

Development Plan Amendment

By the Minister

MARION COUNCIL DEVELOPMENT PLAN

Oaklands Park Renewal Development Plan Amendment *For Approval*

Declared by the Minister for Planning and Local Government to be
an approved amendment under Section 26(8), of the Development
Act 1993

.....
Signature

.....
Date of Gazette



Government of South Australia
Attorney-General's Department

Approval DPA

Background

The Oaklands Park Renewal Development Plan Amendment (DPA) by the Minister for Planning and Local Government amends the Marion Council Development Plan.

This DPA was undertaken as a DPA process B, which included:

- An Initiation Document agreed on 20 July 2020
- A DPA released for concurrent agency, council and public consultation from 17 September 2020 to 12 November 2020
- A Public Meeting conducted by the State Planning Commission (the Commission) Public Meeting Subcommittee (the Subcommittee) on 26 November 2020.

Consultation

A total of 46 public submissions, one council submission and four agency submissions were received in relation to the DPA during the consultation period. Ten verbal submissions were made at the Public Hearing.

Approval Stage

Based on a review of all submissions and the recommendations of the Commission, the following key changes have been made to the Amendment:

- a. That PDC10 of Master Planned Renewal Policy Area 25 be amended to ensure that where a building envelope plan is provided as part of a master planned land division proposal, they identify *‘existing trees and vegetation to be retained’*.
- b. That PDC 13 of Master Planned Renewal Policy Area 25 be amended to ensure that where a building envelope plan is provided as part of a master planned land division, it additionally seeks *‘the protection of existing trees worthy of retention’*.

Amendment Instructions Table

Name of Local Government Area: City of Marion

Name of Development Plan: Marion Council Development Plan

Name of DPA: Oaklands Park Renewal DPA

The following amendment instructions (at the time of drafting) relate to the Marion Council Development Plan consolidated on 26 November 2020.

Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

Amendment Number	Instruction	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted. If applicable, detail what material is to be inserted and where. Use attachments for large bodies of material.	Is Renumbering required (Y/N)	Subsequent Policy cross- references requiring update (Y/N) if yes please specify.
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COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)

Amendments required: **No**

ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)

Amendments required: **Yes**

Urban Renewal Neighbourhood Zone (new) and Master Planned Renewal Policy Area 25 (new)

1.	Insert	Following the Urban Core Zone, the contents of Attachment A.	N	N
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TABLES

Amendments required: **No**

MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)

Amendments required: **Yes**

Map Reference Table

2.	Insert	In the Zone section, add the following row after 'Urban Core': Urban Renewal Mar/5 Neighbourhood 	N	N
3.	Insert	In the Policy Area section, add the following row after 'Hills Policy Area 11': Master Planned Renewal Mar/5 Policy Area 25 	N	N

Map(s)

Oaklands Park Renewal DPA
by the Minister

4.	Replace	The following maps with the contents of Attachment B : <ul style="list-style-type: none">• Overlay Map Mar/5 – Affordable Housing• Zone Map Mar/5• Policy Area Map Mar/5	N	N
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ATTACHMENT A

Urban Renewal Neighbourhood Zone Master Planned Renewal Policy Area 25

(new zone and policy area)

Urban Renewal Neighbourhood Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 Housing that no longer meets community preferences replaced with new diverse housing options, as housing density increases.
- 2 Employment and community services improve access to jobs, goods and services without compromising residential amenity.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use and Intensity

- 1 Development comprises one or more of the following land uses:
 - Ancillary accommodation
 - Community facility
 - Consulting room
 - Dwelling
 - Educational establishment
 - Office
 - Pre-school
 - Recreation area
 - Residential flat building
 - Retirement facility
 - Shop
 - Supported accommodation.
- 2 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents, with larger-scale shops, offices and consulting rooms established on higher order roads or adjacent existing commercial and retail precincts.
- 3 A shop, consulting room or office (or any combination thereof):
 - a) comprises a change in the use of an existing building that is lawfully used as a shop, office or consulting room (or any combination thereof);
 - b) does not exceed 200 square metres gross leasable floor area (individually or combined, in a single building) where located on a site with a primary frontage to an arterial or collector road, or adjoining a zone with the words 'Main Street' or 'Activity Centre' in its name; or
 - c) in all other cases, does not exceed 100 square metres gross leasable floor area (individually or combined, in a single building).

- 4 Non-residential development provides a range of services to the local community primarily in the form of:
 - a) commercial uses including small scale offices, shops and consulting rooms;
 - b) community services such as educational establishments, community centres, places of worship, pre-schools, child care and other health and welfare services;
 - c) services and facilities ancillary to the function or operation of supported accommodation or retirement housing; or
 - d) open space and recreation facilities.

Site Dimensions and Land Division

- 5 Allotments/sites created for residential purposes accommodate a diverse range of medium density housing.
- 6 High density housing located on sites of a suitable size and dimension to achieve a high standard of amenity for occupants and neighbours.

Building Height

- 7 Buildings generally 2-3 levels with taller buildings located on sites that are a suitable size and dimension to manage massing and impacts on adjoining residential development.

Primary Street Setback

- 8 Buildings are set back from primary street boundaries to establish a desirable urban streetscape character and integrate development with public open space.

Secondary Street Setback

- 9 Buildings are set back from secondary street boundaries to maintain a pattern of separation between building walls and public streets and reinforce a streetscape character.

Boundary Walls

- 10 Boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.

Side Boundary Setback

- 11 Buildings are set back from side boundaries to provide:
 - a) separation between buildings to minimise visual impact; and
 - b) access to natural light and ventilation for neighbours.

Rear Boundary Setback

- 12 Buildings are set back from rear boundaries to provide:
 - a) separation between dwellings to minimise visual impact;
 - b) access to natural light and ventilation for neighbours;
 - c) open space recreational opportunities; and
 - d) space for landscaping and vegetation.

Master Planned Renewal Policy Area 25

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this Policy Area.

OBJECTIVES

- 1 A revitalised community with a diverse range of housing that supports a range of needs and lifestyles located within easy reach of a diversity of services, facilities and open space.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use and Intensity

- 1 In addition to the land uses identified in the Urban Renewal Neighbourhood Zone, development comprises one or more of the following land uses:
 - Display home.
- 2 Non-residential uses are of a scale to support the anticipated future growth of the surrounding neighbourhood.
- 3 The density of residential development increases closer to open space, public transport, centres and community facilities.
- 4 Community facilities such as schools, community centres, recreation centres and public open space are co-located with complementary uses to reinforce their role as a focal point for community.
- 5 Community facilities are located and designed to maximise accessibility by public transport, walking and cycling.

Co-ordinated and Orderly Development

- 6 Where land ownership is fragmented, land division and infrastructure occur in a coordinated manner and orderly sequence.
- 7 Development and infrastructure are staged and provided in a manner that supports the orderly expansion of urban areas and the economic provision of infrastructure and services.

Site Dimensions, Land Division and Building Envelope Plans

- 8 Street patterns and pedestrian and cycle connections designed to reduce travel distances to open space, public transport, activity centres and community facilities and assist to create low speed environments in local streets.
- 9 Tree planting provided on public streets and public open space to create a comfortable micro-climate and improve the amenity of the neighbourhood.
- 10 Land division that includes building envelope plans for the purposes of assessing built form outcomes identifies the following in relation to residential allotments:
 - (a) setbacks from boundaries which provide a cohesive streetscape pattern and appropriate interface with adjoining land; and
 - (b) private open space sized and located to meet the needs of occupants; and

- (c) vehicle access points located to provide safe and convenient access, facilitate on-street parking and enable street tree planting; and
 - (d) existing trees and vegetation to be retained.
- 11 Sites for residential purposes are consistent with an authorised plan of division or Concept Plan.
- 12 Where a dwelling forms part of a master planned land division providing a minimum 15 per cent affordable housing, discounts may be applied in accordance with the following:
 - (a) In relation to car parking:
 - i. 1 car park per dwelling.
 - (b) In relation to private open space:
 - i. For dwellings at ground level (including dwellings of two or more storeys), 10 square metres with a minimum dimension of 2 metres; or
 - ii. For dwellings above ground level, 8 square metres with a minimum dimension of 2 metres.
- 13 A building envelope plan forming part of a master planned land division and which provides a minimum 15 per cent affordable housing achieves the following:
 - (a) setbacks from boundaries which provide a cohesive streetscape pattern and appropriate interface with adjoining land; and
 - (b) private open space sized and located to meet the needs of occupants; and
 - (c) vehicle access points located to provide safe and convenient access, facilitate on-street parking and enable street tree planting; and
 - (d) building heights of 2-3 levels; and
 - (e) the protection of existing trees worthy of retention.

Open space

- 14 The size and distribution of open space encourages recreation and healthy lifestyles.
- 15 Division of land on sites greater than 15 hectares results in 80 per cent of allotments created for residential purposes located within a 400 metres walk of open space that has a minimum area of 1.5 hectares.
- 16 The quality of open space encourages recreation and healthy lifestyles by including a variety of attractive features such as walking and cycling trails, play spaces, water features (including watercourses and constructed wetlands), irrigated recreation spaces, sporting infrastructure or public art.

Building Height

- 17 Building height (excluding garages, carports and outbuildings) not exceeding:
 - a) the maximum height nominated on an authorised building envelope plan for the subject site/allotment; or
 - b) 4 building levels and 15 metres where the site:
 - i. is at least 1200 square metres; and
 - ii. has a frontage of at least 35 metres; or
 - c) 3 building levels and 12 metres in all other circumstances.

Primary Street Setback

18 Buildings setback from the primary street frontage at least:

- a) 8 metres or more along the frontage of an arterial road; or
- b) 1.5 metres or more where the allotment is located adjoining a public reserve greater than 2000 square metres (including where the site would adjoin if not separated by a public road), the dwelling faces that reserve and access is provided to the rear of the allotment; or
- c) 3 metres or more along all other road frontages; or
- d) consistent with an authorised building envelope plan for the subject site/allotment.

Secondary Street Setback

19 Buildings setback from the secondary street frontage at least the lesser of the following:

- a) 900 millimetres; or
- b) if a dwelling on any adjoining allotment is closer to the secondary street than 900 millimetres, the distance of that dwelling from the boundary with the secondary street; or
- c) consistent with an authorised building envelope plan for the subject site/allotment.

Boundary Walls

20 Dwelling walls on side boundaries either:

- a) adjoin or abut a boundary wall of a building on adjoining land for the same, or lesser length and height; or
- b) are consistent with an authorised building envelope plan for the subject site/allotment; or
- c) do not exceed:
 - i. 3 metres in height; and
 - ii. 11.5 metres in length; and
 - iii. with respect to all boundary walls on the same boundary, 45 per cent of the total length of the boundary.

21 Dwellings in a semi-detached, row or terrace arrangement are set back at least 900 millimetres from side boundaries shared with allotments outside the development site.

Side Boundary Setback

22 Buildings not sited on side boundaries set back from the side boundary:

- a) 0.9 metres for a wall height less than 3 metres; and
- b) 0.9 metres plus 1/3 of the wall height above 3 metres; or
- c) consistent with an authorised building envelope plan for the subject site/allotment.

Rear Boundary Setback

23 Buildings set back from the rear boundaries as follows:

- a) consistent with an authorised building envelope plan for the subject site/allotment; or
- b) 5 metres or more where the subject land directly abuts an allotment of a different zone; or
- c) 0 metres where the development abuts the wall of an existing or simultaneously constructed building on the adjoining land; or
- d) 3 metres for the first building level or 0 metres where the rear boundary adjoins a laneway; and

- e) 5 metres for any second building level or 0 metres where the rear boundary adjoins a laneway; and
- f) 5 metres plus any increase in wall height over 7 metres for buildings three building levels and above.

Private Open Space

- 24 Private open space provided consistent with an authorised building envelope plan for the subject site/allotment, or in accordance with the following:

Dwelling Type	Dwelling / Site Configuration	Minimum Rate
Dwelling (at ground level)		Total area: 24 square metres located behind the building line Minimum directly accessible from a living room: 16 square metres with a minimum dimension 3 metres
Dwelling in a residential flat building which incorporates above ground dwellings	Dwellings at ground level	15 square metres / minimum dimension 3 metres
	Dwellings above ground level	
	Studio	4 square metres / minimum dimension 1.8 metres
	One bedroom dwelling	8 square metres / minimum dimension 2.1 metres
	Two bedroom dwelling	11 square metres / minimum dimension 2.4 metres
	Three + bedroom dwelling	15 square metres / minimum dimension 2.6 metres

Advertising and display homes

- 25 Advertising is limited to:
- a) temporary displays to promote the sale of land and buildings within the zone; and
 - b) one display per road frontage; and
 - c) an advertising display area no greater than 6 metres x 3 metres.
- 26 Display homes provide sufficient car parking at a rate of:
- a) 5.5 carpark spaces per display home for up to five display homes; and
 - b) 2.5 additional carpark spaces per additional display home.

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

In addition, the following forms of development are designated as complying subject to the complying criteria / conditions as outlined in the table below:

Form of Development	Complying Criteria / Conditions
Detached dwelling	1 Principles of Development Control 11, 17, 18, 19, 20, 21, 22, 23 and 24 of the Master Planned Renewal Policy Area 25 are satisfied.
Semi-detached dwelling	
Row dwelling	2 Dwellings provide on-site car parking spaces at a rate no less than: (a) 1 or 2 bedroom dwelling: 1 space per dwelling; and (b) 3 or more bedroom dwelling: 2 spaces per dwelling. 3 Each dwelling with a frontage to a public street: a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4 metres; and b) has an aggregate window area of at least 2 square metres facing the primary street. 4 Dwellings with a frontage to a public street have an entry door visible from the primary street boundary. 5 A living room incorporates a window with an external outlook towards the street frontage or private open space. 6 Garages and carports facing a street: a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling; and b) are set back at least 5.5 metres from the boundary of the primary street; and c) have a garage door / opening not exceeding 7 metres in width; and d) have a garage door / opening width not exceeding 50 per cent of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street. 7 Upper level windows facing side or rear boundaries shared with an allotment intended or used for residential purposes: a) are permanently obscured to a height of 1.5 metres above finished floor level that is fixed or not capable of being opened more than 200 millimetres; or b) have sill heights greater than or equal to 1.5 metres above finished floor level; and / or c) incorporate screening with a maximum of 25 per cent of openings, permanently fixed no more than 0.5 metres from the window surface and sited adjacent to any part of the window less than 1.5 metres above the finished floor level.

Form of Development	Complying Criteria / Conditions
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| | <p>8 All sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25 per cent transparency/openings fixed to a minimum height of 1.7 metres above finished floor level, other than where the longest side of the balcony will face a road (including any road reserve) or reserve (including land held as open space) that is at least 15 metres wide in all places faced by the balcony.</p> <p>9 The proposed development satisfies one of the following:</p> <p>a) A Stormwater Management Plan has been endorsed by the relevant Council for the land and the proposed dwelling has been designed in accordance with that Stormwater Management Plan; or</p> <p>b) Residential development:</p> <p>(i) includes rainwater tank storage:</p> <p>(A) connected to at least 80 per cent of the roof area; and</p> <p>(B) connected to all toilets and either the laundry cold water outlets or hot water service;</p> <p>(C) with a minimum total capacity in accordance with Table 1; and</p> <p>(D) where detention is required, includes a 20-25 millimetres diameter slow release orifice at the bottom of the detention component of the tank; and</p> <p>(ii) incorporates dwelling roof area comprising at least 80 per cent of the site's impervious area.</p> |
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Table 1: Rainwater Tank

Site size (m ²)	Minimum retention volume (Litres)	Minimum detention volume (Litres)
<200	2000	N/A
200-400	2000	Site perviousness <30%: 1000 Site perviousness ≥30%: N/A
>401	4000	Site perviousness <35%: 1000 Site perviousness ≥35%: N/A

- 10 Residential parking spaces enclosed by fencing, walls, posts or other structures have the following internal dimensions (separate from any waste storage area):
- a) single width parking spaces:
- a minimum length of 5.4 metres per space; and
 - a minimum width of 3.0 metres; and
 - a minimum garage door width of 2.4 metres.

Form of Development	Complying Criteria / Conditions
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- b) double parking spaces (side by side):
 - i. a minimum length of 5.4 metres; and
 - ii. a minimum width of 5.5 metres; and
 - iii. minimum garage door width of 2.4 metres per space.

11 Uncovered car parking spaces have:

- a) a minimum length of 5.4 metres; and
- b) a minimum width of 2.4 metres; and
- c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5 metres.

12 Driveways and access points:

- a) for sites with a frontage to a public road of 10 metres or less, have a maximum width of 3.2 metres measured at the property boundary and are the only access point provided on the site; or
- b) for sites with a frontage to a public road greater than 10 metres:
 - i. have a maximum width of 5 metres measured at the property boundary and are the only access point provided on the site; or
 - ii. have a maximum width of 3.2 metres measured at the property boundary and no more than two access points are provided on site.

13 Vehicle access to car parking spaces:

- a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or
- b) where newly proposed, is setback:
 - i. 500 millimetres 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; and
 - ii. 2 metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner; and
 - iii. 6 metres or more from the tangent point of an intersection of 2 or more roads or a pedestrian-actuated crossing.

14 Driveways are designed and sited so that:

- a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport will not be steeper than 1:4 on average; and
- b) the centre of the driveway at the public road boundary is no more than 25 degree deviation from the centre of the front of the covered car parking space for which it provides vehicle access.

15 Where dwellings abut both side boundaries, a waste bin storage area is provided behind the building line of each dwelling that:

- a) has a minimum area of 2 square metres with a minimum dimension of 0.9 metres (separate from any designated car parking spaces or private open space); and

Form of Development	Complying Criteria / Conditions
	<ul style="list-style-type: none"> b) a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800 millimetres between the waste bin storage area and the street. <p>16 The dwelling satisfies one of the following:</p> <ul style="list-style-type: none"> a) does not incorporate a change of use of land; or b) incorporates a change of use of land that is not a more sensitive use of land than previously established uses of the land; or c) in respect of which the applicant is able to furnish, or the relevant authority is in possession of, a site contamination audit report less than 5 years old under <i>Part 10A of the Environment Protection Act 1993</i> to the effect: <ul style="list-style-type: none"> i. that site contamination does not exist (or no longer exists) at the land; or ii. that any site contamination at the land has been cleared or addressed to the extent necessary to enable the land to be suitable for sensitive use; or d) the allotment was the subject of consent granted under the <i>Development Act 1993</i> or the <i>Planning Development and Infrastructure Act 2016</i> on or after 1 September 2009 in relation to the division of the land. <p>17 One of the following is satisfied:</p> <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>; or b) there are no above ground powerlines adjoining the site that is the subject of the proposed development <p>18 The dwelling does not involve either:</p> <ul style="list-style-type: none"> a) excavation exceeding a vertical height of 1 metre; or b) filling exceeding a vertical height of 1 metre; or c) a total combined excavation and filling vertical height of 2 metres or more.
<p>Detached, semi-detached or row dwelling where the authorised plan of division nominates a minimum 15 percent of allotments for the purposes of affordable housing</p>	<ul style="list-style-type: none"> 1. A building envelope plan has been approved in relation to the relevant site/allotment. 2. No part of a dwelling (excluding open structures such as verandahs, porticos and eaves) will protrude beyond the relevant building envelope plan. 3. The dwelling provides 1 on-site car park, with the following dimensions: <ul style="list-style-type: none"> a) where enclosed by fencing, walls or other obstructions, the spaces following internal dimensions: <ul style="list-style-type: none"> (i) single parking spaces: <ul style="list-style-type: none"> (A) a minimum length of 5.4 metres; and (B) a minimum width of 3.0 metres; and (C) a minimum garage door width of 2.4 metres (ii) double parking spaces (side by side) <ul style="list-style-type: none"> (A) a minimum length of 5.4 metres; and

Form of Development	Complying Criteria / Conditions
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| | <ul style="list-style-type: none">(B) a minimum width of 5.5 metres; and(C) a minimum garage door width of 2.4 metres <p>(iii) where uncovered, spaces have:</p> <ul style="list-style-type: none">(A) a minimum length of 5.4 metres; and(B) a minimum width of 2.4 metres; and(C) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5 metres |
| 4. | <p>The dwelling provides private open space at a rate no less than:</p> <ul style="list-style-type: none">(a) for dwellings at ground level (including dwellings of two or more storeys), 10 square metres with a minimum dimension of 2 metres; or(b) for dwellings above ground, 8 square metres with a minimum dimension of 2 metres |
| 5. | <p>The dwelling does not exceed the building height nominated on the relevant building envelope plan, or where none is specified, does not exceed:</p> <ul style="list-style-type: none">(a) a maximum building height of 3 building levels or 12 metres; and(b) a wall height of 10 metres (except where a gable end) |
| 6. | <p>Where the dwelling has a frontage to a public street, it:</p> <ul style="list-style-type: none">a) includes at least one window facing the primary street from a habitable room; andb) has an aggregate window area of at least 2 square metres facing the primary street |
| 7. | <p>The dwelling provides upper level windows facing the side or rear boundaries shared with another residential allotment/site which:</p> <ul style="list-style-type: none">a) are permanently obscured to a height of 1.5 metres above finished floor level and are fixed or not capable of being opened more than 200 millimetres; orb) have sill heights greater than or equal to 1.5 metres above finished floor level;c) and/ord) incorporate screening to a height of 1.5 metres above finished floor level |
| 8. | <p>All sides of balconies or terraces on upper building levels are permanently obscured to a height of 1.7 metres above finished floor level, other than where the longest side of the balcony will face a road (including any road reserve) or reserve (including land held as open space) that is at least 15 metres wide in all places faced by the boundary;</p> |
| 9. | <p>The dwelling provides vehicle access to car parking spaces that is located consistent with that shown on the relevant building envelope plan, or is located:</p> |

Form of Development	Complying Criteria / Conditions
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- | | |
|--|---|
| | <ul style="list-style-type: none">a) 500 millimetres or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the infrastructure owner; andb) 2 metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner; andc) 6 metres or more from the tangent point of an intersection of 2 or more roads or a pedestrian actuated crossing; andd) so that access is not obtained from, and is located at least 25 metres from the tangent of, any road subject to the Key Outback and Rural Routes Overlay, Urban Transport Routes Overlay or Major Urban Transport Routes Overlay |
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10. Driveways are designed and sited so that:

- a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is no steeper than 1:4 on average; or
- b) they are aligned relative to the street boundary so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the street boundary

11. The development does not involve:

- a) excavation exceeding a vertical height of 1metre; or
- b) filling exceeding a vertical height of 1metre; or
- c) a total combined excavation and filling vertical height of 2 metres or more

12. The development satisfies one of the following:

- a) a declaration is provided on or 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 *Electricity Act 1996*; or
- b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

13. The development is connected, or will be connected, to:

- a) a reticulated water scheme or mains water supply with capacity to meet the requirements of the development; or
- b) an approved common waste water disposal service with the capacity to meet the requirements of the development.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of Development	Exceptions
Shop or group of shops	Except where the gross leasable area is 1000 square metres or less

Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

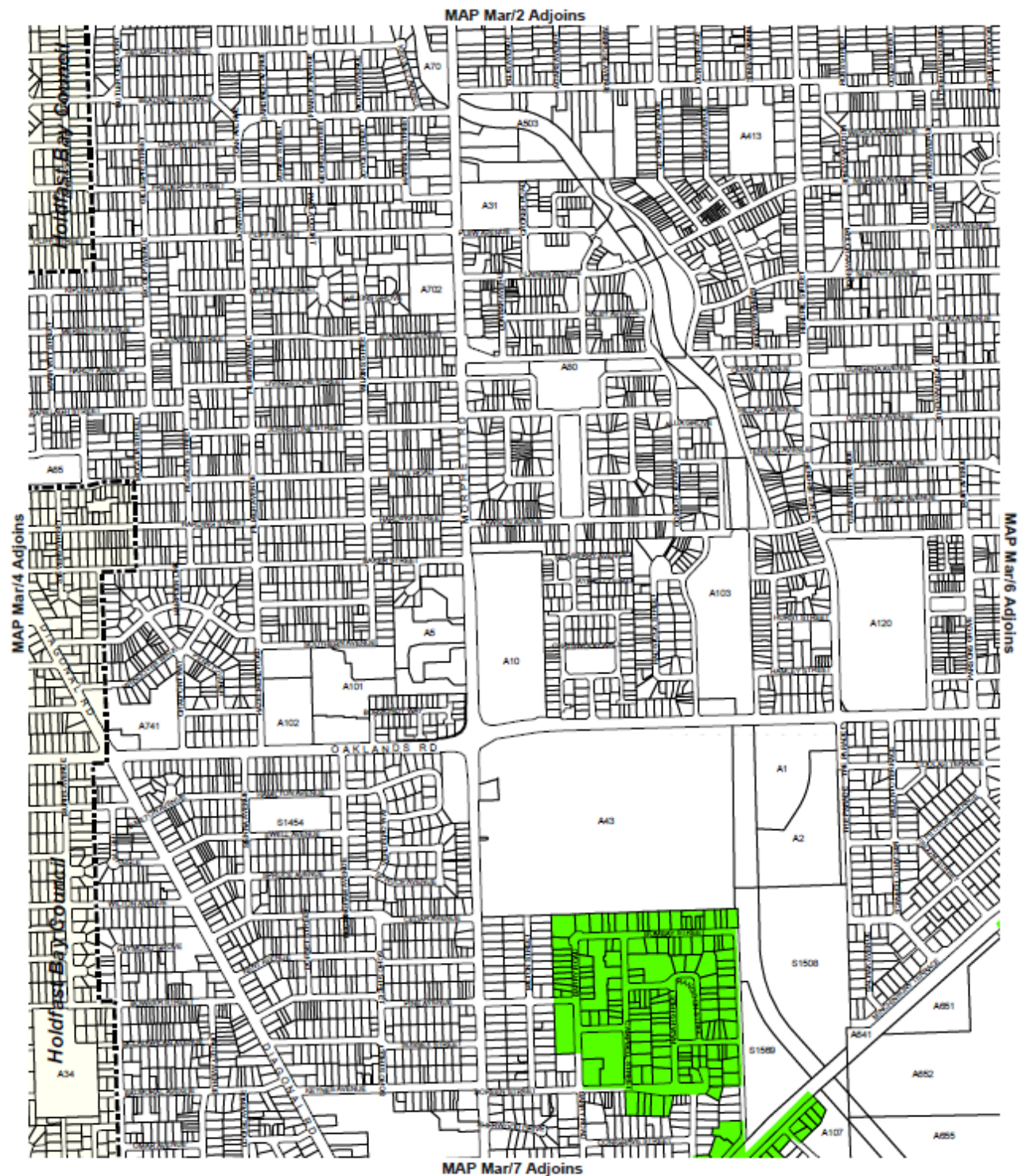
Further, the following forms of development (except where the development is non-complying) are designated:

Category 1	Category 2
All development within the Urban Renewal Neighbourhood Zone , except where listed as Category 2	Non-residential development which does not satisfy PDC 3 of the Urban Renewal Neighbourhood Zone Development with a building height that exceeds PDC 17 of the Master Planned Renewal Policy Area 25

ATTACHMENT B

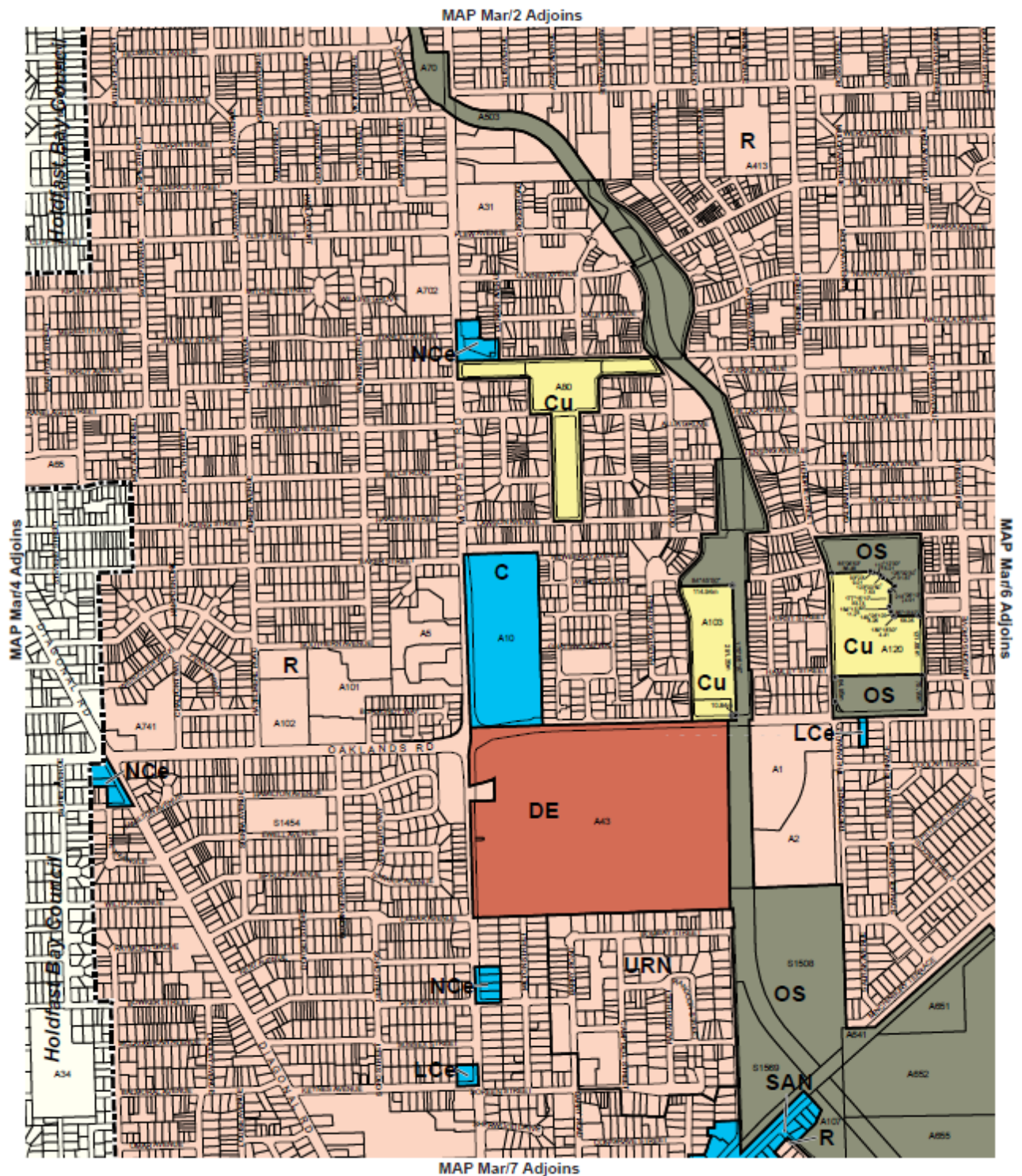
MAPS (REPLACEMENTS)

Overlay Map Mar/5 – Affordable Housing
Zone Map Mar/5
Policy Area Map Mar/5



Overlay Map Mar/5 AFFORDABLE HOUSING

MARION COUNCIL



Lambert Conformal Conic Projection, GDA94

Zones

- Commercial
- Community
- Defence Establishment
- Local Centre
- Neighbourhood Centre
- Open Space
- Residential
- Suburban Activity Node
- Urban Renewal Neighbourhood
- Zone Boundary
- Development Plan Boundary



Zone Map Mar/5

MARION COUNCIL

