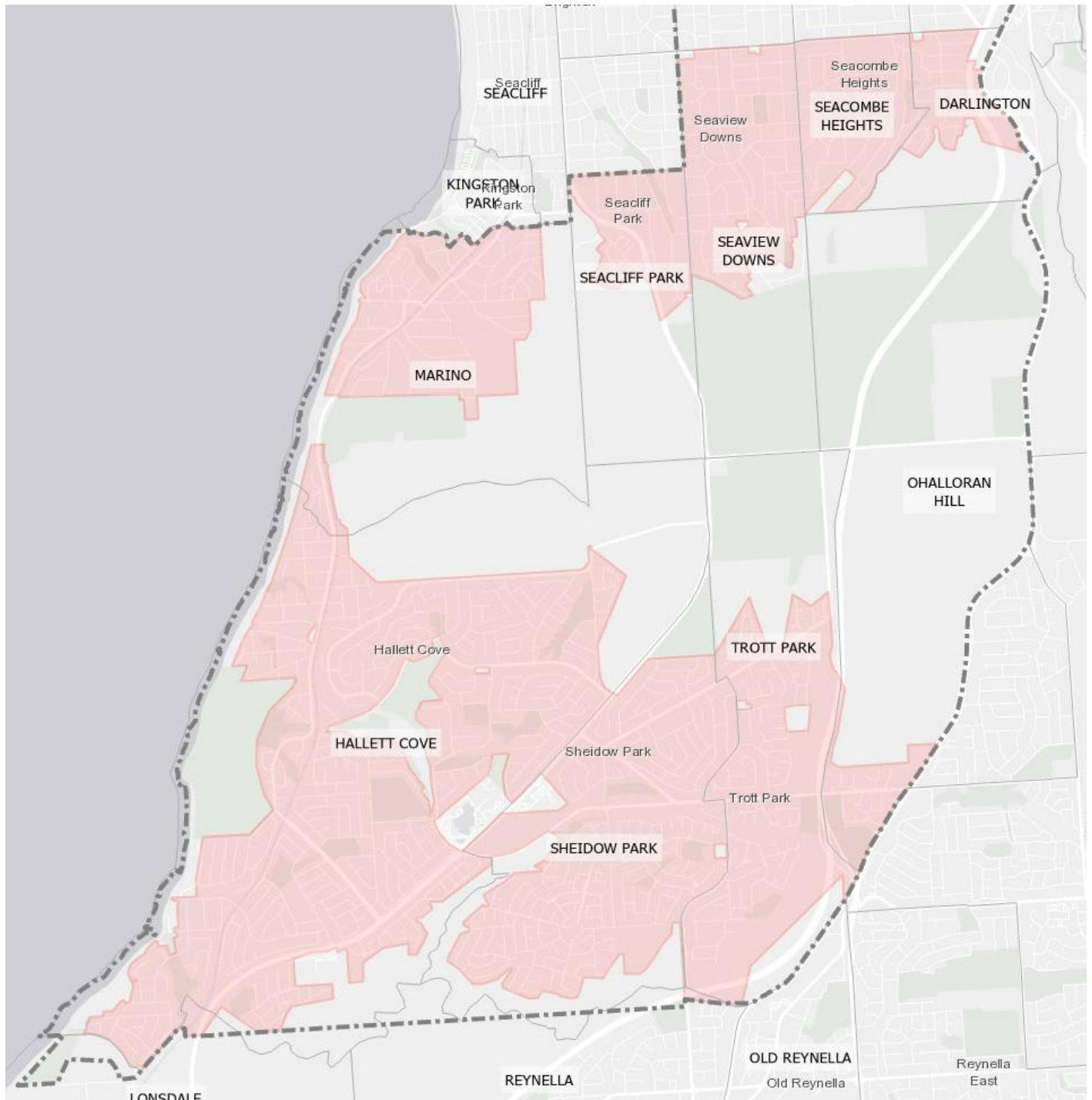
Following is a list of the recommended policy changes which are proposed in response to the investigations undertaken in support of this Code Amendment:

- include all properties within the affected area in the **Hills Neighbourhood Zone**.
- include the following Technical and Numeric Variations (TNVs) to the affected Area of the Hills Neighbourhood Zone:

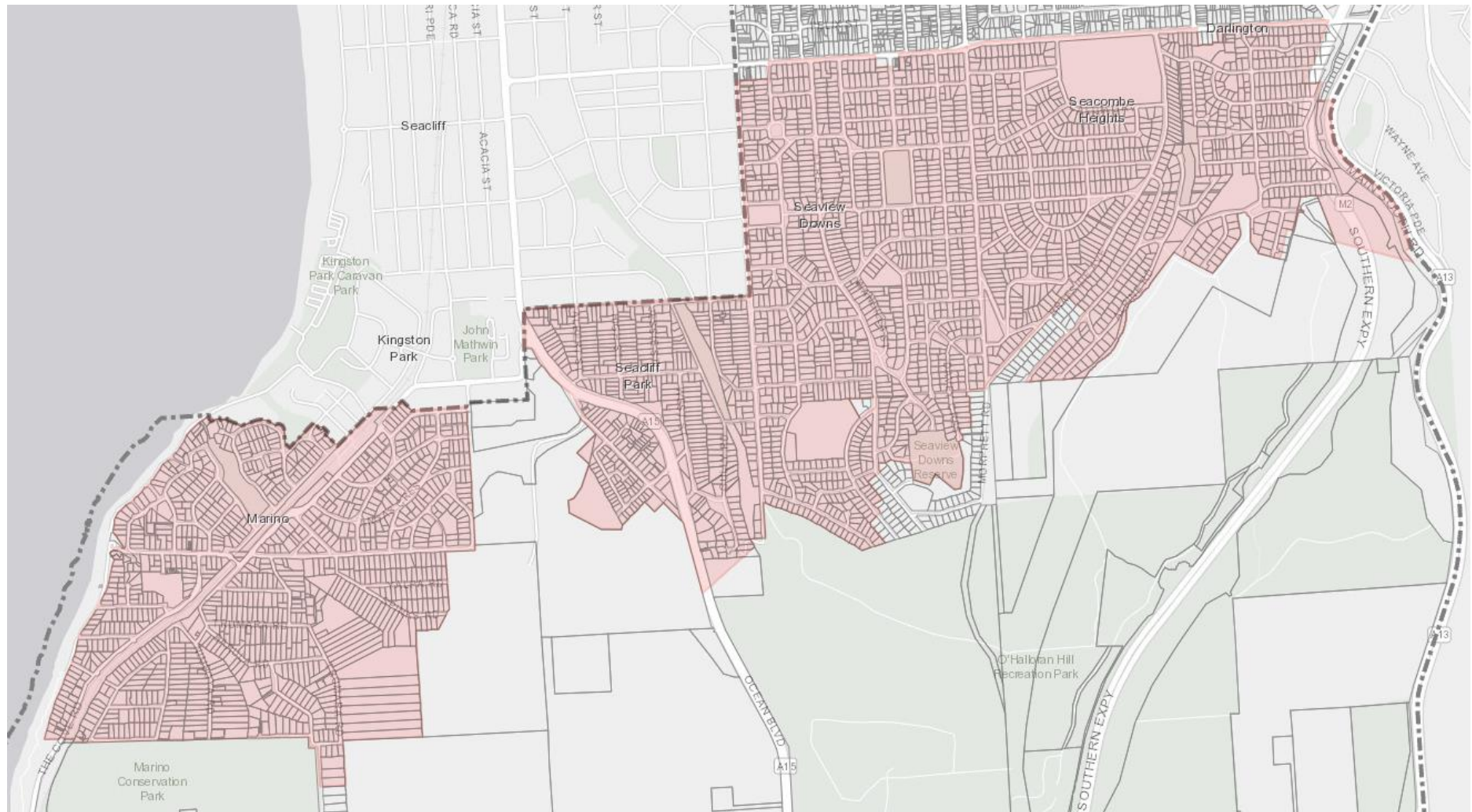
Dwelling Type	Gradient of Site (Determined by Code)	Minimum Site Area / Frontage
Detached Dwelling	< 1:8	350m ² /10m
	1:8 – 1:4	450m ² /12m
	>1:4	550m ² /15m
Semi-Detached Dwelling	< 1:8	350m ² /9m
	1:8 – 1:4	-
	>1:4	-
Row Dwelling	< 1:8	300m ² /9m
	1:8 – 1:4	-
	>1:4	-
Group Dwellings	< 1:8	300m ² /20m
	1:8 – 1:4	-
	>1:4	-
Residential Flat Buildings	< 1:8	300m ² /20m
	1:8 – 1:4	-
	>1:4	-

- application of the Noise and Air Emissions Overlay to the properties directly abutting Main South Road and Ocean Boulevard / Lonsdale Road within the affected area

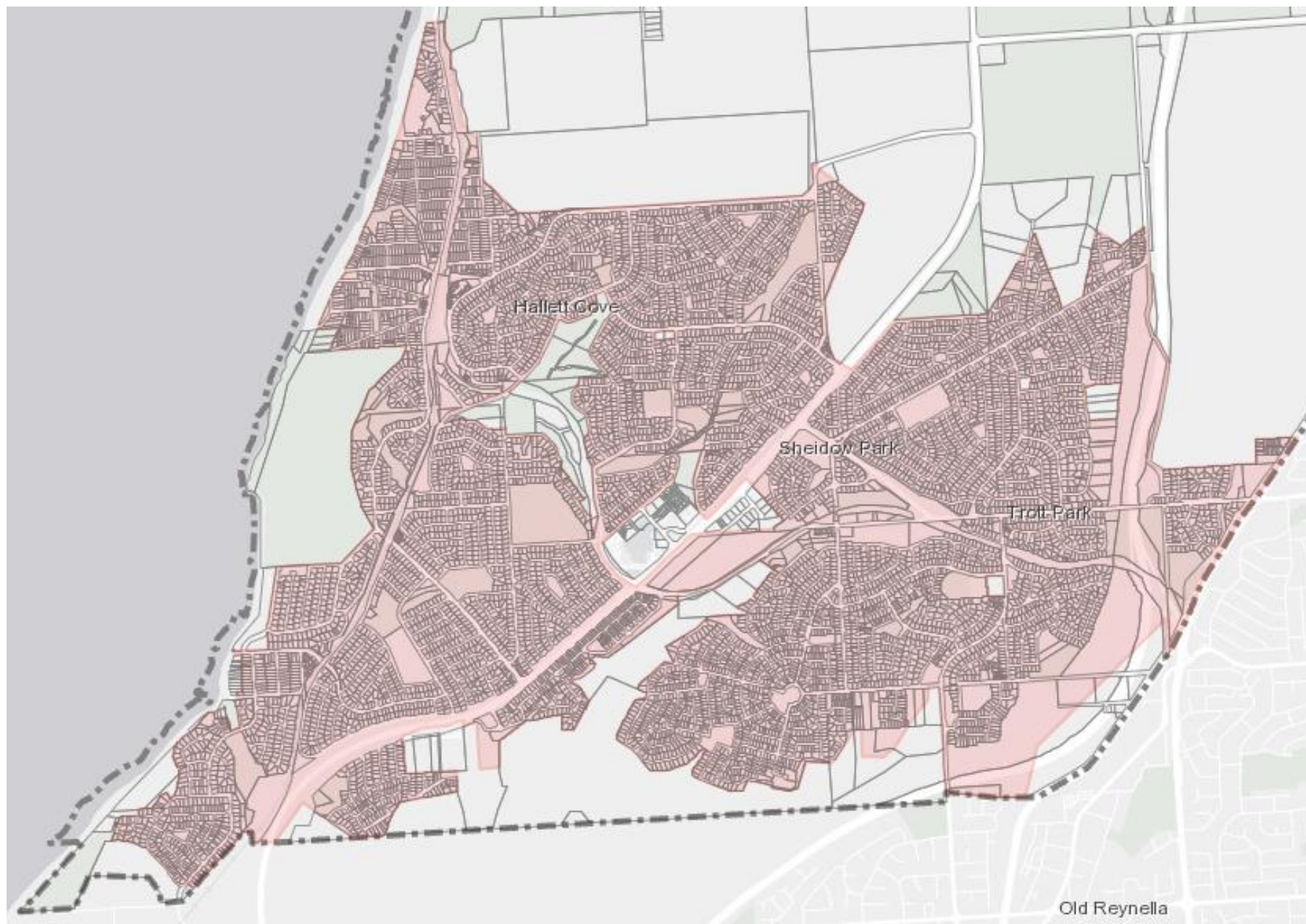
ATTACHMENT A – AFFECTED AREA MAPPING



Overall Affected Area - 1



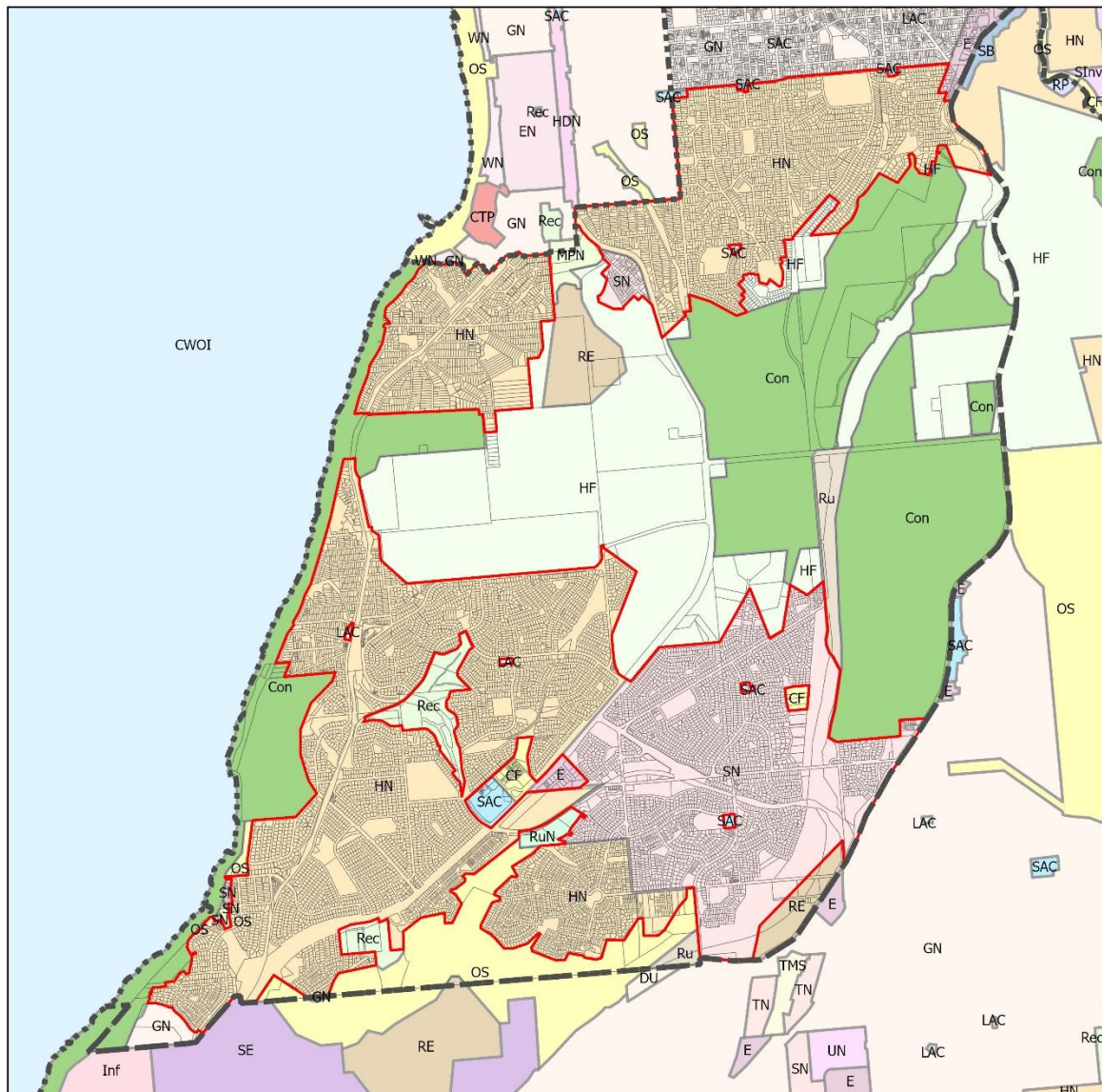
North Areas Zoom - 2



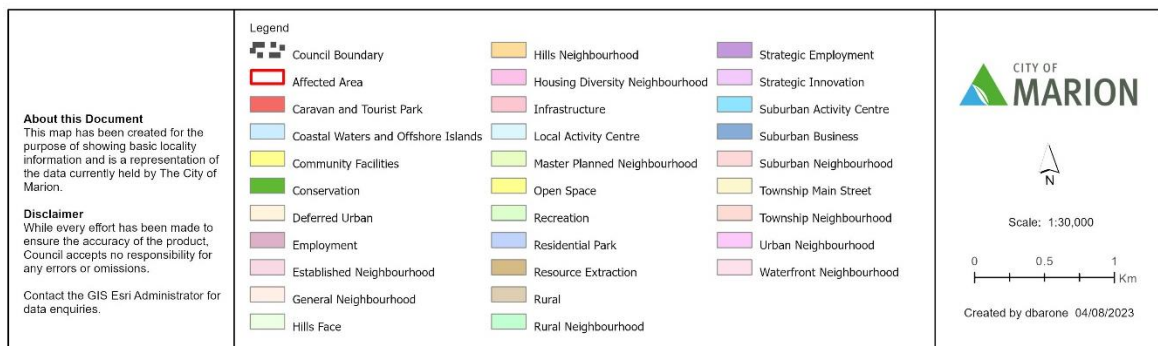
South Areas Zoom - 3

ATTACHMENT B – CURRENT CODE POLICY

The Affected Area is currently zoned either 'Hills Neighbourhood Zone' (HNZ) or 'Suburban Neighbourhood Zone' (SNZ) as delineated in the map below.



Existing Zoning



For brevity, only relevant Technical and Numerical Variations, applying to each Zone, have been included below. Other policy associated with the zones has not been included as it has a state-wide context with amendment generally restricted, so no changes are proposed to be made.

Please refer to the Planning and Design Code

https://code.plan.sa.gov.au/home/browse_the_planning_and_design_code?code=browse to view all relevant policy applying to each zone.

Overlays

The following overlays apply to the Affected Area:

- Airport Building Heights (Regulated) (All structures over 30 / 45 metres) – (dependent on location)
- Affordable Housing
- Hazards (Flooding) / (Flooding - General) – (dependent on location)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Traffic Generating Development – (dependent on location)
- Urban Tree Canopy

The nature of the issues addressed via the Overlays remains applicable and is appropriate. As such, no changes are proposed to the application of the existing overlays within the Affected Area.

Hills Neighbourhood Zone (HNZ)

Local Variations (TNV)

Dwelling Type	Gradient of Site	Minimum Site Area / Frontage		
Detached Dwelling		Hills Neighbourhood Zone		
		<i>Former</i> Foothills and Seaside Policy Area (Dev Plan)	<i>Former</i> Hills Policy Area (Dev Plan)	<i>Former</i> Worthing Mine Policy Area (Dev Plan)
	< 1:8	350m ² /10m	700m ² /18m	450m ² /15m
	1:8 – 1:4	400m ² /12m	900m ² /20m	540m ² /18m
	>1:4	400m ² /12m	1100m ² /20m	540m ² /18m
Semi-Detached Dwelling	< 1:8	350m ² /10m	-	450m ² /15m
	1:8 – 1:4	400m ² /12m	-	540m ² /18m
	>1:4	400m ² /12m	-	540m ² /18m
Row Dwelling	< 1:8	300m ² /9m	-	450m ² /15m
	1:8 – 1:4	350m ² /10m	-	540m ² /18m
	>1:4	350m ² /10m	-	540m ² /18m

Dwelling Type	Gradient of Site	Minimum Site Area / Frontage		
Group Dwellings	< 1:8	300m ² /20m	700m ² /24m	-
	1:8 – 1:4	400m ² /20m	900m ² /26m	-
	>1:4	400m ² /20m	1100m ² /26m	-
Residential Flat Buildings	< 1:8	300m ² /20m	-	-
	1:8 – 1:4	400m ² /20m	-	-
	>1:4	400m ² /20m	-	-

- Maximum Building Height (Metres) (Maximum building height is 9m)
- Maximum Building Height (Levels) (Maximum building height is 2 levels)

Suburban Neighbourhood Zone (SNZ)

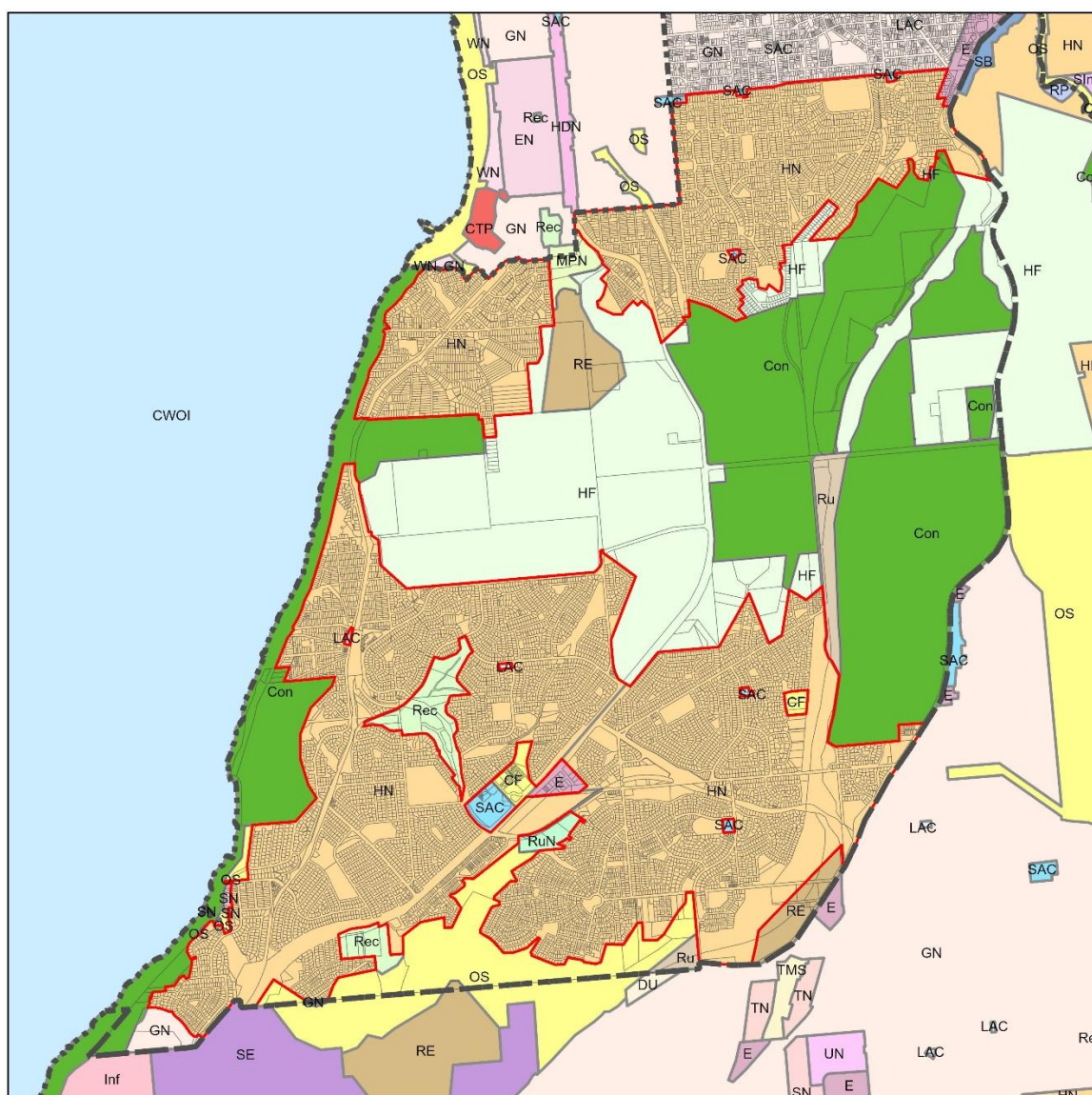
Local Variations (TNV)

Dwelling Type	Gradient of Site	Minimum Site Area / Frontage	
		Suburban Neighbourhood Zone <i>(no gradient related criteria)</i>	
		<i>Former</i> Cement Hill Policy Area <i>(Dev Plan)</i>	<i>Former</i> Southern Policy Area <i>(Dev Plan)</i>
Detached Dwelling	< 1:8	420m ² /15m	420m ² /14m
	1:8 – 1:4	420m ² /15m	420m ² /14m
	>1:4	420m ² /15m	420m ² /14m
Semi-Detached Dwelling	< 1:8	420m ² /15m	350m ² /12m
	1:8 – 1:4	420m ² /15m	350m ² /12m
	>1:4	420m ² /15m	350m ² /12m
Row Dwelling	< 1:8	420m ² /15m	280m ² /8m
	1:8 – 1:4	420m ² /15m	280m ² /8m
	>1:4	420m ² /15m	280m ² /8m
Group Dwellings	< 1:8	420m ² /15m	300m ² /20m
	1:8 – 1:4	420m ² /15m	300m ² /20m
	>1:4	420m ² /15m	300m ² /20m
Residential Flat Buildings	< 1:8	420m ² /15m	250m ² /20m
	1:8 – 1:4	420m ² /15m	250m ² /20m
	>1:4	420m ² /15m	250m ² /20m

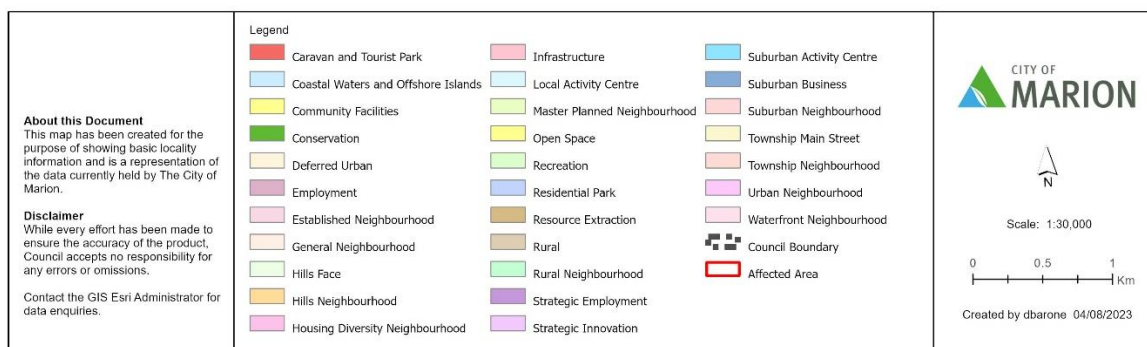
- Maximum Building Height (Metres) (Maximum building height is 9m)
- Maximum Building Height (Levels) (Maximum building height is 2 levels)

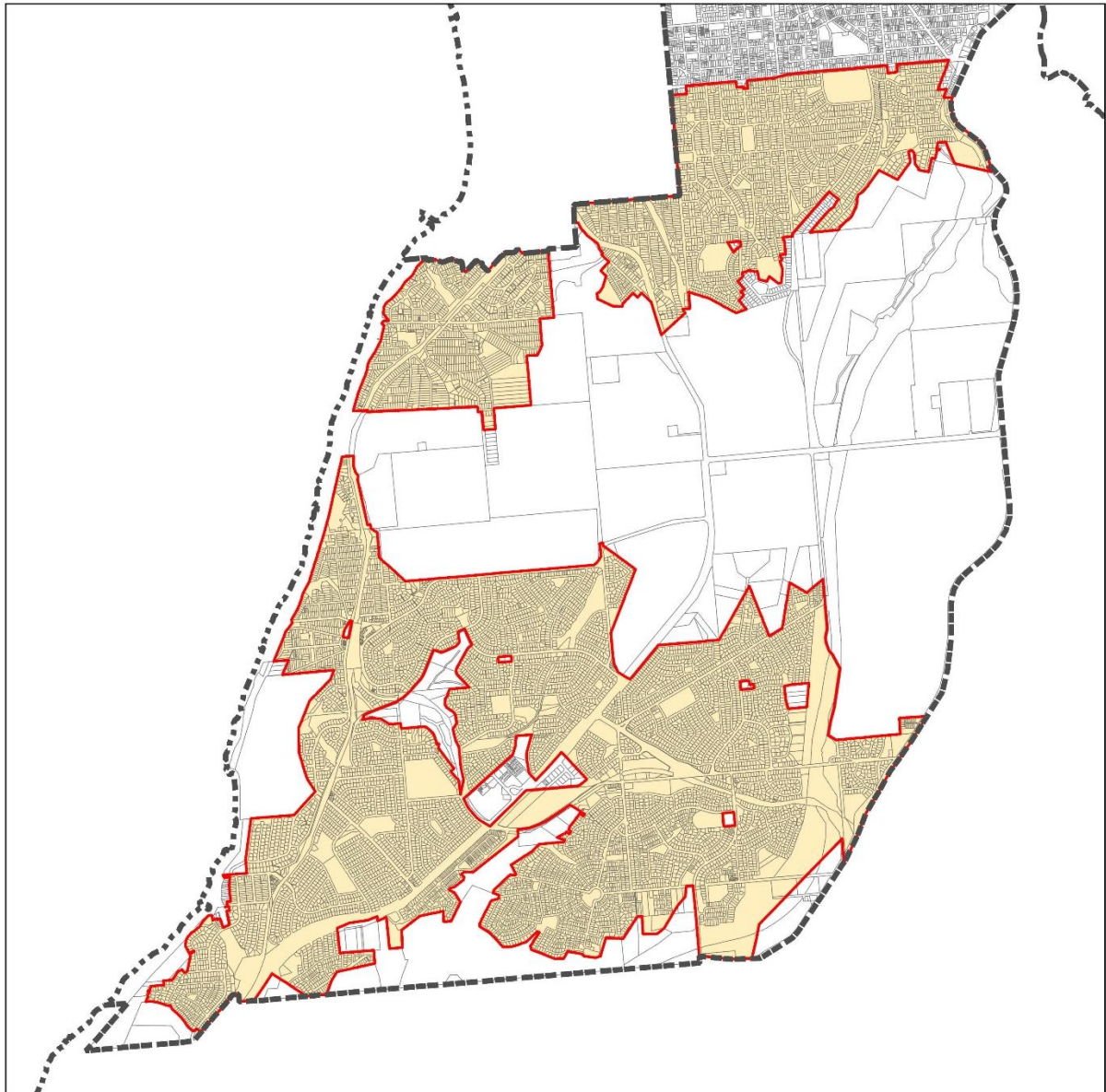
ATTACHMENT C – PROPOSED CODE POLICY

The whole of the Affected Area is proposed to be zoned 'Hills Neighbourhood Zone' (HNZ) as delineated in the mapping below.



Proposed Zoning





Proposed Technical and Numerical Variations

Council Boundary

Affected Area

Proposed TNVs

About this Document

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion.

Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

Contact the GIS Esri Administrator for data enquiries.

Minimum Site Area:

	< 1:8	1:8 - 1:4	> 1:4
Detached dwelling:	350 sqm	450 sqm	550 sqm
Semi-detached dwelling:	350 sqm	-	-
Row dwelling:	300 sqm	-	-
Group dwelling:	300 sqm	-	-
Residential flat building	300 sqm	-	-

Minimum Frontage:

	10m	12m	15m
Detached dwelling:	10m	12m	15m
Semi-detached dwelling:	9m	-	-
Row dwelling:	9m	-	-
Group dwelling:	20m	-	-
Residential flat building	20m	-	-

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Scale: 1:30,000

00.51

Km

Created by dbarone 04/08/2023

The policy within the Hills Neighbourhood, including specific Technical and Numerical Variations proposed are documented below.

Hills Neighbourhood Zone

Desired Outcome (DO)

Desired Outcome	
DO 1	Development provides a complementary transition to adjacent natural and rural landscapes. Low density housing minimises disturbance to natural landforms and existing vegetation to mitigate the visible extent of buildings, earthworks and retaining walls.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Predominantly low density residential development with complementary non-residential uses compatible with natural landforms and a low density residential character.	DTS/DPF 1.1 Development comprises one or more of the following: a) Ancillary accommodation b) Consulting room c) Dwelling d) Office e) Open space f) Shop g) Recreation area.
PO 1.2 Commercial activities improve community access to services are of a scale and type to maintain residential amenity.	DTS/DPF 1.2 A shop, consulting room or office (or any combination thereof) satisfies any one of the following: a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: i. does not exceed 50m² gross leasable floor area ii. does not involve the display of goods in a window or about the dwelling or its curtilage b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: i. the building is a State or Local Heritage Place ii. is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes c) is located more than 500m from an Activity Centre and satisfies one of the following: i. does not exceed 100m² gross leasable floor area (individually or combined, in a single building) where the site does not have a frontage to a State Maintained Road ii. does not exceed 200m² gross leasable floor area (individually or combined, in a single building) where the site has a frontage to a State Maintained Road d) the development site abuts an Activity Centre and all the following are satisfied: i. it does not exceed 200m² gross leasable floor area (individually or combined, in a single building)

	ii. the proposed development will not result in a combined gross leasable floor area (existing and proposed) of all shops, consulting rooms and offices that abut the Activity Centre in this zone exceeding the lesser of the following: A. 50% of the existing gross leasable floor area within the Activity Centre B. 1000m².
PO 1.3 Non-residential development located and designed to improve community accessibility to services, primarily in the form of: a) small scale commercial uses such as offices, shops and consulting rooms b) community services such as educational facilities, community centres, places of worship, child care facilities and other health and welfare services c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities d) open space and recreation facilities.	DTS/DPF 1.3 None are applicable.
PO 1.4 Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.	DTS/DPF 1.4 None are applicable.
PO 1.5 Expansion of existing community services such as educational facilities, community facilities and child care facilities in a manner which complements the scale of development envisaged by the desired outcome for the neighbourhood.	DTS/DPF 1.5 Alteration of or addition to existing educational facilities, community facilities or child care facilities where all the following are satisfied: a) set back at least 3m from any boundary shared with a residential land use b) building height not exceeding 1 building level c) the total floor area of the building not exceeding 150% of the total floor area prior to the addition/alteration d) off-street vehicular parking exists or will be provided in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number.
Site Dimensions and Land Division	
PO 2.1 Allotments/sites created for residential purposes	DTS/DPF 2.1 Development will not result in more than 1 dwelling on an existing allotment

are of suitable size and dimension to accommodate residential development that is sensitive to the natural topography and compatible with the housing pattern in the locality.	or
	Allotments/sites for residential purposes accord with the following:
	a) site areas (or allotment areas in the case of land division) are not less than the following (average site area per dwelling, including common areas, applies for group dwellings or dwellings within a residential flat building):
	Gradient Minimum Site Area (Detached)
	Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 350sqm; 1-in-8 to 1-in-4 is 450sqm; greater than 1-in-4 is 550sqm
	Gradient Minimum Site Area (Semi-Detached)
	Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 350sqm;
	Gradient Minimum Site Area (Row)
	Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 300sqm;
	Gradient Minimum Site Area (Group)
	Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 300sqm;
	Gradient Minimum Site Area (Residential Flat)
	Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 300sqm;
	and
	b) site frontages (or allotment frontages in the case of land division) are not less than:
	Gradient Minimum Frontage (Detached)
	Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 10m; 1-in-8 to 1-in-4 is 12m; greater than 1-in-4 is 15m
Gradient Minimum Site Area (Semi-Detached)	
Minimum frontage for semi-detached dwellings where the site gradient is less than 1-in-8 is 9m;	
Gradient Minimum Site Area (Row)	
Minimum frontage for row dwellings where the site gradient is less than 1-in-8 is 9m;	
Gradient Minimum Site Area (Group)	
Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 20m;	
Gradient Minimum Site Area (Residential Flat)	
Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 20m;	
PO 2.2	DTSD/DPF 2.2
Development creating new allotments/sites in	Where the site of a dwelling does not comprise an entire allotment:

conjunction with retention of an existing dwelling ensures the site of the existing dwelling remains fit for purpose.	a) The balance of the allotment accords with site area and frontage requirements specified in DTS/DPF 2.1 b) If there is an existing dwelling on the allotment that will remain on the allotment after completion of the development it will not contravene: i. Private open space requirements specified in Design in Urban Areas Table 1 - Private Open Space ii. Car parking requirements specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number.								
Site coverage									
PO 3.1 Building footprints consistent with the character and pattern of a low-density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.	DTS/DPF 3.1 The development does not result in site coverage exceeding: a) On sites with a gradient more than 1-in-8, 40% b) On sites with a gradient less than 1-in-8, 50%.								
Building Height									
PO 4.1 Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.	DTS/DPF 4.1 Building height (excluding garages, carports and outbuildings) is no greater than: a) the following: <table border="1"> <tr> <td colspan="2">Maximum Building Height (Metres)</td></tr> <tr> <td colspan="2">Maximum building height is 9m</td></tr> <tr> <td colspan="2">Maximum Building Height (Levels)</td></tr> <tr> <td colspan="2">Maximum building height is 2 levels</td></tr> </table>	Maximum Building Height (Metres)		Maximum building height is 9m		Maximum Building Height (Levels)		Maximum building height is 2 levels	
Maximum Building Height (Metres)									
Maximum building height is 9m									
Maximum Building Height (Levels)									
Maximum building height is 2 levels									
Primary Street Setback									
PO 5.1 Buildings are set back from primary street boundaries consistent with the existing streetscape.	DTS/DPF 5.1 Buildings setback from the primary street boundary in accordance with the following table: <table border="1"> <tr> <th>Development Context</th><th>Minimum Setback</th></tr> <tr> <td>There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.</td><td>The average setback of the existing buildings.</td></tr> <tr> <td colspan="2"></td></tr> <tr> <td>There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.</td><td>The setback of the existing building.</td></tr> </table>	Development Context	Minimum Setback	There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.	The average setback of the existing buildings.			There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.	The setback of the existing building.
Development Context	Minimum Setback								
There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.	The average setback of the existing buildings.								
There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.	The setback of the existing building.								

	<table><tr><td>There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.</td><td>a) Where the existing building shares the same primary street frontage – the setback of the existing building b) Where the existing building has a different primary street frontage - 8m</td></tr></table>	There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.	a) Where the existing building shares the same primary street frontage – the setback of the existing building b) Where the existing building has a different primary street frontage - 8m
	There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.	a) Where the existing building shares the same primary street frontage – the setback of the existing building b) Where the existing building has a different primary street frontage - 8m	
<table><tr><td>There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.</td><td>8m</td></tr></table>	There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.	8m	
There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.	8m		
For the purposes of DTS/DPF 5.1: - the setback of an existing building on an abutting site to the street boundary that it shares with the site of the proposed building is to be measured from the closest building wall to that street boundary at its closest point to the building wall and any existing projection from the building such as a verandah, porch, balcony, awning or bay window is not taken to form part of the building for the purposes of determining its setback - any proposed projections such as a verandah, porch, balcony, awning or bay window may encroach not more than 1.5 metres into the minimum setback prescribed in the table			
Secondary Street Setback			
PO 6.1 Buildings are set back from secondary street boundaries to maintain a pattern of separation between buildings and public streets and reinforce streetscape character.	DTS/DPF 6.1 Building walls are set back from the boundary of the allotment with a secondary street frontage: a) no less than: i. on sites with a site gradient greater than 1-in-8: 1900mm ii. on sites with a site gradient less than 1-in-8: at least 900mm or b) if a building (except for ancillary buildings and structures) on any adjoining allotment is closer to the secondary street, the distance of that building from the boundary with the secondary street (being, if relevant, the lesser of the 2 distances).		
Boundary Walls			
PO 7.1 Boundary walls are limited in height and length to manage impacts on adjoining properties.	DTS/DPF 7.1 Except where the building is a dwelling and is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur on only one side boundary and satisfy (a) or (b) below: a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height b) side boundary walls do not: i. exceed 3.2m in wall height from the lower of the natural or finished ground level ii. exceed 8m in length iii. when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary		

	iv. encroach within 3m of any other existing or proposed boundary walls on the subject land.
PO 7.2 Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density suburban streetscape character.	DTS/DPF 7.2 Dwelling walls in a semi-detached, row or terrace arrangement are set back from side boundaries shared with allotments outside the development site at least the minimum distance identified in DTS/DPF 8.1.
Side Boundary Setback	
PO 8.1 Buildings are set back from side boundaries to provide: a) separation between buildings in a way that complements the established character of the locality b) access to natural light and ventilation for neighbours.	DTS/DPF 8.1 Building walls not sited on side boundaries set back from the side boundary in accordance with the following: a) on sites with a site gradient greater than 1-in-8: i. at least 1900mm ii. for a wall that is south facing and the wall height exceeds 3m measured from the lower of natural or finished ground level - at least 1.9m from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level. b) on sites with a site gradient less than 1-in-8: i. where the wall height does not exceed 3m measured from the lower of natural or finished ground level - at least 900mm ii. for a wall that is not south facing and the wall height exceeds 3m measured from the lower of natural or finished ground level - at least 900mm from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level iii. for a wall that is south facing and the wall height exceeds 3m measured from the lower of natural or finished ground level - at least 1.9m from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level.
Rear Boundary Setback	
PO 9.1 Buildings are set back from rear boundaries to provide: a) separation between buildings in a way that complements the established character of the locality b) access to natural light and ventilation for neighbours c) private open space d) space for landscaping and vegetation.	DTS/DPF 9.1 Buildings are set back from the rear boundary at least: a) 4m for the first building level b) 6m for any second building level.
Built Form and Character	
PO 10.1 Development that would be prominently visible from the Adelaide plains	DTS/DPF 10.1 None are applicable.

or urban areas within regional cities and townships: a) achieves a profile that blends with the topography of the land b) avoids the use of bright and highly reflective external materials and finishes c) incorporates existing vegetation wherever possible and additional landscaping to assist in reducing the apparent bulk and scale.	
PO 10.2 Development of more than 1 building level in height takes account of its height and bulk relative to adjoining dwellings by: a) incorporating stepping in the design in accordance with the slope of the land b) where appropriate, setting back the upper level a greater distance from front and side boundaries than the lower level.	DTS/DPF 10.2 None are applicable.
Earthworks and retaining	
PO 11.1 Buildings sited and designed to integrate with the natural topography of the land using measures such as split level building construction and other approaches that minimise the extent of cut and fill.	DTS/DPF 11.1 None are applicable.
PO 11.2 Vegetation is used to screen buildings and excavation or filling from view.	DTS/DPF 11.2 None are applicable.
PO 11.3 Retaining walls are stepped series of low walls constructed of dark, natural coloured materials	DTS/DPF 11.3 Retaining walls: a) do not retain more than 1.5m in height or

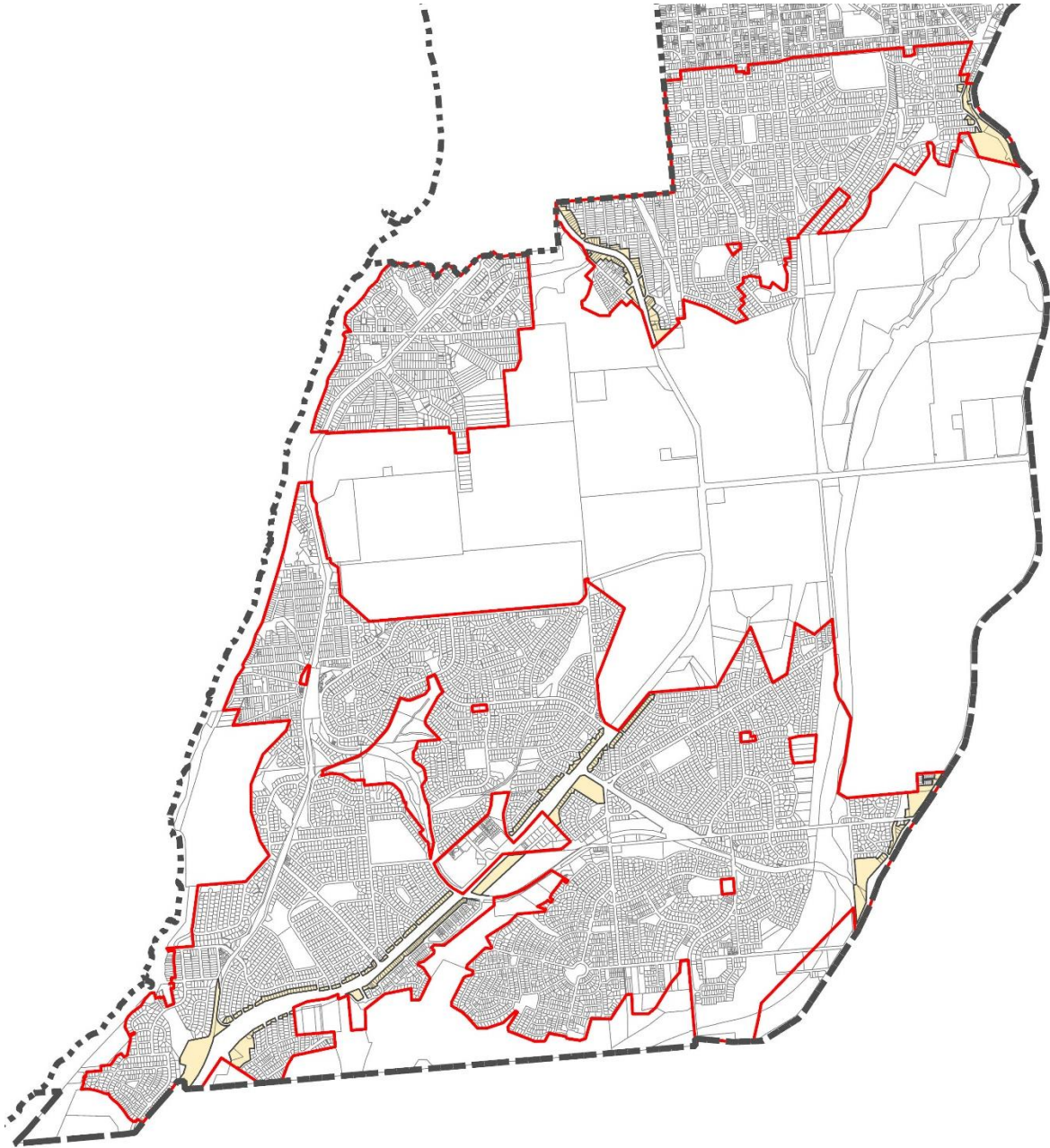
and screened by landscaping.	b) where more than 1.5m is to be retained in total, are stepped in a series of low walls each not exceeding 1m in height and separated by at least 700mm.				
Ancillary Buildings and Structures					
PO 12.1 Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.	DTS/DPF 12.1 Ancillary buildings: a) are ancillary to a dwelling erected on the same site b) have a floor area not exceeding 60m² c) are not constructed, added to or altered so that any part is situated: i. in front of any part of the building line of the dwelling to which it is ancillary - or ii. within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) d) in the case of a garage or carport, the garage or carport: i. is set back at least 5.5m from the boundary of the primary street ii. when facing a primary street or secondary street, has a total door / opening not exceeding: A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 8m unless: i. a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and ii. the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end) i) have a roof height where no part of the roof is more than 5m above the natural ground level j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less: i. a total area as determined by the following table: <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td><150</td><td>10%</td></tr> </tbody> </table>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site				
<150	10%				

	<table> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>>450</td><td>25%</td></tr> </table> ii. the amount of existing soft landscaping prior to the development occurring.	150-200	15%	201-450	20%	>450	25%
150-200	15%						
201-450	20%						
>450	25%						
PO 12.2 Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.	DTS/DPF 12.2 Ancillary buildings and structures do not result in: - less private open space than specified in Design in Urban Areas Table 1 - Private Open Space - less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.						
PO 12.3 Buildings and structures that are ancillary to an existing non-residential use do not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.	DTS/DPF 12.3 Non-residential ancillary buildings and structures: - are ancillary and subordinate to an existing non-residential use on the same site - have a floor area not exceeding the following: <table> <tr> <th>Allotment size</th><th>Floor area</th></tr> <tr> <td>≤500m²</td><td>60m²</td></tr> <tr> <td>>500m²</td><td>80m²</td></tr> </table> - are not constructed, added to or altered so that any part is situated: - in front of any part of the building line of the main building to which it is ancillary or - within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) - in the case of a garage or carport, the garage or carport: - is set back at least 5.5m from the boundary of the primary street - if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: - a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary - the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent - if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary - will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure - have a wall height (or post height) not exceeding 3m (and not including a gable end) - have a roof height where no part of the roof is more than 5m above the natural ground level - if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.	Allotment size	Floor area	≤500m ²	60m ²	>500m ²	80m ²
Allotment size	Floor area						
≤500m ²	60m ²						
>500m ²	80m ²						

Advertisements	
PO 13.1 Advertisements identify the associated business activity, and do not detract from the residential character of the locality.	DTS/DPF 13.1 Advertisements relating to a lawful business activity associated with a residential use do not exceed 0.3m² and mounted flush with a wall or fence.

Noise and Air Emissions Overlay

The Noise and Air Emissions Overlay (policy on following pages) will be applied to the following properties along Main South Road and Ocean Boulevard / Lonsdale Road as shown in the map below.



Proposed Noise and Air Emissions Overlay

About this Document
This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion.

Disclaimer
While every effort has been made to

- Legend
- Council Boundary
 - Affected Area
 - Noise and Air Emissions Overlay



Scale: 1:30,000

Noise Interface Overlay

Desired Outcome (DO)

Desired Outcome	
DO 1	Community health and amenity is protected from adverse impacts of noise and air emissions.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
PO 1.1 Sensitive receivers adjoining high noise and/or air pollution sources are designed and sited to shield sensitive receivers from the emission source using measures such as: a) placing buildings containing non-sensitive receivers (such as retail and commercial) between the emission source and sensitive receivers b) within individual buildings, placing rooms more sensitive to air quality and noise impacts (such as living rooms and bedrooms) further away from the emission source c) providing appropriate separation or erecting noise attenuation barriers, provided the requirements for safety, urban design and access can be met d) the use of building design elements such as podiums and jutting, deep or enclosed balconies (including with solid balustrades).	DTS/DPF 1.1 Sensitive receivers satisfy all of the following: a) do not adjoin a: i. Designated Road: Type A ii. Designated Road Corridor: Type B iii. Designated Road: Type R iv. Train Corridor v. Tram Corridor b) adjoining development incorporating music includes noise attenuation measures to achieve a noise level in any bedroom exposed to music noise (L10) less than: i. 8 dB above the level of background noise (L90,15 min) in any octave band of the sound spectrum; and ii. 5 dB(A) above the level of background noise (LA90,15 min) for the overall (sum of all octave bands) A-weighted levels.
PO 1.2 Development incorporating a sensitive receiver adjoining high air pollution sources use building design elements such as varying building heights, widths, articulation, setbacks and shapes to increase wind turbulence and the dispersion of air pollutants.	DTS/DPF 1.2 Sensitive receivers do not adjoin any of the following: a) Designated Road: Type A b) Designated Road: Type B c) Designated Road: Type R d) Train Corridor e) Tram Corridor.

PO 1.3 Development incorporating a sensitive receiver adjoining high noise and/or air pollution sources locates private open space (including ground level courtyards and balconies), common open space and outdoor play areas within educational facilities and child care facilities away from the emission source.	DTS/DPF 1.3 Open space associated with a sensitive receiver is not adjoining any of the following: a) Designated Road: Type A b) Designated Road: Type B c) Designated Road: Type R d) Train Corridor e) Tram Corridor f) Development incorporating music.
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Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

ATTACHMENT D – STRATEGIC PLANNING OUTCOMES

State Planning Policies

The State Planning Policies (SPPs) require that the Principles of Good Planning are considered in the preparation of any designated instrument, including a Code Amendment.

SPP Key Principles

There are 16 SPPs that include Objectives, Policies and Principles for Statutory Instruments (including the Planning and Design Code). The most critical SPPs in the context of this Code Amendment are:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<i>Principles of Good Planning</i> <u><i>Urban renewal principles</i></u> • <i>Preference should be given to accommodating the expected growth of cities and towns through the logical consolidation and redevelopment of existing urban areas.</i> • <i>Urban renewal should seek to make the best use (as appropriate) of underlying or latent potential associated with land, buildings, and infrastructure.</i> <u><i>High-quality design principles</i></u> • <i>Development should be designed to reflect the local setting and context, to have a distinctive identity that responds to the existing character of its locality, and strike a balance between built form, infrastructure, and the public realm.</i> <u><i>Activation and liveability principles</i></u> • <i>Urban areas should include a range of high-quality housing options with an emphasis on living affordability</i>	Much of the housing stock in the older established suburbs in Marion's south have reached an age where the buildings are no longer of a condition, design and/or size that meets the needs of residents. Many comprise small houses on larger than average allotments. The current minimum site areas of either 700m²/900m²/1100m² do not provide opportunity for subdivision / redevelopment to occur. The proposed Code Amendment seeks that one set of consistent (and appropriate) slope related policy (gradient/site dimensions, etc.) is applied to the southern suburbs that provides opportunity for subdivision / redevelopment to occur in appropriate locations. Many residents in Council's southern suburbs have been anticipating a change in zoning and associated policy that will allow subdivision and greater redevelopment potential for their large, aging, and under-developed properties; firstly, as part of Council's Housing Diversity DPA in 2019 and more recently via transition to the new Planning and Design Code.
<i>Integrated Planning</i> <i>1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock in established residential areas with a greater diversity of dwelling types.

<i>supported by infrastructure, services, and facilities.</i>	
<i>Design Quality</i> <i>2.9 Respect the characteristics and identities of different neighbourhoods, suburbs, and precincts by ensuring development considers existing and desired future context of a place.</i>	Much of the southern area of council comprises undulating land of varying gradients. Allotment dimensions (area, frontages etc.) will reflect the differences in steepness of individual properties/areas and the application of policy relevant to sloping sites is an appropriate policy approach to ensuring more appropriate design outcomes.
<i>Housing Supply and Diversity</i> <i>6.6 A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock in established residential areas with a greater diversity of dwelling types that better cater for life stages and lifestyle choice.

Regional Plans

The Regional Plan

The key policies and targets of the 30 Year Plan for Greater Adelaide (2017 Update) is relevant for this Code Amendment.

The investigations undertaken to date and outlined in this Code Amendment, will ensure that the proposed rezoning is largely consistent with the key policies and targets of the Regional Plan as described below.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<i>Principle 1: A compact and carbon-neutral city</i>	The Code Amendment will seek to facilitate the provision of additional housing opportunities at increased densities which can be adequately serviced by infrastructure such as public transport within the footprint of the existing metropolitan area.
<i>Principle 2: Housing diversity and choice</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock in established residential areas with a greater diversity of dwelling types and densities that better cater for life stages and lifestyle choice.

Transit corridors, growth areas and activity centres	
Policy 1. <i>Deliver a more compact urban form by locating the majority of Greater Adelaide's urban growth within existing built-up areas by increasing density at strategic locations close to public transport.</i>	The Code Amendment proposes to investigate an increase in residential density in established residential areas in close proximity to public transport (buses and trains).
Design Quality	
Policy 30: <i>Support the characteristics and identities of different neighbourhoods, suburbs, and precincts by ensuring development considers context, location, and place.</i>	The Code Amendment seeks to ensure that new development in the affected area, whilst of a higher density, has due consideration of the sloping nature and existing character of the land.
Housing mix, affordability, and competitiveness	
Policy 37: <i>Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas.....</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for replacement of aging housing stock in established residential areas with a greater diversity of dwelling types and densities that better cater for life stages and lifestyle choice.
Policy 46: <i>Ensure an adequate land supply is available to accommodate housing and employment growth over the longer term (at least a 15-year supply).</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for an increase in dwelling numbers in established residential areas thereby adding to potential land supply.
Infrastructure	
Policy 46: <i>Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community and green infrastructure, including:</i> • <i>walking and cycling paths and facilities</i> • <i>local stormwater and flood management including water sensitive urban design</i> • <i>public open space</i> • <i>sports facilities</i> • <i>street trees</i>	The proposed Code Amendment would introduce policy that will provide an opportunity for an increase in dwelling numbers in established residential areas where both community and green infrastructure already exists.

• <i>community facilities, such as childcare centres, schools, community hubs and libraries.</i>	
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