

**NOTICE OF
COUNCIL ASSESSMENT PANEL MEETING**

Notice is hereby given that a Council Assessment Panel Meeting will be held:

Wednesday 16 April 2025

Commencing at 6.30 p.m.

Council Chamber

Council Administration Centre

245 Sturt Road, Sturt

A copy of the Agenda for the meeting is attached. Meetings are open to the public and interested members of the community are welcome to attend. Access to the CAP Meeting is via the main entrance to the Administration building, 245 Sturt Road, Sturt.



Alex Wright

ASSESSMENT MANAGER

9 April 2025

Note: The plans contained in this Agenda are subject to copyright and should not be copied without authorisation.

**CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025
COMMENCING AT 6.30PM**



1. MEETING PROCEDURES

1.1 OPEN MEETING

1.2 PRESENT

1.3 APOLOGIES

1.4 IN ATTENDANCE

2. GENERAL OPERATIONS

No items listed for discussion.

3. DEVELOPMENT ACT 1993 APPLICATIONS

No items listed for discussion.

4. PDI ACT APPLICATIONS

4.1 DEVELOPMENT NO 24030118

44 Gertrude Street, Glandore

Partial demolition of existing dwelling and subsequent construction of a single storey dwelling addition, including a wall abutting the southern boundary, and internal building alteration.

Report Reference: CAP160425 - 4.1.....3

4.2 DEVELOPMENT NO 24018745 – CONFIDENTIAL ITEM

17 Petrel Close, Hallett Cove

Construction of a three-storey detached dwelling and associated earthworks, retaining walls, as well as a masonry fence/wall and a swimming pool and spa.

Report Reference: CAP160425 - 4.2.....87

5. APPEALS UPDATE

Verbal update provided.

6. POLICY OBSERVATIONS

No items listed for discussion.

7. OTHER BUSINESS

No items listed for discussion.

**8. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING
HELD ON 16 APRIL 2025**

9. MEETING CLOSURE

**2. GENERAL OPERATING PROCEDURES
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025**



No items listed for discussion.

**3. DEVELOPMENT ACT APPLICATIONS
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025**



No items listed for discussion.

**REPORT REFERENCE: CAP160425 - 4.1
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025**



Originating Officers:	Andrew Robertson Development Officer, Planning	
Application No:	24030118	
Applicant:	Yogo Design Consulting Pty Ltd	
Development Description:	Partial demolition of existing dwelling and subsequent construction of a single storey dwelling addition, including a wall abutting the southern boundary, and internal building alteration	
Site Location:	44 Gertrude Street, Glandore	
Zone & Sub-Zone	Established Neighbourhood	
Lodgement Date:	17 September 2024	
Planning & Design Code:	12 September 2024 Version 2024.17	
Elements & Pathway	Dwelling Addition	Performance Assessed
	Dwelling Alterations	Accepted
	Partial demolition	Accepted
External Referrals:	Nil	
Application Type:	Performance Assessed	
Delegations Policy:	Instrument of Delegation – CAP, Clause 5.1.1.1 <i>The delegation of the power to grant or refuse planning consent pursuant to Section 102(1)(a) of the Act is limited to applications in relation to which:</i> <i>Any Performance Assessed application that has undergone Public Notification where at least one representor has expressed opposition to the proposed development and has expressed their desire to be heard by the Panel.</i>	
Public Notification	Public Notification required Established Neighbourhood Zone Table 5 Clause 3 c, Column B 1. “Building Height exceeds 1 level”	
Recommendation:	That Planning Consent be GRANTED subject to conditions.	

Attachments

<i>Attachment I:</i>	<i>Plans and supporting documentation</i>
<i>Attachment II:</i>	<i>Original scheme</i>
<i>Attachment III:</i>	<i>Statement of Representations</i>
<i>Attachment IV:</i>	<i>Applicant’s Response to Representations</i>
<i>Appendix 1:</i>	<i>Planning and Design Code Guidelines</i>

SUBJECT LAND

The subject land, as shown in Figure 1, is a rectangular shaped allotment located on the corner of Gertrude and Malwa Streets, Glandore. The allotment is provided an area of 723.87 square metres and a frontage to Gertrude Street measuring 12.9 metres plus a corner cut-off. The secondary frontage to Malwa Street measures 42.36 metres. A single storey detached dwelling currently occupies the site. The dwelling includes some Bungalow style elements reflective of 1930-1950, such as a gable-end red-brick façade and chimney. The current secondary frontage to Malwa Street is characterised by a gable-roof section of the existing dwelling with terracotta tiles facing front and rear, a flat roof garage with metal sheeting and an ageing steel fence 1.8metres in height. The land is relatively flat. The front yard includes paved and landscaped areas, bordered by a good-neighbour front fence to the corner and a low colourbond fence section across the corner cut-off. There are no easements, encumbrances nor regulated or significant trees on the site.

Figure 1: Subject site



LOCALITY

The locality is comprised of a mix of older dwellings on large allotments predominately constructed between 1920's to 1950's and more recent homes and additions on the same allotments. Many of the homes in the area have extended their dwelling into the rear yard. Most of the dwellings are single storey with evidence of 2nd storey additions, both in addition to, and within the existing roofline within the locality.

The locality includes the dwellings to the east of the subject site and those along Malwa Street to the corner of Victoria Street in the north and to Naldera Street to the south. The dwellings on Naldera Street, from the corner of Narkunda Street to Almond Grove, are also included. The Character Area includes a mixture of Bungalow and Tudor architectural styles.

There are three zones within the immediate locality including the Established Neighbourhood (EN) along Gertrude Street, the eastern side of Malwa Street and Naldera street. The General Neighbourhood Zone (GN) is to the north west of the site along the western side of Malwa Street, with the Glandore Community Centre located within the Community Facilities (CF) Zone, directly opposite the proposed dwelling addition, as seen in Figure 2.

Figure 2: The broader locality with the various zones included



Figure 3: The locality defined by the yellow dashed lines



PROPOSED DEVELOPMENT

The proposed development seeks demolition of the rear section of the existing dwelling, including the garage, with alterations and additions to the dwelling. Originally it included an additional level that triggered public notification. Following public notification, the applicant elected to amend the scheme and remove the entire upper-level section.

The revised plan proposes a ground-floor-only addition constructed of red brick to match the existing dwelling, which spans from the existing dwelling to the southern boundary where an under main metal-sheet-roof garage abuts the neighbouring garage at 23a Naldera Street.

The following figures are discussed as part of the assessment discussion from page 6.

Figure 4: Proposed secondary frontage along Malwa Street,



Figure 5: Amended elevation from the primary, Gertrude Street



Figure 6: proposed secondary street frontage



PROCEDURAL MATTERS

Classification

The subject land is sited within the Established Neighbourhood Zone of the Planning & Design Code (the Code).

The proposed development is not prescribed as “Accepted”, “Deemed to Satisfy” or “Restricted” development in the Zone.

The proposal is therefore “Performance Assessed” pursuant to Section 107 the Planning, Development and Infrastructure Act 2016 and will be assessed on its merits against the various provisions of the Code.

Elements

The proposal incorporates the following ‘elements’;

- Dwelling Addition
- Building Alterations
- Partial Demolition of a building

Categorisation

The original upper-level addition required Public notification, in accordance with the Established Neighbourhood Zone, Table 5 Clause 3 c, dwelling addition is excluded except, under Column B, development that (1) exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1.

For an application to be classified as Deemed to Satisfy, DTS/DPF 4.1 states that Building height is no greater than: a) Maximum building height is 1 level

As such, the Council Assessment Panel was assigned as the Relevant Authority and the development was notified in accordance with the Act.

Relevant Authority

The proposal was correctly categorized with the Council Assessment Panel as the Relevant Authority. Although the scheme was amended to a single storey and would typically be exempt from notification, the Council Assessment Panel remains the Relevant Authority due to the public notification processes occurring and receipt of a representation against that requested to be heard.

Internal Referrals

Urban Arboriculture Officer

A Council street tree is located within the verge along Malwa Street, in line with the proposed garage/crossover. Council's Open Space Team has approved removal of the tree, with costs borne by the applicant.

Development Engineer

The driveway access is feasible subject to compliance with the relevant conditions.

PUBLIC NOTIFICATION

Public notification occurred between 23 October 2024 and 12 November 2024. Fifteen (15) representations were received, fourteen (14) opposed the development and one (1) was in support, with some concerns. One (1) of the opposing representors indicated a desire to be heard by the Council Assessment Panel (the Panel) in determining this application.

Figure 7 indicates the Representations against the proposal that fit within the 60 metre radius of the subject site. The red dots illustrate Representations that did not support the original two-storey proposal.

Figure 7: Public Notification Map with Representations received within the 60 metre radius



Summary of Representations (to the upper level proposal)

Properties Notified: 29

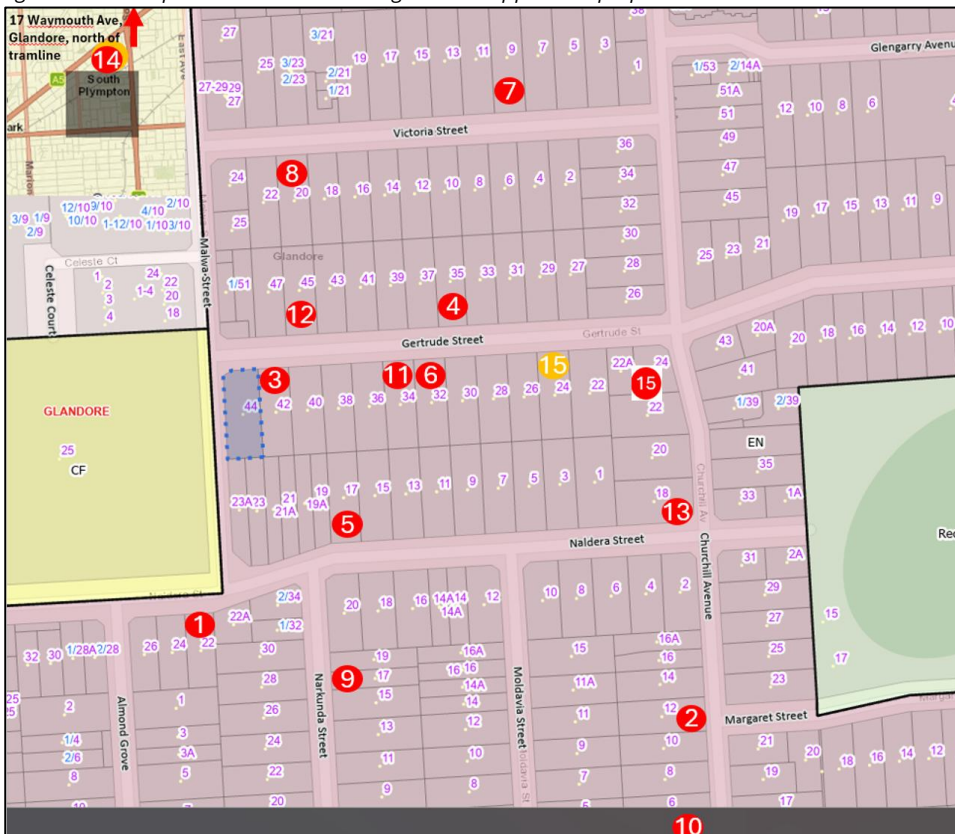
Representations Received: 15

No.	Name	Location	Position	Wish to be heard:
1	J Austin	22 Naldera Street, Glandore	Oppose	No
2	K Blue	12 Churchill Ave, Glandore	Oppose	No
3	L Bond	42 Gertrude Street, Glandore	Oppose	Yes
4	Y Chen	35 Gertrude Street, Glandore	Oppose	No
5	J Cloonan	17 Naldera street, Glandore	Oppose	No
6	A Deer	32 Gertrude Street, Glandore	Oppose	No
7	P Fietz	9 Victoria Street, Glandore	Oppose	No

8	D Hawkes	20 Victoria St, Glandore	Oppose	No
9	R MacPhee	17 Narkunda Street, Glandore	Oppose	No
10	I Moffat	2 Churchill Avenue, Glandore	Oppose	No
11	W Penney	34 Gertrude St, Glandore	Oppose	No
12	R Rechner	45 Gertrude Street, Glandore	Oppose	No
13	K Stead	18 Churchill Ave, Glandore	Oppose	No
14	J Swoboda	17 Waymouth Ave, Glandore	Oppose	No
15	S & P Williss	24 Gertrude Street, Glandore	Support with concerns	No

A response by the applicant is included within the Report attachments. The response included the provision of an amended scheme, that amended the proposal from two storey to single storey.

Figure 8: Total Representations received against the upper level proposal



Approach to Assessment

Part 1 – Rules of Interpretation of the Planning and Design Code (the Code) provides clarity on how to interpret the policies in the Code. Of particular note, 'Designated Performance Features' (DPF) assist Councils to interpret Performance Outcomes (PO).

The Rules of Interpretation clearly state that a DPF provides a guide but does not need to necessarily be satisfied in order for a certain development to meet the PO – i.e. the outcome can be met in another way:

In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.

(underline my emphasis)

A DPF provision should not be interpreted as quantitative requirements, instead they simply present one way in achieving the corresponding PO. There can be variation from DPF policies, and not just in a minor way. Emphasis should be placed on satisfying the qualitative Performance Outcome in the circumstances where a specified DPF is not met. This notwithstanding, there can be variation from DPF policies, however, as interpreted by the Commissioner within *Parkins v Adelaide Hills Council Assessment Manager [2022] SAERDC 12* 'a DPF is a relevant policy and must therefore form part of the assessment'. Commissioner Dyer found that '*whilst quantum departure from the terms of a DPF is not, of itself, grounds for refusal, I am not convinced that quantum departure can be completely ignored. It will, if nothing else, be a flag to the relevant authority to carefully ensure that, by way of alternative or the specific facts and circumstances of the matter, the performance outcome is met*'.

It is with the above approach in mind that I have assessed this development.

ASSESSMENT

Part 1 - Rules of Interpretation of the Code advises that for each Zone, Table 3 specifies the policies and rules that apply to classes of development within the zone. I note:

The policies specified in Table 3 constitute the policies applicable to the particular class of development within the zone to the exclusion of all other policies within the Code, and no other policies are applicable.

For the avoidance of doubt, the relevant authority may determine that one or more of the listed policies are not relevant to a particular development.

The code policies applicable to this development can be reviewed in Appendix 1. The following provisions within table 3 are considered relevant to this assessment.

Policies relating to the above planning considerations are found in the Zone, Overlays and General sections of the Code.

ZONE CONSIDERATIONS

Established Neighbourhood Zone: DO 1, DO 2, PO 3.1, PO 4.1, PO 4.2, PO 6.1, PO 7.1, PO 8.1, PO 9.1, PO 10.1, PO 10.2

OVERLAY CONSIDERATIONS

Airport Building Heights (Regulated): DO 1 & PO 1.1

Building Near Airfields: DO 1 & PO 1.3

Character Area: DO 1, PO 1.1, PO 2.1, PO 2.2, PO 2.3, PO 2.4, PO 2.5, PO 3.1, PO 6.1 & PO 6.2

Hazards (Flooding – Evidence Required): DO 1 & PO 1.1

GENERAL DEVELOPMENT POLICIES CONSIDERATIONS

Clearance from Overhead Powerlines: DO 1 & PO 1.1

Design in Urban Areas: DO 1, PO 8.1, PO 18.1, PO 20.3, PO 21.1, PO 21.2, PO 22.1, PO 23.1, 23.3, 23.4

Infrastructure and Renewable Energy Facilities: DO 1

Interface between Land Uses: DO 1, PO 3.1 PO 3.2 & PO 3.3

Transport, Access and Parking: DO 1, PO 5.1

Quantitative Snapshot		
Existing Site Features		
Site Area	723.87sqm	
Frontage Width	12.9m plus corner cut-off	
Depth	43.88m (average)	
Proposed Features		
Provisions	Proposed	DTS/DPF Guidelines*
Site Coverage	362m ² / 50%	40%
Building Height	5.8m / 1 building level	Maximum building height is 1 level
Primary Street Setback	No change to Gertrude Street	
Ground side setback	Eastern: 1.3m	900mm
Secondary St. setback	Western: 1.5m to Malwa Street	In line with the adjoining allotment at 23a Naldera St
Ground rear setback	Located on boundary	4m
Wall on Boundary	Length: 6m Height: 3m	8m length; 3.2m height; 45% total boundary length
Car parking	2 spaces, both covered	2 spaces. 1 covered
Private Open Space	121m ²	Where site area is 301m ² or greater: 60m ²
Soft landscaping total	218m ² / 27%	25% of the site
SL forward of dwelling	101m ² / 84%	30% of land forward of the building line

* Note: As the application is 'Performance Assessed', satisfaction of the suggested DPF is 'one way' of achieving the corresponding 'Performance Outcomes'.

Assessment Discussion

In my view, the most pertinent planning considerations for this assessment relate to the addition's design and appearance reflective of the outcome sought within the Character Area Overlay, streetscape character and the built form's footprint and siting.

Land Use

The proposed development is primarily for the construction of a dwelling addition, along with other types of associated development. As forms of residential development anticipated within the Zone, and having regard to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, the proposed development is not considered to be seriously at variance to the Planning & Design Code.

The following map in Figure 9 highlights the locality, with the numbers representing the photos shown on the pages below that are discussed in relation to the most pertinent performance outcomes.

Figure 9: Locality map with number representing the photos included within this discussion



The red lines — indicate rear boundary walls similar to the subject site along the secondary street frontage.

Figures 10 to 18 demonstrate examples of the prevailing streetscape characteristics.

Figure 10, Photo 1: Malwa Street looking south from 24 Victoria's secondary frontage to the corner of Gertrude Street



Figure 11, Photo 2: Flat red-brick flats, north of the community centre along Malwa St within the GNZ.



Figure 12, Photo 3: Looking south along Malwa St at the secondary frontage of 49 Gertrude Street (opposite the subject site)



Figure 13, Photo 4: corner of Gertrude/Malwa Streets facing opposite the primary street frontage of the subject site.



Figure 14, Photo 5: the subject site's primary frontage (right) and neighbour's new colourbond roofing and front wall (left)



Figure 15, Photo 6: existing secondary street frontage and view of the colorbond roofing style of the eastern neighbour



Figure 16, Photo 7: Streetscape looking north along Malwa St towards the secondary street of the proposed site



Figure 17, Photo 8: Looking northwards from the rear of the allotments on the corner Almond/Naldera Streets



Figure 18: Secondary street corner of Naldera St and Almond Grove with limited space between buildings



Streetscape Character and Character Area Overlay

Character Area Overlay PO 1.1 seeks development be undertaken having consideration to the valued attributes expressed in the Character Area Overlay, whilst PO's 2.1,2.2, 2.3, 2.4 and 2.5 generally seek development that is consistent with the characteristics of the character area, maintain a similar building footprint, setbacks and pattern of development and incorporate consistent or complementary materials.

Character Area Overlay PO 3.1 provides guidance for additions and alterations, seeking they do not adversely impact the streetscape character. The corresponding DTS/DPF suggests this can be achieved through considered development behind the primary façade, in line with existing side setbacks and be of a single storey nature.

The Established Neighbourhood Zone is more generic, with Zone PO 4.2 specifically seeking additions and alterations not adversely impacting on the streetscape character, with PO's relating to site coverage, building height and setbacks generally seeking development contributed, complement and be consistent with the character, form and pattern of the neighbourhood.

Established Neighbourhood Zone PO 10.1 and 10.2 seek garages be sited and designed to be discreet and not dominate, whilst the appearance of the built form appearance should be sympathetic to existing housing stock wall height, roof form and pitch.

When considering existing allotments and dwellings within the immediate locality, it is evident many incorporate features sought by the Character Area Overlay, such as gable and hip-roof forms, proportionate wall and building heights, masonry and brick facades, generous setbacks to boundaries and large areas of open space/soft landscaping forward of the building.

The existing dwelling is considered to incorporate many of these elements and it is noted the proposed additions do not change the dwelling's primary appearance to Gertrude Street.

The proposed additions are single storey in nature and proposed to incorporate a red brick finish which matches the existing dwelling. The addition is proposed to incorporate a hipped roof form with an 'ironstone' or similar (dark grey) colorbond finish. Whilst not consistent with the red tiled gable-ended roof form of the existing dwelling, this is nonetheless considered appropriate as the existing dwelling's architectural integrity and street level material composition will be maintained. Whilst the window size and dimensions are considerably larger than those of the existing dwelling, given these will predominately be obscured by boundary fencing, they are not considered to be inappropriate. The use of corrugated iron/colorbond roofing material is common throughout the locality, and is most notable to the east of the subject site on the Glandore Community Centre.

Whilst the proposed addition effectively runs the length of the site, with a wall located on the site's rear boundary, built form of this extent is not foreign to the locality with several corner allotments incorporating extensive built form/structures along the secondary street. Whilst the secondary street presentation does not necessary reflect the design outcome sought by the Character Area Overlay, it will provide a uniform and improved appearance to what presently exists. Furthermore, the extent of built form adjacent and along the secondary street is consistent with the pattern of development within the immediate locality.

Building Footprint and Siting

Site Coverage

Established Neighbourhood Zone PO 3.1 seeks building footprints be consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

Whilst the proposed site coverage of 50% is considered to exceed the suggested DTS/DPF maximum of 40%, regard must be given the appropriateness of the proposed side and rear boundary setbacks, provision of existing private open space and soft landscaping opportunities and the existing pattern of development within the immediate locality.

The existing building footprint is 203 square metres or 28% of the total site area and the proposed addition will consist of an additional 250 square metres or 50% of the site. The proposed development however, will provide 121 square metres of private open space and 218 square metres of soft landscaping opportunities. This, combined with appropriate setbacks to boundaries, is considered to enable sufficient space around the buildings to limit visual impact, provide an attractive outlook and allow sufficient access to light and ventilation to neighbours.

In addition, analysis has been undertaken of allotments within the locality, with an average site coverage (including both dwellings, additions and outbuildings) of approximately 57%. It is clearly demonstrated that the proposed building footprint is not considered to be inconsistent with the character and pattern of the neighbourhood.

Figure 18: Allotment site coverage within the locality

Allotment	Coverage
24 Victoria	64%
25 Malwa	53%
51 Gertrude	60%
23a Naldera	77%
23 Naldera	44%
34 Narkunda	48%
20 Naldera	53%
22a Naldera	63%
22 Naldera	49%
24 Naldera	51%
26 Naldera	63%
Average	57%

Setbacks

The proposed rear setback is somewhat at odds with that sought by the Code with the dwelling itself (albeit an under main roof garage) sited on the rear boundary.

Established Neighbourhood Zone PO 9.1 seeks buildings be setback from rear boundaries to provide separation between buildings in a way that complements the established character of the locality, provides access to natural light and ventilation for neighbours, enables sufficient private open space and space for landscaping and vegetation. The DTS/DPF suggests this is achieved by providing a minimum rear setback of 4 metres.

In my opinion this is where the suggested DTS/DPF is incongruent with the outcome sought by the corresponding PO.

As discussed above, the dwelling is provided with sufficient open space and soft landscaping opportunities.

There are numerous examples within the locality where development, primarily in the form of outbuildings, is located on rear boundaries. Whilst the proposed built form is not of a lightweight nature, it will be consistent in its design and comprise of high quality materials and finishes. The structure will abut an existing structure on the adjacent allotment, thereby not resulting in any amenity or visual impacts and reflect the outcome sought by Established Neighbourhood Zone PO 7.1.

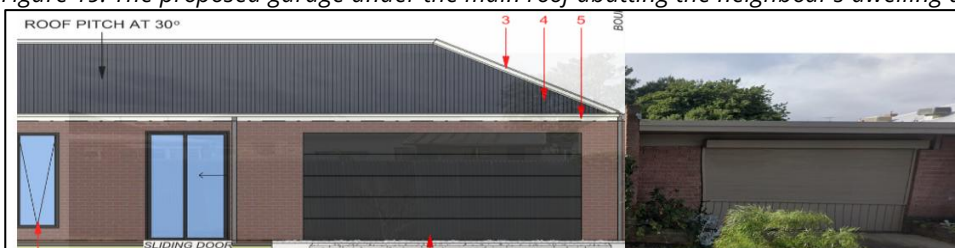
Established Neighbourhood Zone PO 6.1 seeks buildings be set back from secondary street boundaries in a manner which maintains the established pattern of separation between buildings and public streets and reinforces the streetscape character.

The proposed addition is considered to be an appropriate extension of the existing built form, is considered to maintain the established pattern of development and will maintain a positive streetscape character.

It is noted that in this locality it is common for carports or garages to be located on a side boundary. There are examples along other secondary street frontages within the locality, as seen in the photos above, including on the corners of Malwa Street with Naldera and Victoria Streets and the corners of Naldera Street with Narkunda and Almond Avenue.

The number of boundary walls adjoined to the rear boundary along the secondary streets are marked in red lines within Figure 9 above. An image of how the proposed garage will look like along the boundary wall is illustrated in Figure 19 below.

Figure 19. The proposed garage under the main roof abutting the neighbour's dwelling addition



Conclusion

The dwelling addition with its red-brick walls is considered an overall improvement upon the state of the existing fencing and expansive roof form that is currently seen from Malwa Street. While the proposal does not include all of the valued attributes within the Character Area Overlay, the plans are considered to maintain many of the established characteristics within the locality. The proposal matches the roof form of 49 Gertrude Street opposite, that faces the Community Centre. It matches the roof material and shape of the current roof of the neighbour at 42 Gertrude Street, as well as the roofing of many other dwelling roof-shapes and materials within the locality. It matches the roof material and shape of the current roof of the neighbour at 42 Gertrude Street, as well as the roofing of many other dwelling roof-shapes and materials within the locality. It is not the intent of the Character Area provisions to enforce the valued attributes but rather to strike a balance and sympathise with, and positively contribute to, the character of the area as a whole.

Further attributes discussed above, that have been demonstrated to maintain a positive contribution to the overall character of the area are the setbacks, boundary walls and separation between buildings that maintain the pattern within the locality.

On balance, the proposed development is considered to exhibit sufficient merit when assessed against the relevant Performance Outcomes and considered to sympathise with the character of the adjoining dwellings and satisfy the relevant policies with respect to appropriate residential and streetscape character. As such it is recommended Planning Consent, subject to conditions, be issued. As such it is recommended that Planning Consent be granted, subject to the conditions and notes recommended.

RECOMMENDATION

In accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016 the Council Assessment Panel;

- (a) Notes the assessment and recommendation(s) made by the report author;
- (b) Resolves that the proposed development, pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, IS NOT seriously at variance¹ with the Planning and Design Code; and
- (c) Resolves that, pursuant to Section 102 (1) *Planning, Development and Infrastructure Act 2016*, Development Application 24030118 seeking planning consent for Partial demolition of existing dwelling and subsequent construction of a single storey dwelling addition, including a wall abutting the southern boundary, and internal building alteration at 44 Gertrude Stret, Glandore be GRANTED, subject to the following Conditions:

CONDITIONS

1. **The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).**
2. **Any form of development on the property boundary (such as mortar joints on any face brickwork, blueboard material or similar, render etc) shall be finished in a professional manner and to the same standard as the remainder of the subject dwelling.**
3. **Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.**
4. **All car parking areas, driveways and vehicle manoeuvring areas must be constructed in accordance with the approved plans and recognised engineering practices prior to the occupation of the premises or the use of the development herein approved and maintained in a good condition at all times.**

¹ Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016* (or Section 35(2) of the *Development Act 1993* for applications under that Act), a “development must not be granted planning consent if it is, in the opinion of the relevant authority, seriously at variance with the Planning and Design Code” (or the Development Plan if under the Development Act).

What is ‘seriously at variance’ is not a defined legislative term and is not synonymous with a proposal that is merely ‘at variance’ with certain provisions of the Code (or Plan), which many applications will be. Instead, it has been interpreted to be an important or grave departure in either quantity or degree from the Code (or Plan) and accordingly not worthy of consent under any circumstances and having the potential to undermine the objectives of the Code (or Plan) for the land or the Zone.

5. Landscaping shall be planted and maintained in accordance with the plans and details forming part of the development authorisation.

NOTES

1. Street tree removal requires further action from you (the applicant). Council's Open Space team will send you a letter explaining the process associated with payment, street tree removal and street tree replacement. Following Development Approval, please contact Council's Open Space team to arrange for payment to be made. Please note that removal/replacement may only be undertaken by Council, and removal/replacement will not occur until after payment has been received. Please see Council's 'Development and Street Trees' Factsheet for further information.

2. The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>

3. The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).
4. The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Further information on the standards can be obtained via Council's website. marion.sa.gov.au > Search Civil engineering > Click 'Civil engineering infrastructure - standard drawing index'

5. If excavating, it is recommended you contact *Before You Dig Australia (BYDA)* (www.byda.com.au) to keep people safe and help protect underground infrastructure.

6. **The Fences Act 1975 details certain requirements and procedures in order to remove, replace or repair boundary fencing. If you intend to remove or repair an existing boundary fence, you are obligated to give the other affected neighbours 30 days notice to comment and respond as per a "Form 2". If a fence is removed (even if only temporarily) by a neighbour without the consent of the adjoining owner, or without following the procedure under the Fences Act, you may be liable to compensate the other owner.**

For more information, please refer to the Legal Services Commission brochure titled "Fences and the Law". Copies are available at Council's Administration Centre, or online at <http://www.lawhandbook.sa.gov.au/ch31s02.php>.

7. **As the proposal involves work on or near the boundary, it is recommended that the boundaries are clearly defined by a Licensed Surveyor prior to the commencement of any building work.**
8. **Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.**
9. **Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.**
10. **The applicant is reminded that Development Approval is required for any retaining wall over one metre in height, any masonry fence over one metre in height, any non-masonry fence (e.g. colorbond, wood paling, brush etc) over 2.1 metres in height, and any retaining wall with a fence on top with a total height over 2.1 metres in height (measured from the lower of the two adjacent ground levels).**

Address: 44 GERTRUDE ST GLANDORE SA 5037

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Zone

Established Neighbourhood

Overlay

- Airport Building Heights (Regulated) (*All structures over 15 metres*)
- Affordable Housing
- Building Near Airfields
- Character Area (*MarC1*)
- Hazards (Flooding - Evidence Required)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Urban Tree Canopy

Local Variation (TNV)

- Minimum Frontage (*Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 9m*)
- Minimum Site Area (*Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm*)
- Maximum Building Height (Levels) (*Maximum building height is 1 level*)
- Site Coverage (*Maximum site coverage is 40 per cent*)

Selected Development(s)

Dwelling addition

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards.
If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Dwelling addition - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Established Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.
DO 2	Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature		
Site coverage			
<p>PO 3.1</p> <p>Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.</p>	<p>DTS/DPF 3.1</p> <p>Development does not result in site coverage exceeding:</p> <table><tr><th>Site Coverage</th></tr><tr><td>Maximum site coverage is 40 per cent</td></tr></table> <p>In instances where:</p> <ul style="list-style-type: none">(a) no value is returned (i.e. there is a blank field), then a maximum 50% site coverage applies(b) more than one value is returned in the same field, refer to the Site Coverage Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development.	Site Coverage	Maximum site coverage is 40 per cent
Site Coverage			
Maximum site coverage is 40 per cent			
Building Height			
<p>PO 4.1</p> <p>Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.</p>	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) is no greater than:</p> <ul style="list-style-type: none">(a) the following: <table><tr><th>Maximum Building Height (Levels)</th></tr><tr><td>Maximum building height is 1 level</td></tr></table> <ul style="list-style-type: none">(b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m. <p>In relation to DTS/DPF 4.1, in instances where:</p> <ul style="list-style-type: none">(c) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation layer or Maximum Building Height (Meters) Technical and Numeric Variation layer</i> in the SA planning database to determine the applicable value relevant to the site of the proposed development.	Maximum Building Height (Levels)	Maximum building height is 1 level
Maximum Building Height (Levels)			
Maximum building height is 1 level			

	(d) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.
<p>PO 4.2</p> <p>Additions and alterations do not adversely impact on the streetscape character.</p>	<p>DTS/DPF 4.2</p> <p>Additions and alterations:</p> <ul style="list-style-type: none"> (a) are fully contained within the roof space of a building with no external alterations made to the building elevation facing the primary street or (b) meet all of the following: <ul style="list-style-type: none"> (i) do not include any development forward of the front façade building line (ii) where including a second or subsequent building level addition, does not project beyond a 45 degree angle measured from ground level at the building line of the existing building.
Secondary Street Setback	
<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries (not being a rear laneway) to maintain the established pattern of separation between buildings and public streets and reinforce streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back from the secondary street boundary (other than a rear laneway):</p> <ul style="list-style-type: none"> (a) no less than: or (b) 900mm, whichever is greater or (c) if a building (except for ancillary buildings and structures) on any adjoining allotment is closer to the secondary street, not less than the distance of that building from the boundary with the secondary street. <p>In instances where no value is returned in DTS/DPF 6.1(a) (i.e. there is a blank field), then it is taken that the value for DTS/DPF 6.1(a) is zero.</p>
Boundary Walls	
<p>PO 7.1</p> <p>Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Dwellings do not incorporate side boundary walls where a side boundary setback value is returned in (a) below:</p> <ul style="list-style-type: none"> (a) or (b) where no side boundary setback value is returned in (a) above, and 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 only on one side boundary and satisfy (i) or (ii) below:

	<ul style="list-style-type: none"> (i) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (ii) side boundary walls do not: <ul style="list-style-type: none"> A. exceed 3.2m in wall height from the lower of the natural or finished ground level B. exceed 8m in length C. when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary D. encroach within 3m of any other existing or proposed boundary walls on the subject land.
<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density suburban streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement are setback from side boundaries shared with allotments outside the development site at least the minimum distance identified in Established Neighbourhood Zone DTS/DPF 8.1.</p>
Side Boundary Setback	
<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between buildings in a way that complements the established character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Other than walls located on a side boundary in accordance with Established Neighbourhood Zone DTS/DPF 7.1, building walls are set back from the side boundary:</p> <ul style="list-style-type: none"> (a) no less than: (b) in all other cases (i.e., there is a blank field), then: <ul style="list-style-type: none"> (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	
<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p>	<p>DTS/DPF 9.1</p> <p>Other than in relation to an access lane way, buildings are set back</p>

Policy24	
(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.	from the rear boundary at least: (a) 4m for the first building level (b) 6m for any second building level.
Appearance	
PO 10.1 Garages and carports are designed and sited to be discreet and not dominate the appearance of the associated dwelling when viewed from the street.	DTS/DPF 10.1 Garages and carports facing a street (other than an access lane way): (a) are set back at least 0.5m behind the building line of the associated dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a total garage door / opening width not exceeding 30% of the allotment or site frontage, to a maximum width of 7m.
PO 10.2 The appearance of development as viewed from public roads is sympathetic to the wall height, roof forms and roof pitches of the predominant housing stock in the locality.	DTS/DPF 10.2 None are applicable.

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. All development undertaken by:	Except development involving any of the following:

<ul style="list-style-type: none"> (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. 	<ul style="list-style-type: none"> 1. residential flat building(s) of 3 or more building levels 2. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 3. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) ancillary accommodation (b) dwelling (c) dwelling addition (d) residential flat building. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 8m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. does not satisfy Established Neighbourhood Zone DTS/DPF 1.2 or 2. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 3. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 8m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) carport (c) deck 	<p>None specified.</p>

<ul style="list-style-type: none"> (d) fence (e) internal building works (f) land division (g) outbuilding (h) pergola (i) private bushfire shelter (j) recreation area (k) replacement building (l) retaining wall (m) shade sail (n) solar photovoltaic panels (roof mounted) (o) swimming pool or spa pool and associated swimming pool safety features (p) temporary accommodation in an area affected by bushfire (q) tree damaging activity (r) verandah (s) water tank. 	
<p>6. Any development involving any of the following (or of any combination of any of the following) within the Tunnel Protection Overlay:</p> <ul style="list-style-type: none"> (a) storage of materials, equipment or vehicles (whether temporary or permanent) over an area exceeding 100 square metres (b) temporary stockpiling of soil, gravel, rock or other natural material over an area exceeding 100 square metres (c) excavation or ground intruding activity at a depth greater than 2.5 metres below the regulated surface level. 	<p>Except where not undertaken by the Crown, a Council or an essential infrastructure provider.</p>
<p>7. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>
Placement of Notices - Exemptions for Performance Assessed Development	
None specified.	
Placement of Notices - Exemptions for Restricted Development	
None specified.	

Part 3 - Overlays

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Building height does not pose a hazard to the operation of a certified or registered aerodrome.	DTS/DPF 1.1 Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas. In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.

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
Any of the following classes of development: (a) building located in an area identified as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i> (b) building comprising exhaust stacks that generates plumes, or may cause plumes to be generated, above a height specified in the <i>Airport Building Heights (Regulated) Overlay</i> .	The airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth.	To provide expert assessment and direction to the relevant authority on potential impacts on the safety and operation of aviation activities.	Development of a class to which Schedule 9 clause 3 item 1 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Building Near Airfields Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Maintain the operational and safety requirements of certified commercial and military airfields, airports, airstrips and helicopter landing sites through management of non-residential lighting, turbulence and activities that may attract or result in the congregation of wildlife.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.3 Buildings are adequately separated from runways and other take-off and landing facilities within certified or registered aerodromes to minimise the potential for building-generated turbulence and windshear that may pose a safety hazard to aircraft flight movement.	DTS/DPF 1.3 The distance from any part of a runway centreline to the closest point of the building is not less than 35 times the building height.

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

Character Area Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Valued streetscape characteristics and development patterns are reinforced through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character Area Statement.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
PO 1.1 All development is undertaken having consideration to the valued attributes expressed in the Character Area Statement.	DTS/DPF 1.1 None are applicable.
Built Form	
PO 2.1 The form of new buildings and structures that are visible from the public realm are consistent with the valued streetscape characteristics of the character area.	DTS/DPF 2.1 None are applicable.

PO 2.2 Development is consistent with the prevailing building and wall heights in the character area.	DTS/DPF 2.2 None are applicable.
PO 2.3 Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) are consistent with the prevailing characteristics in the character area.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development is consistent with the prevailing front and side boundary setback pattern in the character area.	DTS/DPF 2.4 None are applicable.
PO 2.5 Materials are either consistent with or complement those within the character area.	DTS/DPF 2.5 None are applicable.
Alterations and Additions	
PO 3.1 Additions and alterations do not adversely impact on the streetscape character.	DTS/DPF 3.1 Additions and alterations: <ul style="list-style-type: none"> (a) are fully contained within the roof space of a building with no external alterations made to the building elevation facing the primary street or (b) meet all of the following: <ul style="list-style-type: none"> (i) do not include any development forward of the front façade building line (ii) any side or rear extensions are no closer to the side boundary than the existing building (iii) do not involve the construction or alteration of a second or subsequent building level.
PO 3.2 Adaptive reuse and revitalisation of buildings to retain local character consistent with the Character Area Statement.	DTS/DPF 3.2 None are applicable.
Context and Streetscape Amenity	
PO 6.1 The width of driveways and other vehicle access ways are consistent with the prevalent width of existing driveways in the character area.	DTS/DPF 6.1 None are applicable.
PO 6.2 Development maintains the valued landscape pattern and characteristics that contribute to the character area, except where they compromise safety, create nuisance, or impact adversely on existing buildings or infrastructure.	DTS/DPF 6.2 None are applicable.

Character Area Statements

Statement#	Statement
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Statement#	Statement		
Character Areas affecting City of Marion			
MarC1	Edwardstown, Glandore, Glengowrie and Plympton Park Character Area Statement (Mar-C1) The Character Area Overlay identifies localities that comprise valued character attributes. They can be characterised by a consistent rhythm of allotment patterns, building setting and spacing, landscape or natural features and the scale, proportion and form of buildings and their key elements. These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of a Character Area. The preparation of a Contextual Analysis can assist in determining potential additional attributes of a Character Area where these are not identified in the below table.		
	<table><tr><td>Eras, themes and context</td><td>1920s to 1950.</td></tr></table>	Eras, themes and context	1920s to 1950.
	Eras, themes and context	1920s to 1950.	
	<table><tr><td>Allotments, subdivision and built form patterns</td><td>Conventional grid type pattern of streets. Large allotments. Predominantly detached dwellings. Some examples of semi-detached dwellings in Glandore and Glengowrie.</td></tr></table>	Allotments, subdivision and built form patterns	Conventional grid type pattern of streets. Large allotments. Predominantly detached dwellings. Some examples of semi-detached dwellings in Glandore and Glengowrie.
	Allotments, subdivision and built form patterns	Conventional grid type pattern of streets. Large allotments. Predominantly detached dwellings. Some examples of semi-detached dwellings in Glandore and Glengowrie.	
	<table><tr><td>Architectural styles, detailing and built form features</td><td>Single storey detached dwellings. Occasional single storey semi-detached dwellings. Mixture of Bungalow, Art Deco, Spanish Mission, Tudor. Articulated roof forms (gable, Dutch gable, hips). Chimneys, projecting front verandahs, porches, porticos. Garages and carports located behind main face of dwelling.</td></tr></table>	Architectural styles, detailing and built form features	Single storey detached dwellings. Occasional single storey semi-detached dwellings. Mixture of Bungalow, Art Deco, Spanish Mission, Tudor. Articulated roof forms (gable, Dutch gable, hips). Chimneys, projecting front verandahs, porches, porticos. Garages and carports located behind main face of dwelling.
	Architectural styles, detailing and built form features	Single storey detached dwellings. Occasional single storey semi-detached dwellings. Mixture of Bungalow, Art Deco, Spanish Mission, Tudor. Articulated roof forms (gable, Dutch gable, hips). Chimneys, projecting front verandahs, porches, porticos. Garages and carports located behind main face of dwelling.	
	<table><tr><td>Building height</td><td>Single storey. 2nd storey in roofline.</td></tr></table>	Building height	Single storey. 2nd storey in roofline.
Building height	Single storey. 2nd storey in roofline.		
<table><tr><td>Materials</td><td>Timber frame windows. External walls constructed of mixture of red brick, painted brick, stone and rendered masonry. Roofing - galvanised iron/replaced with colorbond, terracotta tiles.</td></tr></table>	Materials	Timber frame windows. External walls constructed of mixture of red brick, painted brick, stone and rendered masonry. Roofing - galvanised iron/replaced with colorbond, terracotta tiles.	
Materials	Timber frame windows. External walls constructed of mixture of red brick, painted brick, stone and rendered masonry. Roofing - galvanised iron/replaced with colorbond, terracotta tiles.		
<table><tr><td>Fencing</td><td>Low height - rendered masonry, timber</td></tr></table>	Fencing	Low height - rendered masonry, timber	
Fencing	Low height - rendered masonry, timber		

Policy24	Statement#		Statement	
			picket, post and wire, tubular.	
		Setting, landscaping, streetscape and public realm features	Tree lined streets. Well maintained traditional gardens. Mature vegetation in private properties. Low scale dwellings. Housing well setback from street.	
		Representative Buildings	[Not identified]	

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

Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb

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

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is: <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable and long lasting

	<p>(c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors</p> <p>(d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.</p>
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
Earthworks and sloping land	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.
<p>PO 8.2</p> <p>Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.
<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <ul style="list-style-type: none"> (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land. 	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
Overlooking / Visual Privacy (low rise buildings)	
<p>PO 10.1</p>	<p>DTS/DPF 10.1</p>

<p>Policy24</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.</p>	<p>Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
All residential development	
Outlook and Amenity	
<p>PO 18.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 18.1</p> <p>A living room of a dwelling incorporates a window with an external outlook of the street frontage, private open space, public open space, or waterfront areas.</p>
Residential Development - Low Rise	
External appearance	
<p>PO 20.3</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 20.3</p> <p>None are applicable</p>
Private Open Space	
<p>PO 21.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 21.1</p> <p>Private open space is provided in accordance with Design in Urban Areas Table 1 - Private Open Space.</p>
<p>PO 21.2</p> <p>Private open space is positioned to provide convenient access from internal living areas.</p>	<p>DTS/DPF 21.2</p> <p>Private open space is directly accessible from a habitable room.</p>
Landscaping	
<p>PO 22.1</p> <p>Soft landscaping is incorporated into development to:</p>	<p>DTS/DPF 22.1</p> <p>Residential development incorporates soft landscaping with a</p>

<ul style="list-style-type: none"> (a) minimise heat absorption and reflection (b) contribute shade and shelter (c) provide for stormwater infiltration and biodiversity (d) enhance the appearance of land and streetscapes. 	<p>minimum dimension of 700mm provided in accordance with (a) and (b):</p> <ul style="list-style-type: none"> (a) a total area for the entire development site, including any common property, as determined by the following table: <table border="1" data-bbox="954 324 1541 674"> <thead> <tr> <th>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> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>>200-450</td><td>20%</td></tr> <tr> <td>>450</td><td>25%</td></tr> </tbody> </table> (b) at least 30% of any land between the primary street boundary and the primary building line. 	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%	150-200	15%	>200-450	20%	>450	25%
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%										
150-200	15%										
>200-450	20%										
>450	25%										
Car parking, access and manoeuvrability											
<p>PO 23.1</p> <p>Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single width car parking spaces: <ul style="list-style-type: none"> (i) a minimum length of 5.4m per space (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m (b) double width car parking spaces (side by side): <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space. 										
<p>PO 23.2</p> <p>Uncovered car parking space are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m. 										
<p>PO 23.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 23.3</p> <p>Driveways and access points satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site (b) sites with a frontage to a public road greater than 10m: <ul style="list-style-type: none"> (i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site; 										

	<ul style="list-style-type: none"> (ii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.
<p>PO 23.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 23.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 23.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 23.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping (b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:

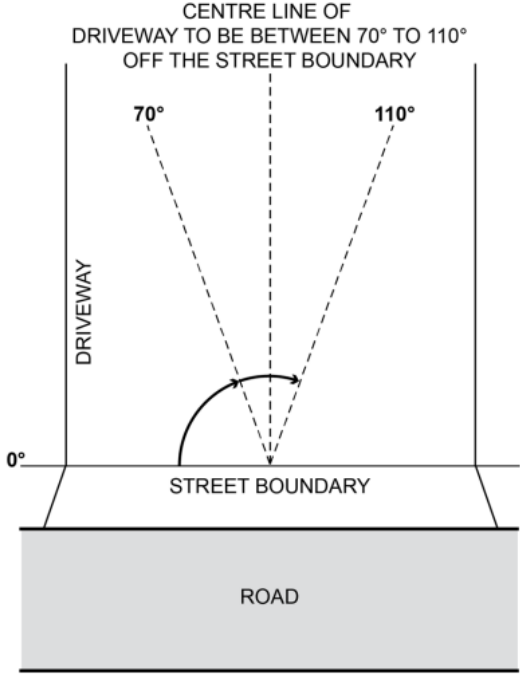
	 <p>(c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site.</p>
<p>PO 23.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 23.6</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
Waste storage	
<p>PO 24.1</p> <p>Provision is made for the convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 24.1</p> <p>Where dwellings abut both side boundaries a waste bin storage area is provided behind the building line of each dwelling that:</p> <ul style="list-style-type: none"> (a) has a minimum area of 2m² with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space); and (b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.

Table 1 - Private Open Space

Dwelling Type	Dwelling / Site Configuration	Minimum Rate
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Dwelling (at ground level, other than a residential flat building that includes above ground dwellings)		Total private open space area: (a) Site area <301m ² : 24m ² located behind the building line. (b) Site area ≥ 301m ² : 60m ² located behind the building line. Minimum directly accessible from a living room: 16m ² / with a minimum dimension 3m.
Cabin or caravan (permanently fixed to the ground) in a residential park or caravan and tourist park		Total area: 16m ² , which may be uses as second car parking space, provided on each site intended for residential occupation.
Dwelling in a residential flat building or mixed use building which incorporate above ground level dwellings	Dwellings at ground level:	15m ² / minimum dimension 3m
	Dwellings above ground level:	
	Studio (no separate bedroom)	4m ² / minimum dimension 1.8m
	One bedroom dwelling	8m ² / minimum dimension 2.1m
	Two bedroom dwelling	11m ² / minimum dimension 2.4m
	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Wastewater Services	
PO 12.2 Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Overshadowing	
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <p>a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

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

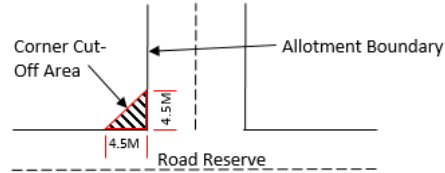
Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Vehicle Parking Rates	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place. 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area (b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Corner Cut-Offs	
<p>PO 10.1</p> <p>Development is located and designed to ensure drivers can safely turn into and out of public road junctions.</p>	<p>DTS/DPF 10.1</p> <p>Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:</p>  <p>The diagram illustrates a corner cut-off area at a road junction. A dashed line represents the 'Allotment Boundary'. A solid line represents the 'Road Reserve', which is 4.5M wide. A shaded triangular area, labeled 'Corner Cut-Off Area', is shown at the junction, also with a 4.5M dimension.</p>

Table 1 - General Off-Street Car Parking Requirements

Class of Development	Car Parking Rate (unless varied by Table 2 onwards)
Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.	
Residential Development	
Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Group Dwelling	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.

	<p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Residential Flat Building	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Row Dwelling where vehicle access is from the primary street	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Semi-Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>

Table 2 - Off-Street Car Parking Requirements in Designated Areas

Class of Development	Car Parking Rate		Designated Areas
	Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.		
	Minimum number of spaces	Maximum number of spaces	
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>

REPORT REFERENCE: CAP160425 - 4.2
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025



CONFIDENTIAL REPORTS OF COUNCIL ASSESSMENT MANAGER

Reason for confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Clause 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (ix) information relating to actual litigation, or litigation that the Council Assessment Panel believes on reasonable grounds will take place

Recommendation

1. The Council Assessment Panel orders pursuant to Clause 13(2)(a)(ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Manager of Development and Regulatory Services, Unit Manager – Planning & Development, Team Leader - Planning, Development Officer – Planning, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager of the Council Assessment Panel.
2. Under Clause 14(4) of the *Planning, Development and Infrastructure (General) Regulations 2017*, an order be made that Item 4.2 including the report, attachments and discussions having been dealt with in confidence under Clause 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017*, shall be kept in confidence until a decision of the Environment, Resources and Development Court relevant to the item is made.
3. Further, that at completion of the confidential session, the meeting be re-opened to the public.

**5. APPEALS UPDATE
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025**



APPEALS AGAINST PANEL DECISIONS

New Appeals

DA No.	Address	Appeal Lodged	Recommendation	Decision	Current Status
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Nil.

On-going Appeals

DA No.	Address	Appeal Lodged	Recommendation	Decision	Current Status
24018745	17 Petrel Close, Hallett Cove	20 February 2025	Refused	Refused	Hearing scheduled for 29 April 2025

6. POLICY OBSERVATIONS
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025



No items listed for discussion.

7. OTHER BUSINESS
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 16 APRIL 2025



No items listed for discussion