


ENGAGEMENT REPORT

Section 73(7) of the *Planning, Development and Infrastructure Act 2016*

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Prepared by the Designated Entity:

 _____ (Signature)

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1 Purpose

This report has been prepared by the Chief Executive of the Department for Housing and Urban Development (the Designated Entity) for consideration by the Minister for Planning (the Minister) in adopting the *Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment* (the Code Amendment).

The report details the engagement that has been undertaken, the outcomes of the engagement including a summary of the feedback made, the response to the feedback and the proposed changes to the Code Amendment. In addition, the report evaluates the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved.

2 Introduction

The Code Amendment was initiated by the then Chief Executive of the Department for Trade and Investment (now the Chief Executive of the Department for Housing and Urban Development), with the approval of the Minister for Planning. The Code Amendment seeks to change the Planning and Design Code's land use definitions of "ancillary accommodation" (generally known as granny flats) and "student accommodation" so that they support establishment of self-contained accommodation.

Prior to this Code Amendment, *Part 7 – Land Use Definitions* of the Planning and Design Code (the Code) specified that student and ancillary accommodation cannot be self-contained. This can introduce limitations on facilities in these forms of accommodation such as bathrooms, kitchens and laundries. Given the current housing crisis, as well as the need for a greater range of housing options to support both housing affordability and ageing in place, it is considered reasonable that the Code should be amended to support self-contained ancillary accommodation and student accommodation.

The proposed definition changes would not change the fundamental nature of these forms of accommodation, as ancillary accommodation must still be subordinate to a main dwelling with limitations on floor area. Student accommodation must still incorporate common facilities for shared use by students.

The proposed amendment to the ancillary accommodation definition complements recent changes to the planning regulations that ensure homeowners can lease ancillary accommodation (such as granny flats) to anyone they choose. This has enabled a greater number of granny flats to be made available to the rental market.

An Engagement Plan was developed aligned with the Community Engagement Charter principles, to consult and inform stakeholders and communities about the Code Amendment and proposed changes. Opportunities to review the proposal, seek clarification, and propose feedback were encouraged. Compliance with the statutory obligations under the *Planning, Development and Infrastructure Act 2016* (the Act) and the Community Engagement Charter (the Charter) was fundamental to the engagement process.

Upon the Minister's decision on this Code Amendment, stakeholders and those involved in the consultation process will be informed of the final version of the Code Amendment and the decisions made following consultation.

2.1 Prior engagement

Public consultation was undertaken on the Miscellaneous Technical Enhancements Code Amendment, which contained amendments to the ancillary accommodation definition, between 25 July 2022 and 23 September 2022.

Since that time, informal preliminary consultation has been undertaken, primarily with local government planning practitioners, regarding the operation of the definition.

Enabling ancillary accommodation to be self-contained through the land use definition was broached during the Planning Policy Forum (a bi-monthly planning practitioner forum held by the Planning and Land Use Services division of the then Department for Trade and Investment) on 18 August 2023, with some support expressed for this potential change.

3 Engagement approach

The process for amending a designated instrument (including the process to amend the Code) is set out in the Act. The Act requires consultation in relation to the Code Amendment to comply with the Community Engagement Charter.

The Designated Entity prepared an engagement plan to apply the principles of the Community Engagement Charter. The purpose of this engagement was to ensure that individuals, businesses, organisations and communities interested in and/or affected by the proposed Code Amendment were engaged in the process of preparing and finalising the Code Amendment

The engagement sought to:

- ensure the community and stakeholders are aware of the proposal to redefine ancillary accommodation and student accommodation in the Code
- ensure all affected and interested stakeholders and community members have the opportunity to provide feedback on the proposed amendment
- provide clear information about the potential benefits that may result from the proposed amendment
- define the parameters of the public consultation so that people know why feedback is being sought and how it will be used
- respond to stakeholder questions and concerns during the consultation
- meet statutory requirements as they relate to engagement on a Code Amendment.
- close the loop and inform stakeholders of the outcome of the consultation.

The engagement period for this Code Amendment ran from 29 February 2024 until 15 April 2024.

3.1 Engagement activities

The engagement activities outlined in the engagement plan were delivered to provide targeted information to stakeholders and the broad community as well as provide a range of opportunities to provide feedback.

This section outlines the engagement activities delivered during the consultation period.

Consultation websites (PlanSA and YourSAy websites)

The proposed Code Amendment documentation and supporting information was publicly available online for the duration of the consultation period. The PlanSA website and YourSAy consultation website were the primary locations for information and submitting feedback.

YourSAy page

A dedicated page on the YourSAy consultation website was created to help promote the Code Amendment process, and was the primary channel for community members to find information and provide feedback. The consultation page included the following information and supporting material:

- an introduction to the proposed Code Amendment
- a fact sheet providing an overview of the proposed changes (downloaded 40 times)
- a set of 'frequently asked questions' to clarify intent and dispel misunderstanding (downloaded 35 times and viewed online 124 times)
- the draft Code Amendment (downloaded 183 times)
- feedback submission form/survey (visited 144 times, with 75 surveys submitted)
- a phone number and email address for all enquiries
- information about the online information session (viewed 29 times)
- links to additional information on the PlanSA webpage.

The YourSAy consultation was visited by 945 people about 1,200 times. Documents were downloaded by 186 visitors.

PlanSA webpage

A dedicated section on the 'On consultation' page of the PlanSA website provided details about the Code Amendment and was the primary channel for industry and government to find information and provide feedback on the draft Code Amendment. The page included the following information and supporting documents:

- an introduction to the proposed Code Amendment
- initiation documents
- the draft Code Amendment
- the engagement plan
- a fact sheet providing an overview of the proposed changes
- a set of 'frequently asked questions' to clarify intent and dispel misunderstanding
- PlanSA online feedback form
- links to the YourSAy consultation page and alternative ways to provide feedback
- a phone number and email address for all enquiries.

A news story promoting the consultation was also posted on the homepage of the PlanSA website, which was viewed 235 times by 132 people.

Online information sessions

Information on the draft Code Amendment and opportunity to provide feedback was presented at the regular Policy Forum on 1 March, attended by about 100 planning practitioners.

A public online information session was also held via Zoom on 19 March 2024. 65 people were registered to participate, of which 43 attended.

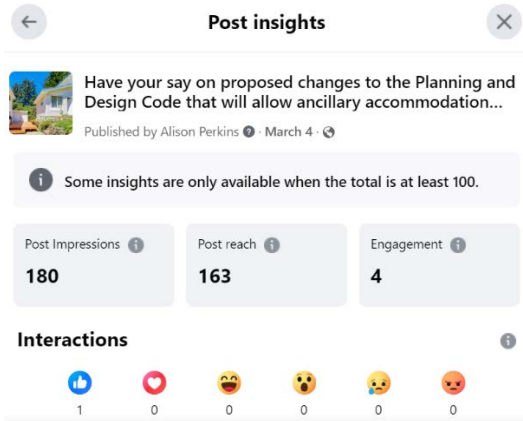
The information session provided information on the following topics:

- the background behind the proposed Code Amendment
- the reason for the proposed Code Amendment
- the changes proposed by the Code Amendment
- information on the Early Commencement process.

Social media campaign

The following social media platforms were used to promote the engagement opportunity and encourage feedback during the consultation period:

- PlanSA Facebook



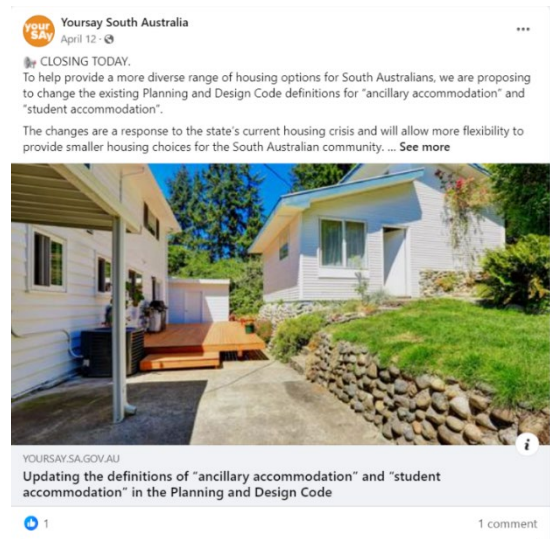
- PlanSA Twitter/X



- SPC LinkedIn



- YourSAy Facebook



YourSAy Facebook achieved an organic reach of 11,153 with 1,663 engagements, 308 reactions, 298 clicks, 25 comments and 23 post shares. They also ran a paid Facebook campaign that reached 10,680 people and resulted in 215 webpage views.



Twitter posts received 139 impressions and 3 Tweets through organic reach.

Planning Ahead newsletter

Planning Ahead is a public digital newsletter prepared by the Planning and Land Use Services division of the Department for Housing and Urban Development and provides news about the planning system.

An article promoting the engagement opportunity was included in the April 2024 edition, which was delivered to 2,388 people with an open rate of 57.2%:

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment – early commencement



To help provide a more flexible and diverse range of housing options, the South Australian government is proposing to change the existing Planning and Design Code definitions for "ancillary accommodation" (often referred to as granny flats) and "student accommodation".

The proposed changes will allow ancillary and student accommodation to be self-contained. This means they can have their own bathroom, kitchen and laundry.

The changes are a response to the state's current housing crisis and are expected to increase rental stock and housing diversity. They also aim to provide more affordable housing options for the South Australian community.

Other aspects of the definitions will remain unchanged. This means that ancillary accommodation must still be subordinate to a main dwelling and have limited floor area. Student accommodation must still incorporate common facilities for shared use by students.

The draft Code Amendment will come into effect on an interim basis on the same day as it is released for public consultation (29 February 2024), known as 'early commencement'.

The early commencement process is used when the Minister considers that the immediate application of the policy changes is necessary in the interests of orderly and proper development, and to counter applications for undesirable development ahead of the outcome of consideration of this Code Amendment by the Minister.

Submission details – for more information visit the [YourSAy website](#).

PLUS has prepared a [Frequently Asked Questions](#) which look to unpack some of the rules for Ancillary Accommodation.

YourSAy e-newsletter

The YourSAy e-newsletter is prepared by the Department for Premier and Cabinet and shares the latest South Australian Government consultation opportunities available for community to participate in via the YourSAy website. The consultation was promoted in the March edition, with 173 clicks to the YourSAy page.



Updating the definitions of "ancillary accommodation" and "student accommodation"

Updating the above definitions in the Planning and Design Code will help to provide a more diverse range of housing options for South Australians.

[Find out more](#)

Written invitation to provide a submission on the Code Amendment

The following people and organisations were contacted in writing and invited to provide a submission on the proposed Code Amendment:

- Local Government Association (LGA)
- all South Australian Councils
- Housing Industry Association
- Master Builders Association
- Planning Institute of Australia
- Property Council of Australia
- Urban Development Institute of Australia
- South Australian Council of Social Service
- Council on the Ageing
- Australian Tiny House Association
- Student Accommodation Association
- SA Housing Authority
- Department for Education
- Student housing providers (Scape, Unilodge, Urban Nest, Dwell, Capital Student Stays, The Switch, Y Suites, Yugo)
- Residential colleges (Aquinas College, Lincoln College, St Ann's College, St Mark's College)
- Universities with onsite living: (Flinders University (Flinders Living), Adelaide Uni (University of Adelaide Village), TAFE (Regency International House))
- Student associations (Uni SA student association, YouX (Adelaide Uni student association), Flinders Uni student association, TAFE student voice group)

Media coverage

The above engagement activities were also supported by a media release detailing the Code Amendment and promoting the YourSAy page and consultation opportunity to the broader interested community.

This was initially published in *The Advertiser* on 4 March, and also covered in the *Barossa Leader*, ABC radio and Riverland radio stations, Magic 93.1 FM and 5RM.

Availability of consultation materials

The draft Code Amendment, engagement plan and frequently asked questions document were made available at the following places:

- Planning and Land Use Services, Department for Trade and Investment, Level 10, 83 Pirie Street, Adelaide
- YourSAy website: <https://yoursay.sa.gov.au/ancillary-student-accommodation-code-amendment>
- Plan SA website: https://plan.sa.gov.au/en/code_amendments

Phone calls and emails

The PlanSA phone number and email address were published to allow stakeholders and community to directly contact staff for further information and ask questions. During the consultation period, 5 phone calls and 8 emails were received covering the following topics:

- request for further information regarding ancillary accommodation policies

- queries from councils and Short Term Accommodation Association of Australia asking for further details/clarifying aspects regarding the draft Code Amendment
- asking where more information is available
- application of Section 78(9) of the PDI Act
- clarification regarding a ready-made granny flat
- ancillary accommodation rear setback
- asking whether a caravan meet the requirements of a habitable structure
- clarification of when the definition of ancillary accommodation changed.

3.2 Mandatory Requirements

The following mandatory engagement requirement has been met:

1. The Local Government Association has been consulted given the proposed Code Amendment is generally relevant to councils.

3.3 Compliance with Engagement Plan

Engagement activities were undertaken in accordance with the engagement plan.

In addition to the planned communication and engagement activities, a frequently asked question document was prepared to provide greater information about the differences between ancillary accommodation, caravans and movable housing. This was particularly targeted at the broader community and developed as part of reviewing the engagement throughout the process.

4 Evaluation of engagement

To ensure the principles of the Community Engagement Charter were met, an evaluation of the Code Amendment engagement process occurred.

4.1 Performance indicators for evaluation

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

Evaluation of Engagement

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement genuinely sought their input to help shape the proposed Code Amendment.
2. Confident their views were heard during the engagement.
3. They were given an adequate opportunity to be heard.
4. They were given sufficient information so that they could take an informed view.
5. Informed about why they were being asked for their view, and the way it would be considered.

The minimum performance indicators require an evaluation by the Designated Entity of whether (or to what extent) the engagement:

1. Occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme.
2. Contributed to the substance of the final draft Code Amendment.
3. Reached those identified as communities or stakeholders of interest.
4. Provided feedback to community about outcomes of engagement.
5. Was reviewed throughout the process and improvements put in place or recommended for future engagement.

4.2 Evaluation against the Charter principles

The following is an evaluation of how the engagement process met the five principles of the Charter. This was determined through community evaluation of the engagement process as well as evaluation undertaken by the Planning and Land Use Services' engagement team on behalf of the Designated Entity. The full results of the evaluation can be found in Attachment 1 to this Engagement Report.

An evaluation survey was sent to 79 people who provided feedback on the draft Code Amendment, along with the 'what we heard' summary of the engagement process. A total of 12 responses to the evaluation survey were received and the responses used as part of evaluating the engagement process against the Charter principles.

(1) Engagement is genuine

People had faith and confidence in the engagement process.

The public consultation was open for more than 6 weeks, from 29 February to 15 April 2024. This provided a suitable length of time for stakeholders and interested community to be informed of the consultation, find out more information and submit informed feedback.

Key local government, industry peak bodies, state agencies and student accommodation organisations were directly informed of the draft Code Amendment and opportunity to provide feedback.

Information was available via a range of online and hard copy sources, in easily accessible locations including the PlanSA website focussed on planning and industry professionals and YourSAY consultation webpage focussed on providing engagement opportunities for the broader community, and hard copies available in a central location in the Adelaide CBD. Easy to understand information was available, including plain-English fact sheets and frequently asked questions, as well as the detailed and technical draft Code Amendment document.

Information sessions for community and forums for planning professionals were held online, making attending more convenient for those affected by, or interested in, the draft Code Amendment. This decision was based on lessons learnt from previous engagements, with low attendance at in-person engagement activities as opposed to strong attendance at online sessions. For those who preferred to discuss the proposed changes or ask questions in-person, stakeholders and community were invited to phone or email PlanSA directly.

Broad communication methods to raise awareness of the consultation across the broader community were also used to ensure all affected and interested people were aware of and able to participate in the engagement, including print and radio media coverage and social media posts (including boosted Facebook post to increase reach).

To ensure submitting feedback was convenient and accessible for as many people as possible, submissions could be made via the PlanSA online form, completing a short survey on the YourSAY website, via email or post and personal contact over the phone throughout the consultation period.

As a result of feedback received, a number of changes to the definition and DTS/DPF criteria for ancillary accommodation have been recommended in finalising the draft Code Amendment for the Minister’s consideration.

The vast majority of evaluation survey respondents felt the engagement genuinely sought their input to help shape the proposal, with 42% strongly agreeing and 42% somewhat agreeing, indicating people had faith and confidence in the engagement process.

Evaluation statement	Strongly disagree	Somewhat Disagree	Neither agree nor disagree	Somewhat Agree	Strongly agree
I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	0%	0%	16.67%	41.67%	41.67%

(2) Engagement is inclusive and respectful

Affected and interested people had the opportunity to participate and be heard.

During the engagement planning process a range of engagement activities were identified and tailored to inform and consult with identified stakeholders, as well as the broader community interested in the draft Code Amendment.

These provided a range of opportunities for people to be informed and provide feedback. Engagement focussed on online opportunities to ensure accessibility and convenience for as many affected and interested people as possible. However, hard copies of information and the opportunity to speak directly to staff were also available to ensure information was accessible to those who prefer to engage personally or have limited access information online.

Plain-English, easy-to-understand information was developed to ensure all interested community could understand the proposed changes, how it may affect them and provide meaningful feedback. Engagement with community focussed around the YourSAY website, which is a community-focussed engagement platform for all significant South Australian Government consultations. Information sessions were also held to provide opportunities for community to gain further information and ask questions.

More detailed, technical information was provided to planning professionals and other key stakeholders through channels they regularly use, including the PlanSA website, regular forums hosted by Planning and Land Use Services and the Planning Ahead e-newsletter.

All key stakeholders identified as being directly affected by the draft Code Amendment were directly notified of the consultation and invited to provide feedback.

Broad communication channels aimed to raise awareness of the consultation in all interested stakeholders and community, including media and social media coverage. The consultation was also promoted through

well-established channels managed through the YourSAy team, with a strong reach amongst South Australians with an interest in government consultations.

All feedback was acknowledged and recorded. A summary of the engagement process and feedback received was provided to those who participated in the engagement shortly after the engagement period, as part of the evaluation process.

A detailed review of all feedback received and a response outlining how it was considered and how feedback influenced finalising the draft Code Amendment will be made available to all stakeholders and interested community when this engagement report is published online following the Minister’s decision regarding adopting the Code Amendment. Key stakeholders and those who participated in the engagement will be sent a link to the published engagement report.

While engagement was reviewed throughout the process, and techniques used could be adapted as needed, it was felt the planned engagement activities did not need to be altered.

Feedback was received from many targeted stakeholders, including the LGA and a good representation from councils, student associations, tiny homes association and the Housing Industry Association. The majority of feedback received was from interested community, indicating engagement activities reached stakeholders and interested broader community.

The majority of engagement evaluation survey respondents felt confident their views were heard during the engagement with 33 % strongly agreeing and 41.7 % somewhat agreeing, indicating interested and affected people had the opportunity to participate and be heard.

Evaluation statement	Strongly disagree	Somewhat Disagree	Neither agree nor disagree	Somewhat Agree	Strongly agree
I am confident my views were heard during the engagement	0%	0%	25%	41.67%	33.33%

(3) Engagement is fit for purpose

People were effectively engaged and satisfied with the process.

People were clear about the proposed change and how it would affect them.

Engagement incorporated a range of techniques to ensure stakeholders and the broader community were able to easily access information and understand the draft Code Amendment, and participate in the engagement.

Engagement was of an appropriate scale and form, reflecting the likely impact of the amendment. Impacted and other key stakeholders were directly informed of the consultation and invited to provide feedback, planning professionals and community engaged in South Australian Government activities were informed of the consultation targeting existing channels, and media and social media were used to reach the broader interested community.

Information was provided in an easily understandable manner using a range of channels, including plain-English documents and website content, online information sessions where people could ask questions and PlanSA staff were available to speak to in person or email directly. Feedback could also be submitted via a range of channels.

The majority of evaluation survey respondents felt they were given adequate opportunity to be heard and given sufficient information to take an informed view, indicating that engagement was fit for purpose.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I was given an adequate opportunity to be heard	0%	0%	8.33%	58.33%	33.33%
I was given sufficient information so that I could take an informed view	0%	0%	8.33%	66.67%	25%

(4) Engagement is informed and transparent

All relevant information was made available, and people could access it.

People understood how their views were considered, the reasons for the outcomes and the final decision that was made.

A range of tactics were identified and delivered to ensure information was available at a level of detail and in a way that was tailored to the needs of all affected and interested stakeholders.

Plain-English communication materials were developed to provide information that was easy to understand for interested community, including YourSAy website content, fact sheets and frequently asked questions. This information clearly outlined what the proposed changes were and how community could influence the final draft Code Amendment.

Information was available online and in hard copies, in written form and through online presentations, to ensure all interested and affected people could access information and understand the draft Code Amendment and participate in the engagement. People could also directly call or email PlanSA if that was their preferred method of gaining information and providing feedback.

Detailed and technical information was also available for stakeholders and people with an in-depth interest in the draft Code Amendment.

The survey on the YourSAy website for providing feedback on the draft Code Amendment also provided information to identify the community's level of understanding, to enable additional information to be developed during the consultation period, if needed. However, this was not required.

Communications clearly explained what changes to the planning rules were proposed by the draft Code Amendment and how stakeholders and community could have their say.

Shortly following the engagement period, all engagement participants were provided with a summary of the engagement process, what we heard during the consultation and the next steps in finalising the draft Code Amendment.

This detailed engagement report outlining all feedback received, how it was considered, how feedback influenced the final draft Code Amendment and an evaluation of the engagement process will be

provided to all key stakeholders and engagement participants following the Minister’s decision. The engagement report will also be published online.

All engagement evaluation survey respondents agreed that they felt informed about why they were asked for their view and how it would be considered, indicating that the engagement process was informed and transparent.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I felt informed about why I was being asked for my view, and the way it would be considered.	0%	0%	0%	66.67%	33.33%

(5) Engagement processes are reviewed and improved

The engagement was reviewed and improvements recommended.

Engagement was reviewed throughout the engagement process. As a result of this, an additional frequently asked question document was developed during the consultation period to help explain the difference between ancillary accommodation, caravans and movable housing, to provide greater clarification for the broader community.

The survey on the YourSAy website for providing feedback on the draft Code Amendment also provided information to identify the community’s level of understanding, to enable the engagement process to be adapted, if needed. However, this was not required.

The engagement process was found to meet the Community Engagement Charter principles and successfully engaged stakeholders and interested community. This was demonstrated through receiving feedback from a strong mix of targeted stakeholders and broader community members and through positive feedback about the engagement process submitted by engagement participants.

5 Engagement Outcomes

5.1 Feedback received

112 submissions were received on the Code Amendment during the public consultation period, four of which were late submissions. Of the total submissions, 75 (i.e. 67%) were from YourSAy and 37 (i.e. 33%) were emailed written submissions.

The YourSAy platform offered the opportunity to ask measurable questions that allowed feedback to be easily quantified.

The plansasubmissions@sa.gov.au email address allowed for more detailed submissions that spoke to greater complexity about the Code Amendment.

Attachment 2 provides a copy of all submissions received.

YourSAy submissions

- Of the 75 YourSAy entries, 71 were submitted by members of the public and four were submissions from interest groups. Of these:
 - 94% of participants responded indicating they supported the Code Amendment
 - 93% indicated they understood the proposed amendment and the impact it would have on their local area
 - 81% indicated they believed the proposed amendment would benefit their local area.

Emailed submissions

- Of the 37 written submissions, six of these were from members of the public, seven were from interest groups or organisations, and 23 were from councils. Interest Group/organisation submissions included:
 - Australian Tiny Homes Association (ATHO)
 - Tiny Homes Expo
 - Student Accommodation Association
 - Student Accommodation Council
 - Botten Levinson Lawyers
 - Local Government Association
 - Housing Industry of Australia.
- The following councils provided written submissions:
 - City of Port Adelaide Enfield
 - City of Salisbury
 - The Barossa Council
 - Charles Sturt Council

- The City of Victor Harbor
- City of West Torrens
- Mount Barker District Council
- City of Burnside
- City of Norwood, Payneham and St Peters
- City of Marion
- City of Onkaparinga
- City of Tea Tree Gulley
- Mid Murray Council
- Regional Council of Port Pirie
- City of Salisbury
- City of Unley
- City of Prospect
- Clare and Gilbert valley Council
- Light Regional Council
- Copper Coast Council
- Alexandrina Council
- District Council of Yankalilla
- City of Campbelltown
- City of Adelaide.

Submission feedback demonstrated considerable support for the proposed Code Amendment, including:

- Anticipated benefits in increasing affordability
- Offering better land use opportunities
- Removal of red tape
- Increases in quality of living
- Opportunities for ageing in place
- Potential to ease pressure in student housing sector.

Key issues

Through engagement activities and review of submissions, the following key issues were raised in relation to ancillary accommodation:

- requests to increase the allowable size of ancillary accommodation (about number of bedrooms and floor area)
- the number of ancillary accommodation buildings allowed per allotment

- query the need to be connected to all of the main dwelling's utilities and services in all circumstances
- the desire to increase the distance that ancillary accommodation can be located from the main dwelling in Rural zones to more than 20 metres
- protection of private open space needs against increased pressures on public open space
- improvements to clarify / improve definition wording
- concerns about increased traffic congestion on already crowded streets and requests for additional on-site car parking
- protection against future subdivision
- a call for standards to ensure equity, quality and affordability for all South Australians
- ensuring appropriate amenity, given anticipated increases in density.

Feedback generally demonstrated strong support for the proposed Code Amendment and anticipated benefits including increasing affordability and quality of living, opportunities for aging in place, offering better land use opportunities, removing red tape and potentially easing student housing pressures.

5.2 Response and recommendations

Ancillary accommodation

Floor Area

Response:

Several submissions commented on policy regarding floor area for ancillary accommodation, most of which requested increasing the current 60 square metre criteria. Alternatively, several councils and the Local Government Association commented on retaining the current floor area allowance citing potential issues associated with larger ancillary accommodation developments, hence some suggested including the floor area allowance as part of the definition.

The current structure incorporating reference to the number of bedrooms in the definition, in combination with policy regarding floor area, is considered appropriate. This enables the definition to provide a functional measure of size (i.e. two bedrooms) while enabling a relevant authority to consider floor area size over the number specified in the policy, on a case-by-case basis.

It's noted that the maximum floor area of ancillary accommodation (also known as a granny flat, secondary dwelling, small second home, ancillary dwelling or secondary residence) in interstate jurisdictions currently varies between 60 and 90 square metres.

There is support for increasing the floor area criteria for ancillary accommodation from 60 square metres to 70 square metres to provide for enhanced living amenity within ancillary accommodation. This increase would provide more space for things like accessibility features to support aging in place accommodation options. It's noted that a two bedroom limit would still apply, and other built form policies which regulate a building's footprint, such as setbacks, landscape area, private open space and site coverage, also apply.

Recommendation:

1. Increase the maximum floor area DTS/DPF criteria for ancillary accommodation from 60 square metres to 70 square metres.

Distance from the existing dwelling in Rural type zones

Response:

Several submissions commented on the proposed policy included in the Design, and Design in Urban Areas general development policies (DTS/DFP 13.1 and 19.1 respectively) to apply to ancillary accommodation in rural-type zones, requiring it be sited not further than 20 metres from the primary dwelling. Some were supportive while some suggested amending the setback.

The proposed setback reflects the same policy that applies to rural-type zones for a secondary dwelling. It is considered appropriate for the policy to be consistent. Proposals for ancillary accommodation with a greater setback could be considered in a performance assessment on a case-by-case basis by the relevant authority.

Recommendation:

No change to the 20 metre setback policy proposed to be included in the Design and Design in Urban Areas general development policies.

Utilities

Response:

Several submissions queried the practicality, or effectiveness, of ancillary accommodation requiring connection to all utilities through the primary dwelling. It is acknowledged that there may be some instances where independent connections (such as independent on-site wastewater systems, or a water tank) may be appropriate, but would not change its ancillary nature. However, utilities connection is still considered to provide a useful indicator of ancillary accommodation not being able to function independently from the primary dwelling.

It is therefore proposed to remove the part of the definition relating to utilities and include it within the related policy instead, thereby enabling it to be applied on a discretionary basis by the relevant authority in a performance assessment.

Recommendation:

2. Remove the part of the definition of ancillary accommodation relating to utilities and include it within the related policy instead, thereby enabling utilities connection to be assessed by the relevant authority.

Functional Requirements (car parking and private open space)

Response:

A number of comments were received generally relating to functional requirements, such as the provision of separate amenities including private open space and vehicle parking, being necessary for ancillary accommodation.

While it is not considered necessary for vehicle parking to be separately provided, given ancillary accommodation is not intended to be able to function independently, there is some merit in including a new policy specifying that the primary dwelling's private open space is accessible to all occupiers of the site for amenity purposes. This will ensure that ancillary accommodation has access to private open space and will further reinforce that ancillary accommodation is not considered a separate dwelling. In effect, this means that fencing should not be constructed so as to segregate the amount of private open space shared between the ancillary accommodation and the existing dwelling (a condition could be imposed on ancillary accommodation approvals to this effect).

To achieve this policy outcome, it is proposed to separate ancillary accommodation policy from ancillary buildings (e.g. outbuilding, carports) so that the built form, streetscape, and functional requirements specific to ancillary accommodation can be appropriately reflected.

Recommendations:

3. Include a new policy specifying that the ancillary accommodation has unrestricted access to the private open space associated with the existing dwelling to which it is ancillary. This will ensure that ancillary accommodation has access to private open space and will further reinforce that ancillary accommodation is not a separate dwelling.
4. Instead of applying policy for ancillary buildings (e.g. carports, outbuildings), package ancillary accommodation policy into a single policy suite in the Design and Design in Urban Areas general development policies.

Number of ancillary accommodation units on a site

Response:

Several submissions suggested placing a limit of one ancillary accommodation unit in association with an existing dwelling. It is understood the purpose of this would be to prevent 'over-development' of sites and limit impacts to adjacent land. Given the range of policies that already exist to limit the extent of development and control external impacts, including site coverage, setbacks, private open space, soft landscaping and the like, an arbitrary limit to the number of ancillary accommodation units is considered to provide limited benefit. It's also acknowledged that the current housing crisis warrants a more flexible approach to maximise housing choices, rather than creating additional requirements without clear purpose.

In the case that multiple ancillary accommodation units are proposed, there may be a circumstance where their scale and nature is no longer ancillary to the existing dwelling. In that case, the relevant authority could determine such development no longer falls within the definition of ancillary accommodation.

Recommendation:

No change

Future subdivision potential

Response:

A number of submissions commented that the allowance for self-contained ancillary accommodation could potentially lead to pressure for land division to create new allotments for an ancillary accommodation units.

The measure for ancillary accommodation requires it to be subordinate to the primary dwelling and contained on the same allotment. Any proposal to undertake a land division would necessitate a change of use to a dwelling, which would then be considered by the relevant authority. The recommended change under the heading "Functional Requirements", in relation to private open space, will assist in limiting capacity for ancillary accommodation to function independently from the primary dwelling and, therefore, restrict potential for subdivision.

Recommendation:

No change

Definition wording

Response:

A submission suggested there is uncertainty in the application of the proposed definition, where dwellings are located on the same allotment. To address this, it has been recommended the definition should refer to a 'site' over an 'allotment'. Given the range of circumstances that may be associated with a proposal for

ancillary accommodation, and the intent of such developments to be subordinate to a primary dwelling, this change is supported.

It's noted that a number of other definitions in Part 7 of the Code reference a 'site' rather than 'allotment', so this change would achieve greater consistency within the Code's Land Use Definitions.

Recommendation:

5. Refer to a 'site' instead of an 'allotment' in the definition of ancillary accommodation, consistent with other definitions.

General dwelling requirements

Response:

Some feedback suggested ancillary accommodation should be subject to the same assessment criteria as a new dwelling, such as minimum allotment size, car parking, private open space. Given the intention of ancillary accommodation to be ancillary to, and not independent from, the primary dwelling, using assessment criteria matching that of a dwelling is considered inappropriate.

Recommendation:

No change

Student Accommodation

Response:

A small number of submissions were received in relation to the student accommodation definition, such as the allowance of kitchenettes, impact on access to shared amenities, and restricting parking requirements based on access to public transit. These submissions were generally supportive, in principle, of allowing self-contained student-accommodation.

Other issues raised suggested consideration of the number of students who can reside in student accommodation based on the floor plan in consultation with environmental and public health professionals. It was also suggested the Planning and Development Fund be applied to student accommodation to cater for increased use of public open space.

These matters are considered to be more appropriately addressed by the State Planning Commission's recently initiated Accommodation Diversity Code Amendment, which will examine policy relating to apartment accommodation (including student accommodation).

Recommendation:

No change

Recommendations from further investigations

Self-contained residence:

Following further review of the definition of ancillary accommodation and student accommodation, some improvement to the new clause "can be (but need not be) a self-contained residence" have been identified. It is proposed to simplify this clause to "can be (but need not be) self-contained" to provide further clarity, rather than introduce a new term of 'residence'. As mentioned above, potential definition changes to Student Accommodation will be considered through the Accommodation Diversity Code Amendment, if required in the context of housing typologies for apartment style accommodation.

Recommendation:

6. Simplify clause (b) of the definition of ancillary accommodation to “can be (but need not be) self-contained” to provide further clarity, rather than introduce a new term of ‘residence’.

6 Summary of recommended changes

In summary, the following additional changes to the Code are proposed in response to engagement and further investigations:

1. Increase the maximum floor area criteria from 60 to 70 square metres to support living amenity within ancillary accommodation.
2. Include a new policy for ancillary accommodation specifying that the primary dwelling’s private open space is accessible to all occupiers of the site. This will ensure that ancillary accommodation has access to private open space and will further reinforce that ancillary accommodation is not a separate dwelling.
3. Remove the part of the definition of ancillary accommodation relating to utilities and include it within the related policy instead, thereby enabling utilities connection to be assessed by the relevant authority.
4. Instead of applying policy for ancillary buildings (e.g. carports, outbuildings), package ancillary accommodation policy into a single policy suite in the Design and Design in Urban Areas general development policies.
5. Refer to a ‘site’ instead of an ‘allotment’ in the definition of ancillary accommodation, consistent with other definitions.
6. Simplify clause (b) of the definition of ancillary accommodation to “can be (but need not be) self-contained” to provide further clarity, rather than introduce a new term of ‘residence’.

It’s acknowledged that some of these changes propose to amend policy related to ancillary accommodation. Such changes to policy have arisen through associated changes to the land use definition and through feedback from consultation. Definition and policy share a distinct link, with definitions serving a subservient role to the operation of the policy. Accordingly, it is considered appropriate to amend policy through the subject Code Amendment as described above.

7 Code Amendment instructions

The following amendment instructions (at the time of drafting) relate to the Code, version 2024.9 published on 23 May 2024. Where amendments to the Code have been published after this date, consequential changes to the following amendment instructions will be made as necessary to give effect to this Code Amendment. The Minister specifies under section 73(12)(c) of the Act that this Code Amendment will take effect on the day that it is deployed into both the electronic Planning and Design Code and the South Australian Property and Planning Atlas.

Instructions

Amend the Code as follows:

1. In Part 7 – Land Use Definitions, replace the existing definition (in Column B of the Land Use Definitions Table) for land use term “Ancillary accommodation” with the following:

“Means accommodation that:

- (a) is located on the same site as an existing dwelling and is ancillary to that dwelling; and
- (b) can be (but need not be) self-contained; and
- (c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom.”

2. In Part 4 – General Development Policies in the Assessment Provisions of the **Design in Urban Areas** module:

- a. Insert the words “(excluding ancillary accommodation)” immediately following the words “Ancillary buildings” in DTS/DPF 19.1

- b. Delete the following part (l) from DTS/DPF 19.1:

“(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.”

- c. Insert the following new policy immediately after PO 19.4 and associated DTS/DPF 19.4:

<p>PO 19.5</p> <p>Ancillary accommodation:</p> <p>(a) is sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties</p> <p>(b) is integrated within the site of the dwelling to which it is ancillary and incorporates shared utilities and shared open space.</p>	<p>DTS/DPF 19.5</p> <p>Ancillary accommodation:</p> <p>(a) is ancillary to a dwelling erected on the same site</p> <p>(b) has a floor area not exceeding 70m²</p> <p>(c) is not constructed, added to, or altered so that any part is situated:</p> <ol style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) <p>(d) if situated on a boundary (not being a boundary with a primary street or secondary street), does not exceed a length of 11.5m unless:</p>
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	<ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent <p>(e) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(f) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(g) has a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)</p> <p>(h) has a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(i) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour</p> <p>(j) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p> <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th>Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>201-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> (ii) the amount of existing soft landscaping prior to the development occurring <p>(k) does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling</p> <p>(l) has unrestricted access to the private open space associated with the existing dwelling to which it is ancillary</p> <p>(m) in the case of the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

3. In Part 4 – General Development Policies in the Assessment Provisions of the **Design** module:

a. Insert the words “(excluding ancillary accommodation)” immediately following the words “Ancillary buildings” in DTS/DPF 13.1

b. Delete the following part (l) from DTS/DPF 13.1:

“(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.”

c. Insert the following new policy immediately after PO 13.4 and associated DTS/DPF 13.4:

<p>PO 13.5</p> <p>Ancillary accommodation:</p> <p>(a) is sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties</p> <p>(b) is integrated within the site of the dwelling to which it is ancillary and incorporates shared utilities and shared open space.</p>	<p>DTS/DPF 13.5</p> <p>Ancillary accommodation:</p> <p>(a) is ancillary to a dwelling erected on the same site</p> <p>(b) has a floor area not exceeding 70m²</p> <p>(c) is not constructed, added to, or altered so that any part is situated:</p> <p style="padding-left: 40px;">(i) in front of any part of the building line of the dwelling to which it is ancillary or</p> <p style="padding-left: 40px;">(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</p> <p>(d) if situated on a boundary (not being a boundary with a primary street or secondary street), does not exceed a length of 11.5m unless:</p> <p style="padding-left: 40px;">(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and</p> <p style="padding-left: 40px;">(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</p> <p>(e) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(f) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(g) has a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)</p> <p>(h) has a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(i) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour</p> <p>(j) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p>
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	<p>(i) a total area as determined by the following table:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #e1eef6;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #e1eef6;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><150</td> <td style="text-align: center;">10%</td> </tr> <tr> <td style="text-align: center;">150-200</td> <td style="text-align: center;">15%</td> </tr> <tr> <td style="text-align: center;">201-450</td> <td style="text-align: center;">20%</td> </tr> <tr> <td style="text-align: center;">>450</td> <td style="text-align: center;">25%</td> </tr> </tbody> </table> <p>(ii) the amount of existing soft landscaping prior to the development occurring</p> <p>(k) does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling</p> <p>(l) has unrestricted access to the private open space associated with the existing dwelling to which it is ancillary</p> <p>(m) in the case of the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

4. In Part 2 in the **Business Neighbourhood Zone** and **Suburban Business Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification, in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:
“Ancillary Buildings and Structures
DTS/DPF 7.1, DTS/DPF 7.2”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”

b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “Zone”:
“Ancillary Buildings and Structures
PO 7.1, PO 7.2”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

5. In Part 2 in the **Established Neighbourhood Zone, General Neighbourhood Zone, Suburban Neighbourhood Zone** and **Township Neighbourhood Zone** make the following amendments:
 - a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in the column titled “Zone”:
“Ancillary buildings and structures
DTS/DPF 11.1, DTS/DPF 11.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
 - b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in the column titled “Zone”:
“Ancillary buildings and structures
PO 11.1, PO 11.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

6. In Part 2 in the **City Living Zone** make the following amendments:
 - a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in the column titled “Zone”:
“Ancillary Buildings and Structures
DTS/DPF 8.1, DTS/DPF 8.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
 - b. In Table 3 – Performance Assessed Development Classification the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in the colulm titled “Zone”:
“Ancillary Buildings and Structures
PO 8.1, PO 8.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

7. In Part 2 in the **Golf Course Estate Zone** make the following amendments:
 - a. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
PO 9.1, PO 9.2,”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

8. In Part 2 in the **Housing Diversity Neighbourhood Zone** and **Urban Renewal Neighbourhood Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary buildings and structures
DTS/DPF 10.1, DTS/DPF 10.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary buildings and structures
PO 10.1, PO 10.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5

9. In Part 2 in the **Hills Neighbourhood Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
DTS/DPF 12.1, DTS/DPF 12.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
PO 12.1, PO 12.2”
 - Insert the following words in the column titled “General Development Policies”:

“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

10. In Part 2 in the **Waterfront Neighbourhood Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
DTS/DPF 12.2, DTS/DPF 12.3”
 - Insert the following in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
PO 12.2, PO 12.3”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

11. In Part 2 in the **Master Planned Neighbourhood Zone** and **Master Planned Township Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Structures and Buildings
DTS/DPF 17.1, DTS/DPF 17.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.2, DTS/DPF 19.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “Zone”:
“Ancillary Structures and Buildings
PO 17.1, PO 17.2”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
PO 19.2, PO 19.5”

12. In Part 2 in the **Rural Settlement Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
DTS/DPF 6.1”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential Development [Ancillary Development]]
DTS/DPF 13.2, DTS/DPF 13.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
- Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
PO 6.1”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential Development [Ancillary Development]]
PO 13.2, PO 13.5”

13. In Part 2 in the **Rural Neighbourhood Zone, Productive Rural Landscape Zone, Remote Areas Zone, Rural Zone, and Rural Living Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
- Delete the following words from the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
DTS/DPF 13.1,”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential Development [Ancillary Development]]
DTS/DPF 13.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
- Delete the following words from the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
PO 13.1”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
PO 13.5”

14. In Part 2 in the **Rural Shack Settlement Zone** make the following amendments:

- a. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
- Delete the following words from the column titled “Zone”:
“Ancillary Buildings and Structures
PO 6.1,”
 - Insert the following in the column titled “General Development Policies”:

“Design [All Residential development [Ancillary Development]]
PO 13.2, PO 13.5”

15. In Part 2 in the **Rural Horticulture Zone** make the following amendments:

- a. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in the column titled “General Development Policies:
“Design [All Residential development [Ancillary Development]]
PO 13.1,”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
PO 13.5”

16. In Part 2 in the **Neighbourhood Zone** and **Township Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
DTS/DPF 13.1,”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential Development [Ancillary Development]]
DTS/DPF 13.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words from the column titled “General Development Policies”:
“Design [All Residential development [Ancillary Development]]
PO 13.1,”
 - Insert the following words in the column titled “General Development Policies”:
“Design [All Residential Development [Ancillary Development]]
PO 13.5”

17. In Part 2 in the **Master Planned Renewal Zone** make the following amendments:

- a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:
 - Delete the following words in column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
DTS/DPF 19.1,”
 - Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.5”
- b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
PO 19.1,”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
PO 19.5”

18. In Part 2 in the **Home Industry Zone** make the following amendments:

a. In Table 2 – Deemed-to-Satisfy Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words from the column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
DTS/DPF 19.1,”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All Residential Development [Ancillary Development]]
DTS/DPF 19.5”

b. In Table 3 – Performance Assessed Development Classification in the row applying to “Ancillary accommodation” Class of Development:

- Delete the following words from the column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
PO 19.1,”
- Insert the following words in the column titled “General Development Policies”:
“Design in Urban Areas [All residential development [Ancillary Development]]
PO 19.5”

19. In Part 13 – Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the publication of this Code Amendment.

Map A

As this is a state-wide Code amendment, the entire state is affected by the proposal. Therefore, there are no mapping changes.

Attachments

- 1 Evaluation results.
- 2 Copy of submissions received.

Attachment 1 - Evaluation Results

Results of the community minimum mandatory evaluation indicators

	Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
1	I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	0%	0%	17%	42%	42%
	Comments:					
2	I am confident my views were heard during the engagement (Principle 2)	0%	0%	25%	42%	33%
	Comments:					
3	I was given an adequate opportunity to be heard (Principle 3)	0%	0%	8%	58%	33%
	Comments:					
4	I was given sufficient information so that I could take an informed view (Principle 3)	0%	0%	8%	67%	25%
	Comments:					
5	I felt informed about why I was being asked for my view, and the way it would be considered (Principle 4).	0%	0%	0%	67%	33%

Results and Evaluation of Designated Entity's engagement

The engagement was evaluated by Communications and Engagement Specialist, Planning and Land Use Services.

	Evaluation statement	Response options (<i>Select answer</i>)
1	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme (Principle 1)	<ul style="list-style-type: none"> ▪ Engaged when there was opportunity for input into scoping. ✓ Engaged when there was opportunity for input into first draft. ✓ Engaged when there was opportunity for minor edits to final draft. ▪ Engaged when there was no real opportunity for input to be considered. <p>Previous public consultation on the Miscellaneous Technical Enhancements Code Amendment, which contained amendments to the ancillary accommodation definition, contributed to developing the draft Code Amendment at the scoping phase.</p> <p>Early engagement regarding this draft Code Amendment, primarily with local government planning practitioners regarding the operation of the definition, enabled early input into the first draft.</p> <p>Broader community and stakeholders had the opportunity to influence changes to the final draft, before being submitted to the Minister for consideration.</p>
2	Engagement contributed to the substance of the Code Amendment (Principle 1)	<ul style="list-style-type: none"> ▪ In a significant way. ✓ In a moderate way. ▪ In a minor way. ▪ Not at all. <p>All feedback received was carefully considered and responded to in the engagement report and much of the feedback was supportive of the proposed changes. A number of amendments to the definition and DTS/DPF criteria for ancillary accommodation have been recommended in response to feedback received during consultation.</p>
3	The engagement reached those identified as the community of interest (Principle 2)	<ul style="list-style-type: none"> ✓ Representatives from most community groups participated in the engagement. ▪ Representatives from some community groups participated in the engagement. ▪ There was little representation of the community groups in engagement. <p>All key stakeholders, including peak industry organisations and state and local government agencies were directly contacted, providing information about the draft Code Amendment and inviting feedback. The March Policy Forum also directly reached about 100 planning practitioners.</p>

		<p>Feedback was received from many targeted stakeholders, including the LGA and a good representation from councils, student associations, tiny homes association and the Housing Industry Association.</p> <p>There was good media coverage of the engagement and the majority of feedback received was from interested community, indicating engagement activities reached interested broader community.</p> <p>This demonstrates that engagement reached the target audience.</p>
4	<p>Engagement included the provision of feedback to community about outcomes of their participation</p>	<ul style="list-style-type: none"> ✓ Formally (report or public forum). ▪ Informally (closing summaries). ▪ No feedback provided. <p>All submissions were acknowledged upon receipt.</p> <p>Everyone who provided feedback on the draft Code Amendment and submitted their contact details was directly emailed a copy of the ‘what we heard’ report, providing a summary of the engagement process and key themes raised during the consultation as well as information about the next steps in finalising the Code Amendment.</p> <p>The engagement report, providing detailed analysis and responses to all feedback and evaluation of the engagement process, will be published on the PlanSA and YourSAy websites and all key stakeholders and people who submitted feedback will be provided with a direct link.</p>
5	<p>Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement (Principle 5)</p>	<ul style="list-style-type: none"> ▪ Reviewed and recommendations made in a systematic way. ✓ Reviewed but no system for making recommendations. ▪ Not reviewed. <p>Engagement was reviewed throughout the process. While there was no formal system for making recommendations, the engagement and Code Amendment teams worked closely together and, as a result of the review process, an additional frequently asked question document was developed during the consultation period to help explain the difference between ancillary accommodation, caravans and movable housing, to provide greater clarification for the broader community.</p> <p>The survey on the YourSAy website for providing feedback on the draft Code Amendment also provided information to identify the community’s level of understanding, to enable the engagement</p>

		process to be adapted, if needed. However, this was not required.
	Identify key strength of the Charter and Guide	The Charter encourages best practice engagement to ensure stakeholders and community have the opportunity to influence decisions that impact or interest them.
	Identify key challenge of the charter and Guide	Gathering stakeholder and community views to evaluate the engagement process prior to a decision being made and the detailed submissions analysis and response being published (engagement report) makes it difficult for stakeholders and community to evaluate whether they feel their views were heard and genuinely considered.

Attachment 2 – Copy of submissions received

#21711255

Council Submissions

Alexandrina Council
Port Pirie Regional Council
City of Onkaparinga
Mid Murray Council
City of Salisbury
Mount Barker District Council
District Council of Yankalilla
Copper Coast Council
City of Burnside
Clare and Gilbert Valleys Council
City of Charles Sturt
City of Prospect
City of Unley
City of West Torrens
City of Campbelltown
City of Tea Tree Gully
Light Regional Council
City of Marion
City of Norwood Payneham and St Peters
The Barossa Council
City of Port Adelaide Enfield
City of Victor Harbor
City of Adelaide

File:
CP:nm



16 April 2024

Mr Marc Voortman
Director Planning
Code Amendment Team
Planning and Land Use Services Division
On behalf of the Chief Executive
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

via email: plansasubmissions@sa.gov.au

Dear Marc

Re: Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

We refer to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (the Code Amendment) which has been adopted for early commencement with consultation concluding on the 15 April 2024.

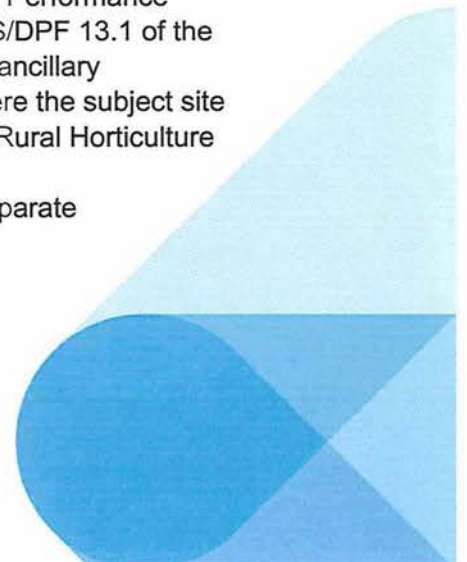
The Code Amendment proposes to amend the definition of 'Ancillary Accommodation' to facilitate self-contained accommodation; in addition, a new policy has been introduced that requires that 'ancillary accommodation' be located within 20 metres of an existing dwelling in specific rural type zones. With regards to 'student accommodation', the amended definition provides the opportunity to incorporate a small kitchenette in individual dormitory units.

Given the current housing crisis, as well as the need for a greater range of housing options to support both housing affordability and ageing in place, we support the underlying intent of the Code Amendment. However, we provide the following comments and recommend the following adjustments as it relates to a peri-urban context:

Ancillary Accommodation

- Located within 20 metres Policy:

A new policy has been introduced to the Deemed to Satisfy/Designated Performance Feature (DTS/DPF) 19.1 of the Design in Urban Areas Module and DTS/DPF 13.1 of the Design Module within Part 4 – General Development Policies requiring ancillary accommodation be located within 20 metres of an existing dwelling where the subject site is situated within the Rural Zone, Productive Rural Landscape Zone or Rural Horticulture Zone. The intent of this policy is to, as stated in the Code Amendment documentation, "minimise the risk of a future land division creating a separate



allotment for the 'second dwelling' which would otherwise contribute to fragmentation of rural land, which rural type zones seek to guard against."

There is some confusion and concern regarding this statement firstly because the 'ancillary accommodation' definition specifically excludes 'dwelling' (as per Land Use Definitions Table Part 7 – Land Use Definitions of the Planning and Design Code). Secondly, there are policies within each of the identified rural type zones specifically for 'dwellings' and 'land division' that seek to prevent the fragmentation of productive rural land. If a 'risk' of fragmentation of rural land has been identified concerning 'ancillary accommodation', should the land division policies be reviewed? For example also adding policy that seeks to avoid fragmenting rural land through the development of 'ancillary accommodation'?

The corresponding Performance Outcomes: PO 19.1 (and 13.1): Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties' are used in assessments where the Deemed to Satisfy (DTS) Criteria are not met. This PO is primarily concerned with protecting existing streetscape character by seeking that ancillary buildings be setback behind the primary residential building on the site. It does not however, address the land division avoidance issue that is covered in the corresponding DTS (perhaps because it is considered that the separate definition prevents future land division in any case). Therefore for applications in rural areas that do not meet the DTS criteria, there is no policy to address the land division fragmentation issue.

It is recommended that additional criteria be introduced to provide this policy guidance, for example:

PO 19.1 (and 13.1):

Residential ancillary buildings:

- (a) are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties*
- (b) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone:*
 - i. is situated as close as practicable to the existing dwelling*
 - ii. is designed to be sympathetic to the surrounding rural landscape character*
 - iii. will result in minimal loss of valuable land available for primary production.*

In addition to the above, it is recommended that a new definition be proposed to encompass the "rural type zones", not dissimilar to that of the definition of "Neighbourhood-type zone" which currently exists in the Planning and Design Code. That is, rather than list the various rural type zones in the policy, replace them with the term "rural type zones" and provide a definition within Part 8 – Administrative Terms and Definitions - of the Planning and Design Code.

Alternatively, the 20 metre policy could apply more broadly, rather than be restricted to specific zones. In any event, additional policy criteria is required as suggested above.

From a technical perspective, it is recommended that the words "on the same site" be added to the new policy to ensure that the policy isn't misinterpreted to mean 20 metres from an existing dwelling 'on any site'.

- Recommended additional policy

It is recommended that the policy associated with 'ancillary accommodation' be more prescriptive with regards to:

- (a) on-site parking provision (at least provision for one on-site car park to support the ancillary accommodation). Under the former policy framework, ancillary accommodation was directed towards 'family members' who can consequently share vehicles and negotiate on-site parking spaces. However, given the restriction of who can live in the ancillary accommodation has been lifted, the on-site vehicle parking demand has changed. Parking on the street is not the solution.
- (b) Providing a maximum number of ancillary accommodation buildings on a site (ie no more than one (1) ancillary accommodation building).

- Recommended removal of criteria

The definition for ancillary accommodation includes the following criteria:

- "d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling; ..."*

Council often receives development applications for, what is intended for use as ancillary accommodation, on rural sized allotments, but do not qualify as "ancillary accommodation" because the building requires a separate on-site wastewater system. Connecting to the existing on-site wastewater system servicing the existing dwelling is not always feasible because of topography. Council administration do not oppose two separate, approved on-site wastewater systems on a rural sized allotment. Accordingly, it is recommended that the terms "wastewater or waste control system" be removed from the definition. Ultimately, the ancillary accommodation will still remain subordinate to the principle existing dwelling as it will still need to be connected to the other utilities servicing the existing dwelling and will not be defined as a 'dwelling'.

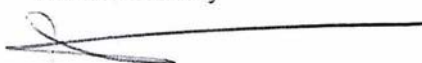
Student Accommodation

It is recommended that the policy associated with 'student accommodation' clarify the maximum size of a 'kitchenette'.

We appreciate the opportunity to provide our feedback with regards to the Code Amendment. We trust that this information will assist you in finalising the relevant documentation for the Code Amendment.

Should you require any clarification please contact Connie Parisi, Team Leader, Planning Policy via [REDACTED] or telephone [REDACTED]

Yours sincerely



Keith Parkes
Mayor

Enquiries :
Adina Teaha

Ref: E75761

12/04/2024



Planning and Land Use Services,
Department for Trade and Investment,
GPO Box 1815,
ADELAIDE, SA 5001

To the Department,

**RE: SUBMISSION ON ANCILLARY ACCOMMODATION AND STUDENT ACCOMMODATION
DEFINITIONS REVIEW CODE AMENDMENT**

The Port Pirie Regional Council extends its appreciation for the opportunity to provide comment on the amendments regarding Ancillary Accommodation and Student Accommodation within the Planning and Design Code.

We support the initiative aimed at addressing the housing crisis and enhancing housing diversity and affordability. This letter outlines our observations and suggestions concerning the policy details and the wider consequences of the amendments.

Concerning the definition of Ancillary Accommodation and related provisions in the Planning and Design Code, the council queries whether there should be a cap on the number of self-contained ancillary accommodation per site to control their spread.

Additionally, if the possibility exists for multiple Ancillary Accommodations on a single property, an assessment is recommended to determine if it might result in these units being connected to each other, resembling an apartment complex configuration. This assessment should not only consider the effects on the local character and built environment but also examine potential impacts on service requirements, including infrastructure demands, traffic flow, the fulfillment of onsite car parking necessities, ensuring that such developments do not contribute to excessive densification or violate established site coverage standards.

We thank you for considering our submission.

Yours sincerely

Adina Teaha
Planning Officer
Development & Regulation
Port Pirie Regional Council

11 April 2024
Our ref: 6158263

Marc Voortman
Director Planning
On behalf of the Chief Executive, Department for Trade and Investment
plansasubmissions@sa.gov.au

Submission to Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Dear Marc

Thank you for the opportunity to provide comments on the draft Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

We have reviewed the draft Code Amendment and offer our in-principle support for policy to provide encouragement for a greater range of housing options to address the current housing crisis and support both housing affordability and ageing in place.

As a general comment, we would suggest that further policy is needed to support the definition change. While the proposed policy change of the Amendment is minor, we have identified several areas of concern that may be due in part to an increased demand frequency for this form of housing development and therefore any cumulative effects. These are discussed below:

Wastewater

Council considers that for properties not connected to the SA Water sewer but are managed via onsite wastewater system, the Code Amendment policy should cause a shift in the assessment path for self-contained Ancillary Accommodation. We now understand that the main dwelling and Ancillary Accommodation granny flat may be occupied by unrelated people and – unlike historical practice – this means that we should be able to require that the wastewater system is appropriately sized.

We note the On-site Wastewater Systems Code (page 17) specifies the minimum primary treatment/septic tank capacity for a system collecting all wastewater from a residential premises is 3000L (suitable 6 persons). Given the proposed changes in the Code Amendment, we believe that, the total septic tank capacity for the property must be consistent with the total possible number of residents at the property.

Community Wastewater Management Systems (CWMS)

Council is concerned there may be potential wide-ranging implications for the management of our CWMS as a result of this Code Amendment. From a CWMS network management perspective, there are both possible network capacity and financial cost recovery issues.

Network capacity – CWMS operators would need to consider any potential increases in residential densities when planning for CWMS capacity (drains, pumps, wastewater treatment plant etc.), and for that reason some existing CWMS areas will not have the capacity, or will have limited capacity, to support new ancillary accommodation in the absence of a CWMS upgrade.

The current CMWS design criteria assume residential occupancy rates based on a single dwelling and single family occupying the site and estimate that on average a residential property will discharge approximately 450L into the network per day. Where properties have ancillary / student accommodation that can be rented out to a third party, the additional occupancy that structure can accommodate must be considered from a network capacity perspective.

Financial – The current pricing principles set by the LGA allow CMWS operators to charge residential properties one property unit to determine annual service costs. Depending on the maximum number of occupants that the ancillary or student accommodation could accommodate (in addition to the main dwelling), it may not necessarily be reasonable to simply apply two property units when developments of this nature are being approved.

As a result, we anticipate that CWMS operators will need to develop policy relating to the associated collection of additional connection charges and annual service fees.

We note the CWMS design criteria and Code for establishing property unit charges are managed by the LGA and we understand that both documents are currently (or soon to be) under review. We suggest that the CWMS Program Manager at the LGA, David Eggers, be directly informed of the proposed Code Amendment so the potential implications from a CWMS perspective be considered at a state level for all affected council areas.

Car Parking

Council's assessment planners and traffic and transport officers have raised car parking as a critical issue. In general, where a dwelling is occupied by family members only, car parking is likely to be shared on driveways or other areas on site, but sites with unrelated persons we strongly expect will result in parking occurring on street causing congestion that is a significant concern for our communities.

One suggestion to alleviate car parking pressures is to employ a provision to encourage Ancillary Accommodation and Student Accommodation to be located within reasonable walking catchments to convenient public transport opportunities (e.g. 800m to rail stations and 400m to high frequency bus stops) - as has been the case for higher density in the 30-Year Plan for Greater Adelaide and planning policy for many years.

This requirement could be incentivised by reducing the requirement for on-site (off-street) car parking provisions, for example:

- no additional on-site parking required for properties located within 400m of rail station or 200m of high-frequency bus stop
- 50% reduction of additional on-site car parking requirements for properties located within 800m to rail stations and 400m to high frequency bus stops
- any intensification of land use that does not have convenient access to public transport opportunities or is not located within close proximity to a tertiary education campus, should necessitate the need for appropriate off-street parking to be provided to reduce impacts to surrounding residents

- provision of convenient and secure on-site parking for bicycles and other micromobility devices should be considered, including safe and convenient access to mains power for charging of ebikes or scooters. This is to protect buildings and occupants from the risk of battery-related fires from these devices increases, and ideally with additional controls (appropriate ventilation, firewall etc.).

Housing for people requiring care at home is a land use worth contemplating for parking impacts associated with the Code Amendment. In the City of Onkaparinga, there have been several recent examples of new housing built for residents with disabilities and associated high levels of care, which, while fully supported by the City of Onkaparinga, has resulted in carers/support staff vehicles affecting surrounding residents, given that the Planning and Design Code does not reflect the increased number of carparking spaces required for this type of housing. Further information of these examples can be provided on request.

Stormwater

Ancillary Accommodation stormwater management would be generally the same as applies to any building/building extension addition to a property in that it:

- complies with drainage (stormwater and wastewater) easement regulations
- complies with building regulations
- complies with our “Stormwater Management Design Guide”
- must not interfere/restrict overland flow path and not exacerbate overland flow to a neighbouring property.

Assessment matters

Restrictions

We note there is no stated restriction on the number of Ancillary Accommodation units that can be located on one site (as historically ‘granny flats’ were usually built one per dwelling allotment):

- If there is no stated limit to the number of ancillary accommodation units per allotment, would restrictions then be determined by site coverage/POS/other quantitative requirements?
- If more than one is proposed, does that mean that it isn’t subordinate to the main dwelling?
- Could a maximum of one per site be DTS?

Clarification of definition

Ancillary accommodation Means accommodation that: ...d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.

- The definition includes the clause that refers to Ancillary Accommodation being “subordinate to¹” the existing dwelling. However, this could be interpreted as either

subordinate to the existing dwelling or the services to the existing dwelling. We understand that City of Marion has received advice to the effect that it should be read as the Ancillary Accommodation is subordinate to the existing dwelling. We suggest this requires further clarification.

- Whilst the intent is appreciated such that they now can be self-contained, additional policy is needed to ensure the amenity and privacy for all residents on the site regarding car parking, private open space, overlooking etc. Would conditions need to be imposed such that separate open space areas cannot be fenced off, etc.?
- A concern is that the Ancillary Accommodation unit does not (informally) become a Tourist Accommodation unit. This could be a major issue in our Rural Zone or coastal areas. As this would be a change of use, we suggest the Ancillary Accommodation be conditioned to reinforce the stated use is for Ancillary Accommodation.
- The Mount Barker Development Plan stated that dependent accommodation required a small floor area relative to the associated main dwelling, perhaps wording to this effect should be included.
- We support the 60m² floor area provision.

Locational considerations

Prior to the Housing Diversity Neighbourhood Zone being employed in our Medium Density Policy Areas, a Targeted Infill Precinct was designated to cover parts of the policy area in close proximity to selected Neighbourhood and District Centres and within 400 metres of public transport. These Precincts also employed smaller minimum allotment sizes for all dwelling types to allow for appropriate increases in dwelling density adjoining centres.

We support the Code Amendment intent to encourage housing diversity and choice and to ensure opportunities for residential infill to achieve the growth anticipated within the city. It is acknowledged that this form of housing would be suitable in locations to capitalise on the offerings of activity centres and access to public transport. However, in the City of Onkaparinga, locations such as this are often in Housing Diversity Neighbourhood Zones where we are seeking higher residential densities.

Consideration therefore should be given as to whether Ancillary Accommodation is an appropriate housing form for areas strategically planned and targeted for significantly residential densities such as Housing Diversity Neighbourhood Zones. The concern is that Ancillary Accommodation would be an easier (more attractive and affordable) way for property investors to make rental income with reduced capital outlay. This could make medium density housing comparatively less attractive to develop adversely affecting infill housing targets.

Regarding the location of the Ancillary Accommodation unit in relation to the dwelling, the Code Amendment proposes:

In the Rural Zone, Productive Rural Landscape Zone and Rural Horticulture Zone, a new policy is proposed to be applied to ancillary accommodation requiring it not be set back further than 20 metres from an existing dwelling. This policy mirrors the same policy that applies to a second dwelling on an allotment in these zones.

We suggest that the 20 metre setback should be applied across all zones as the Ancillary Accommodation unit should be within proximity (within the curtilage) of the existing dwelling.

Thank you for the opportunity to provide feedback on the draft Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

Should you have any questions, please contact Jonathan Luke, Team Leader Development Policy on [REDACTED] or [REDACTED]

Yours sincerely



Renée Mitchell
Director Planning



Ref: ICORR3905-24

11 April 2024

Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Code Amendment Team

Planning and Land use Services Division

Department for Trade and Investment

GPO Box 1815

ADELAIDE SA 5001

Via email: plansasubmissions@sa.gov.au

Dear Sir/Madam,

Please find below a detailed response on behalf of Mid Murray Council to the *Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment*, which is currently on public consultation until 11 April 2024.

Council's planning staff have been working with the Code Amendment under early commencement approximately one month and provide the following comments in relation to matters that need to be addressed through this Code Amendment.

Proposed Code Policy Amendments

Changes to the definition of ancillary accommodation include the removal of the requirement that ancillary accommodation units cannot be self-contained. The new definition says, '*can be (but need not be) a self-contained residence*'. Mid Murray Council is of the opinion that this new definition will better meet the current needs of ancillary accommodation uses, by allowing for laundry and/or kitchen spaces within accommodation units. Ancillary accommodation units remain restricted in size and subordinate to a primary residence, ensuring that ancillary accommodation units have a minimal impact on character and amenity around development sites.

Student accommodation has similar changes to definitions to allow some additional amenities within the building. Under the new definition, student accommodation '*can be (but need not be) a self-contained residence*'. Therefore, the student accommodation can now possibly include kitchenettes and a laundry. Mid Murray Council does not see any significant issues with the proposed changes and supports the amendments.

There is a proposed addition to the General Development Policies regarding the proximity between ancillary accommodation and existing dwellings. Under the new changes, ancillary accommodation should be located within 20m of an existing dwelling when located in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone. Council believes that this is a welcome addition to the policy and believe it will assist in ensuring accommodation is managed adequately in conjunction with primary production uses.

All correspondence to [REDACTED] ABN 88 313 305 455

Mannum – Principal Office

Cambrai Office

Morgan & Districts Community Hub

Additional Code Policy Amendments to Consider

The changes in DTS/DPF 13.1 in the Design General Development Policies and DTS/DPF 19.1 in the Design in Urban Areas General Development Policies regarding 20m proximity distances to dwellings within certain Zones is considered to be a positive change within the Code Amendment, however it should also apply to a number of other Rural related Zones.

Mid Murray Council believes that the setback should also apply to the Rural Living Zone and the Rural Neighbourhood Zone. It is considered that including these Zones within the list will ensure that ancillary accommodation units on larger residential sites remain subordinate to the primary residence.

Mid Murray Council has a significant number of allotments with onsite wastewater systems. With the implications of additional pressures on these systems imposed by potential development of ancillary accommodation facilities, we believe policy should address this matter. Our Council, like many others, have many allotments at 1200m² or less that have onsite wastewater systems and an existing dwelling. These sites may have significant issues when ancillary accommodation is proposed, as there may not be enough space to accommodate the onsite wastewater system upgrades.

It is our suggestion that PO 12.1 and DTS/DPF 12.1 of the *Infrastructure and Renewable Energy Facilities* section under the General Development Policies be populated for any application for ancillary accommodation. This would give Council the appropriate policy to ensure appropriate wastewater systems can be adopted onsite.

Council is generally supportive of the proposed policy amendments as they are currently drafted. The proposed amendments to the definitions of student accommodation and ancillary accommodation allow for slightly more independence in these units and will assist in addressing the current housing situation within South Australia. Council considers that the proposed amendment to the Planning and Design Code is a sound approach to allowing the change of definitions to occur.

If you have any questions in respect to our submission, please feel free to contact me at the Cambrai office on [REDACTED] or via email at [REDACTED].

Yours faithfully,



Gary Mavrinac

Director – Development and Community Services



City of Salisbury
ABN 82 615 416 895



XX April 2024

Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Contact: Peter Jansen

Dear Sir/Madam

Re: Submission - Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

The City of Salisbury thanks you for the opportunity to comment on the above Code Amendment. I advise that the City considered the matter at its 22 April 2024 Council meeting and endorsed this submission.

The City of Salisbury concurs on the importance and need for all levels of Government and the housing industry to investigate measures to overcome the housing crisis. Council has wide experience in this matter, and has made previous submissions on housing affordability to the Federal Government, and for many years now has operated an affordable housing program directly providing new built accommodation to purchasers.

It is understood that the proposed policy changes are a response to the current housing crisis, and are expected to increase rental housing stock and diversity, and provide affordable housing options for the community. The single person households in the City of Salisbury is growing rapidly, however there is limited suitable housing with the majority of housing being detached 3-bedroom dwellings on larger allotments. The proposed policy will increase the attractiveness of ancillary dwellings to the population. This is generally supported for its intent to provide housing flexibility and affordability.

However, consideration is required that this dwelling type will now be occupied by people that are not related or linked to the primary dwelling occupants. Consequences of this include that it is unlikely that the occupants will share cars, car spaces or private open space and would prefer some privacy. There would also be an impact on the adding to the use of existing State and Local Government services infrastructure without any capacity increase or contributions.

The Code Amendment contains no discussion or analysis on the impacts of the likely take-up of this type of housing on the council area, infrastructure capacity or car parking capacity of the site or street. There are no policies on the protection of the design standard of Student Accommodation. Proposals to Council to date have not had sufficient design regard for the intended residents, or their locational need for shopping and transport.

Of note, there is policy in the Planning and Design Code for cabins and caravans in a residential park or tourist park that requires an open space area of 16 m² which may be also used as a carparking space. It is recommended that a similar policy be adopted for ancillary dwellings that also ensure that the open space area is directly accessible to the ancillary dwelling.

There are no guidelines for the location of these accommodation types. The City of Salisbury remains car dominant given a limited supply of public transport and the distance in getting to places. Active transport is a small percentage of transport usage. Student accommodation should be within proximity of a tertiary or secondary education facility, and public transport, otherwise there will be increased pressure to provide on-site and street parking and its associated impacts on stormwater runoff and green space provision.

The new definition for Ancillary Accommodation results in a situation that could render them in a practical sense the same as a dwelling, and would circumvent many of the established controls over additional housing on allotments. The result would essentially be group housing on an allotment. There are no limitations on the number of the Ancillary Accommodation units on the allotment, nor their position on the allotment. The use of transportable pods for this type of accommodation could readily result in the positioning in the front yard, and even allow for more than one on the allotment. The proposed policy must be adapted to ensure this does not occur.

The need to provide options to overcome the immediate housing demand is demonstrable and admirable with the supply alternatives, but it will be the local authority that has to deal with the potential problems of poor-quality housing provision for the occupants and the surrounding neighbourhood if the policy and assessment framework is not created at the same time. This may take some time to present itself in the community at which time it will be an established undesirable character that will be the sole responsibility of the local authority to manage without assistance from the State. It is expected that proposed policies are prepared and included to overcome this issue.

Given the merits of ancillary dwellings in assisting to provide housing choice, it is recommended that the Government prepare material for the community to promote this as an option for landowners with easy to understand information about the planning and building requirements, the costs and the processes involved, and the expected quality outcomes.

Council supports initiatives to bolster housing provision where possible, but there are concerns with the potential outcomes that might occur that will impact on the community, and the City of Salisbury requires the Chief Executive of the Department of Trade and Investment to review the proposed policies to overcome the concerns of Council.

Yours faithfully



John Harry
Chief Executive Officer





City of Salisbury
ABN 82 615 416 895

30 April 2024

Submissions : Ancillary and student accommodation definition
Code Amendment
State Planning Commission
Department for Trade and Investment
plansasubmissions@sa.gov.au

Contact: Peter Jansen

Dear Sir/Madam

Re: Submission - Ancillary Accommodation and Student Accommodation Definitions
Review Code Amendment

The City of Salisbury thanks you for the opportunity to comment on the above Code Amendment for the two definition changes. I advise that the City considered the matter at its 22nd April Council meeting and endorsed this submission.

The City of Salisbury concurs on the importance and need for all levels of Government and the housing industry to investigate measures to overcome the housing crisis. Council is acutely aware of the need to have affordable housing in its area and has wide experience in this matter. Council has made previous submissions on housing affordability to the Federal Government, and for many years now has operated a successful affordable housing program directly providing new built accommodation to purchasers.

It is understood that the proposed policy changes are a positive response to the current housing crisis, and are expected to increase rental housing stock and diversity, and provide affordable housing options for the community. Single person households in the City of Salisbury are growing rapidly, however there is limited suitable housing with the majority of housing being detached 3-bedroom dwellings on larger allotments. The proposed policy will increase the attractiveness and supply of ancillary dwellings to the population. This is supported for its intent to provide housing flexibility and affordability.

Ancillary Dwellings

The new definition for ancillary accommodation has almost the same definition as a dwelling. The potential implication of this definition is that ancillary accommodation would not be subject to the same policy that applies to dwellings.

The proposed policy does not place a limit on the number (or location) of ancillary accommodation buildings on an allotment which would normally be assessed as group housing.

It is suggested the definition change could be more explicit, in that this type of accommodation **should be 'located on the same allotment as an existing detached dwelling'** - to avoid any doubt and potential proliferation on sites that already contain group dwellings and residential flat buildings. It will also assist to minimise the amenity issues discussed above.

Whilst this code amendment does not have the scope to consider design policy, it is suggested that a future code amendment seeks to provide some minimal guidance on matters such as access to private open space and carparking for the occupants of the ancillary accommodation. A similar

approach to cabins and caravans in a residential park or tourist park could be taken, where the policy requires an open space of 16sqm which may also be used as a parking space.

Student Accommodation

The amendment provides the option for student accommodation to be in self-contained dormitory accommodation. The intent of this housing is to provide affordable options for students through small, higher density and shared facilities.

The Council supports student accommodation and suggests that future policy or design guidelines are considered to ensure that policy is established to set minimum standards in relation to the size of the rooms, common and recreations areas to ensure quality of living.

Thank you for the opportunity to comment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Harry', with a stylized flourish at the end.

John Harry
Chief Executive Officer



Reference: DOC/24/31332

9 April 2024

Submission: Ancillary and Student Accommodation
Definition Code Amendment
State Planning Commission
Department for Trade and Investment
GPO Box 1815, Adelaide SA 5001

planSAsubmissions@sa.gov.au

Dear Code Amendments Team, Planning and Land Use Services

RE: Ancillary and Student Accommodation Definition Code Amendment

Thank you for the opportunity to provide a submission on the Ancillary and Student Accommodation Definition Code Amendment (the Amendment).

Mount Barker is the fastest growing metropolitan Council in South Australia and has experienced sustained and significant rates of population growth. This growth has further highlighted a range of social and housing issues, many of which are associated with the housing affordability crisis.

The Amendment goes some way to recognising the current housing crisis being felt nationwide and the need for there to be a greater range of housing options to support both housing affordability and ageing in place, affirming that the Planning and Design Code should support self-contained ancillary accommodation.

There is a common sense pragmatism in permitting ancillary accommodation to be self-contained that is both more reflective of market desires and less open to interpretation for practitioners and others engaging with the development assessment process. On this, Council suggests going further with an amendment to the definition by removing the limitation on the number of bedrooms (or at minimum removing ambiguous terminology such as “rooms capable of being used as a bedroom”) and requirement to not have a separate connection to utilities and services.

Code policy should support an appropriate amenity for all those residing on the property. This could include controls on site coverage, private open space, additional car parking and sufficient space for clothes drying and refuse storage. It is felt that certainty around the floor area, through inclusion in the definition, would assist in giving advice and essentially ensure that the other aspects of the definition are satisfied as a matter of course through limitation on scale. It should be clear in the Code that there is to be no more than one ancillary dwelling permissible per allotment.

In 2022, Council endorsed its Housing Strategy, which identified an undersupply of affordable rental properties through the district but primarily felt through Greater Mount Barker. This is matched by the 'Demand and supply by Local Government Area' reports published by the SA Housing Authority in 2013 and 2018, which showed a far lower proportion of private rentals that were affordable to low income households than that in Greater Adelaide.

The inclusion of a separation control (to 20m) for the rural zones (Rural and Productive Rural Landscape) will aid the protection of these areas for primary production purposes. Council agrees with the general compatibility of ancillary accommodation and neighbourhood and township zones and is conscious of avoiding unnecessary intrusion of residential uses into rural and primary production land. The 20m rule has several benefits in that it ensures that structures are clustered, native vegetation and asset protection zones are maintained and there are efficiencies in the connection to services.

The Planning Institute of Australia (PIA) has long recognised the importance of ancillary dwellings as part of the housing mix. There has been movement on this in all jurisdictions to expand the permissibility through shorter assessment pathways and flexibility on the occupancy, which removes the previous need for such structures to be inhabited by a dependent of the primary dwelling.

Summary

Council is supportive of a review into the policy around ancillary accommodation and is aware of the need for there to be a more diverse and affordable range of housing options across the State.

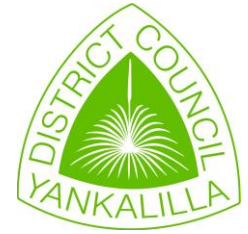
We would welcome further input into the ongoing development of such policies and are open to discussion as we update our Housing Strategy through the 2024-2025 financial year.

Yours sincerely



Phil Burton
GENERAL MANAGER – INFRASTRUCTURE





Ref: 24074

16 April 2024

Mr Marc Voortman
Director Planning
Code Amendment Team
Planning and Land Use Services Division
On behalf of the Chief Executive
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Via email: plansasubmissions@sa.gov.au

Dear Marc

Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

We refer to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (the Code Amendment) which has been adopted for early commencement and is currently on consultation until the 15 April 2024. I appreciate the extension to lodge Council's submission given that the earliest Council meeting to consider the matter was set for the 16 April 2024.

The Code Amendment has amended the definition of Ancillary Accommodation to facilitate self-contained accommodation; in addition, a new policy has been introduced that requires that ancillary accommodation be located within 20 metres of an existing dwelling in specific rural type zones. With regards to Student Accommodation, the amended definition provides the opportunity to incorporate a small kitchenette in individual dormitory units.

Given the current housing crisis, as well as the need for a greater range of housing options to support both housing affordability and ageing in place, we support the underlying intent of the Code Amendment. However, we provide the following comments and recommend the following adjustments as it relates to a peri-urban context:

Ancillary Accommodation

- Located within 20 metres Policy:
A new policy criteria has been introduced for DTS/DPF 19.1 of the Design in Urban Areas Module and DTS/DPF 13.1 of the Design Module within Part 4 – General Development Policies which states that ancillary accommodation is to be located within 20 metres of an existing dwelling where the subject site is situated within the Rural Zone, Productive Rural Landscape Zone or Rural Horticulture Zone. The intent of this policy is to, as stated in the Code Amendment documentation, "*minimise the risk of a future land division creating a separate allotment for the 'second dwelling' which would otherwise contribute to fragmentation of rural land, which rural type zones seek to guard against.*" There is some confusion concerning this statement as the 'Ancillary Accommodation' definition specifically excludes 'dwelling' (as per Land Use Definitions Table Part 7 – Land Use Definitions of the Planning and Design Code).





In addition, there are some policies within each of the identified rural type zones specifically for 'dwellings' and 'land division' that seek to prevent the fragmentation of productive rural land. If a 'risk' of fragmentation of rural land has been identified, does this mean that the land division policies need reviewing instead?

Notwithstanding the introduction of the new policy, we offer the following recommendation. There are many instances within those rural type zones where an ancillary accommodation proposal can not be situated within 20 metres due to topographical and/or environmental constraints. An assessment would then need to be made against the corresponding Performance Outcome which states:

PO 19.1 (and 13.1): Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.

The above policy is primarily concerned with protecting existing streetscape character by seeking that ancillary buildings be setback behind the primary residential building on the site. The policy, however, does not provide guidance for ancillary accommodation in a rural context and where such buildings are proposed at a location further than 20 metres. It is recommended that additional policy criteria be introduced which can provide this policy guidance, for example:

PO 19.1 (and 13.1):

Residential ancillary buildings:

- (a) are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties*
- (b) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone:*
 - i. is situated as close as practicable to the existing dwelling*
 - ii. is designed to be sympathetic to the surrounding rural landscape character*
 - iii. will result in minimal loss of valuable land available for primary production.*

In addition to the above, it is recommended that a new definition be proposed to encompass the "rural type zones", not dissimilar to that of the definition of "Neighbourhood-type zone" which currently exists in the Planning and Design Code. That is, rather than list the various rural type zones in the policy, replace them with the term "rural type zones" and provide a definition within Part 8 – Administrative Terms and Definitions - of the Planning and Design Code.

Alternatively, the 20 metre policy could apply more broadly, rather than be restricted to specific zones. In any event, additional policy criteria is required as suggested above.

From a technical perspective, it is recommended that the words "on the same site" be added to the new policy to ensure that the policy isn't misinterpreted to mean 20 metres from an existing dwelling 'on any site'.





- Recommended additional policy

It is recommended that the policy associated with 'ancillary accommodation' be more prescriptive with regards to:

- (a) on-site parking provision (at least provision for one on-site car park to support the ancillary accommodation). Under the former policy framework, ancillary accommodation was directed towards 'family members' who can consequently share vehicles and negotiate on-site parking spaces. However, given the restriction of who can live in the ancillary accommodation has been lifted, the on-site vehicle parking demand has changed. Parking on the street is not the solution.
- (b) maximum number of ancillary accommodation buildings on a site (ie no more than one (1 ancillary accommodation building)).

- Recommended removal of criteria

The definition for ancillary accommodation includes the following criteria:

"d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling; ..."

Council often receives development applications for, what is intended for use as ancillary accommodation, on rural sized allotments, but do not qualify as "ancillary accommodation" because the building requires a separate on-site wastewater system. Connecting to the existing on-site wastewater system servicing the existing dwelling is not always feasible because topographically it could have been up-hill or of a significant distance from the existing dwelling. Council administration do not oppose two separate, approved on-site wastewater systems on a rural sized allotment. Accordingly, it is recommended that the terms "wastewater or waste control system" be removed from the definition. Ultimately, the ancillary accommodation will still remain subordinate to the principle existing dwelling as it will still need to be connected to the other utilities servicing the existing dwelling and will not be defined as a dwelling.

Student Accommodation

It is recommended that the policy associated with 'student accommodation' clarify the maximum size of a 'kitchenette'.





We appreciate the opportunity to provide our feedback with regards to the Code Amendment. We trust that this information will assist you in finalising the relevant documentation for the Code Amendment.

Should you require any clarification please contact Ross Whitfield, Director Assets and Environment on [REDACTED] or via email [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read "Nathan Cunningham".

Nathan Cunningham
Chief Executive Officer

Attachments: Nil





[Redacted]

15 April 2024

Enquiries to:

[Redacted]

Via Email: plansasubmissions@sa.gov.au

To whom this may concern,

RE: Ancillary Accommodation and Student Accommodation Review of Definitions Code Amendment – Copper Coast Council

Copper Coast Council (CCC) welcomes the opportunity to provide a submission on the Ancillary Accommodation and Student Accommodation Review of Definitions Code Amendment.

Please find attached Council's submission which outlines potential issues and improvements with the Ancillary Accommodation and Student Accommodation Review of Definitions Code Amendment and ways in which they could be amended.

Should you wish to discuss this further, please do not hesitate to contact Council on [Redacted]
[Redacted]

Yours sincerely


Müller Mentz
Director Development Services

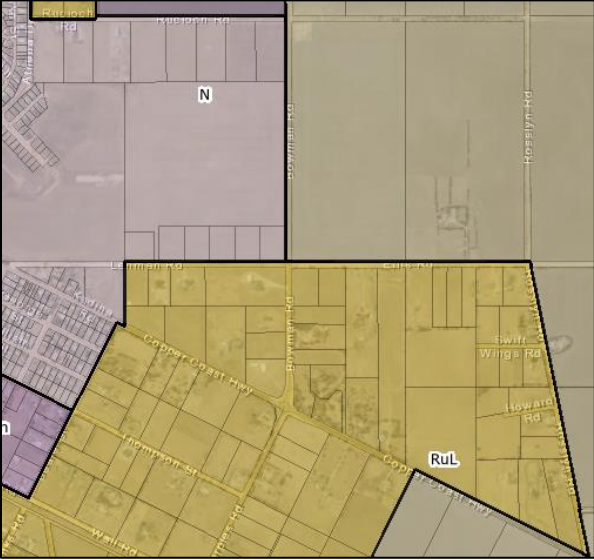
lifestyle location of choice

Ancillary Accommodation and Student Accommodation Review of Definitions Code Amendment

Copper Coast Council

Issue	Comment	Suggested solution
Definition	<p><i>d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.</i></p> <p>What does the term ‘such as’ mean. Does this mean that all of these services (if available) are required to be shared? Or does it mean that some of these could be shared.</p> <p>Should there be a specific number to be shared or is it up to the discretion of the Relevant Authority (RA)?</p>	Further clarification of the number and type of connections required.
Services	<p>What is to prevent the property owner from severing the shared services and installing separate services?</p> <p>If you don’t require approval to add or change service connections, how would a RA know when this occurs and when a change of use to a dwelling would be required?</p> <p>How is the RA supposed to monitor compliance with this provision?</p>	
Definition	There is no clarity on the number of allowable ancillary accommodation (AA) buildings which can be attached to an individual dwelling. Does more than one AA become a change in use to a group dwelling?	Inclusion of additional element to the definition to include only one AA building per dwelling.
Definition	The term ‘subordinate’ needs to be clarified or defined. If an AA is essentially ‘self-contained’ what markers indicate that it is subordinate?	Further clarification on the definition of subordinate

	<p>subordinate</p> <p><i>adjective</i></p> <p> /sə'bdəneɪ/ (say suh'bawduhnuht) 1. placed in or belonging to a lower order or rank.</p> <p>2. of lesser importance; secondary.</p> <p>3. subject to or under the authority of a superior.</p> <p>4. subservient.</p> <p>5. dependent.</p> <p>6. <i>Grammar</i></p> <p>a. denoting or relating to a subordinate clause or other dependent phrase.</p> <p>b. denoting or relating to a subordinating conjunction.</p> <p>7. <i>Obsolete</i> submissive.</p> <p>If AA can be rented out to third party, how is it subordinate?</p>		
Portal	If AA is excluded from the definition of a Dwelling, why is it found under the definition of 'new dwelling'? This is confusing and contradicts the definitions as the exclusions (column D) specifically excludes dwelling from AA.		Review of the location of AA on the portal elements.
Policy – Separation Distances	<p>DTS/DPF 13.1 in the Design General Development Policies seeks to limit the separation distances to 20m.</p> <p>Whilst Rural Zone allotments are generally larger, there are other zones which include larger allotments which would benefit from a maximum separation distance. This is to protect the open rural character in the Rural Living Zone and even Neighbourhood Zones.</p>		DTS/DPF 13.1 to be linked to all zones.

		
<p>Policy – Carparking</p>	<p>Carparking. Policy for AA does not include additional provisions with regards to car parking. Metro Adelaide has public transport available and those seeking AA sized properties may not have their own vehicles. Where public transport is not available, vehicular ownership increases significantly.</p> <p>If AA can be utilised for a third party, with a possible 2-4 additional people residing in the premise, there could be an increase in on-street carparking. Some dwellings in regional areas have an existing 3-4 vehicles, adding even more vehicular parking spaces for those residing in AA may be detrimental to the locality and cause traffic congestion.</p>	
<p>Caselaw</p>	<p>[2022] SAERDC12 <i>Parkins v Adelaide Hills Council Assessment Manager</i>. This case looked at land division decision which was overturned due to the second structure functioning as a stand alone dwelling and the proposed land division formalizing the existing use.</p>	<p>Implement policy like what Victoria has implemented for small dwellings which restricts AA being subdivided from the main dwelling on-site.</p>

	<p>If AA is now able to be self-contained, would this not allow for more ‘land division by stealth’ and development at odds with the Code provisions and existing pattern of development? Whilst AA is not a dwelling, a LD application and change of use to dwelling could be proposed. It could also be argued that AA is a dwelling because it is self-contained residence.</p>	
Use	<p>Short term accommodation vs long term stays</p> <p>AA can now be rented out to third parties, what provisions are available to ensure this is not creating a situation for tourist accommodation rather than AA. There should be some consideration given to how this can be managed. Whilst it is accepted that there is a compliance aspect here, is it good policy to just leave it to compliance later? Should the policy not be clear on what is deemed to be long-term accommodation and clear markers defining when this moves into short term stays and tourist accommodation.</p>	

11 April 2024

Mr Craig Holden
Chair, State Planning Commission
Ancillary Accommodation and Student Accommodation
Definitions Review Code Amendment
GPO Box 1815
ADELAIDE SA 5001
Via email to: plansasubmissions@sa.gov.au

**RE: SUBMISSION – ANCILLARY ACCOMMODATION AND STUDENT
ACCOMMODATION DEFINITIONS REVIEW CODE AMENDMENT**

Dear Mr Holden,

Thank you for the opportunity to provide feedback on the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

The City of Burnside acknowledges the importance of this Code Amendment and its intended purpose to address the need to enable alternative housing options in South Australia.

While we believe this change to the Planning and Design Code is a sound initiative to address current issues in the planning system regarding housing affordability and supply, we request the following aspects be given further consideration to avoid unintended consequences:

1. Multiple Buildings

There does not appear to be any mechanism proposed as part of this Amendment to limit the number of ancillary accommodation(s) which may be established on an allotment.

The potential for more than one building of this type to be erected on an existing allotment without appropriate controls in place could result in undesirable impacts on existing established vegetation and trees, site coverage, stormwater management, vehicle access, parking and waste management.

2. Design, Quality and Environmental Performance

While the scope of this Code Amendment is generally limited to changes to the definitions for ancillary and student accommodation, further consideration should be given to policy amendments which address the design, quality, and environmental performance of such buildings. Given this Amendment aims to provide more affordable housing options for South Australians, then environmental requirements addressing passive solar design, insulation and lighting is essential to ensure appropriate and cost-effective design standards for future occupants.



3. Subsequent Land Division

This amendment will allow ancillary accommodation to be self-contained, and the recent changes to *Practice Direction 12 – Conditions* ensure that ancillary accommodation can be leased to people unrelated to the owner/occupier of the main dwelling. The City of Burnside is concerned that no mechanisms exist to stop a property which contains two or more stand-alone independent, self-contained dwellings (even if originally constructed as ancillary accommodation) from subsequently being eligible for land division.

Case law addressing this matter including ERD Court proceedings, *Parkins v Adelaide Hills Council Assessment Manager [2022] SAERDC 12* and associated Supreme Court judgement, *Adelaide Hills Council Assessment Manager v Parkins & Anor [2023] SASCA 66*, places weight on the presence of two dwellings on an allotment and whether the proposed allotments were suitable for the intended purpose and hence the their ability to be subdivided.

The City of Burnside therefore strongly recommends further consideration of this potential unintended consequence of the proposed changes to ensure that there are adequate controls in place to prevent future subdivision of this type.

4. Independent Servicing

How will authorities ensure that the ancillary accommodation is not subsequently connected to utilities and services as these types of works are not classified as 'development'? Councils will not necessarily know if this independent servicing occurs after an application is approved nor if there has been a breach of the approval.

It is suggested that the Practice Directions be updated to ensure that there are adequate provisions in place to prevent these properties from being independently serviced which may then lead to the flow-on effects such as the potential for subdivision described above.

In summary, the proposed Code Amendment would be strengthened by restrictions preventing future land division on the basis of ancillary accommodation, restrictions to the number of such buildings able to be constructed on a site, and subsequent Code Amendments to address positive design and environmental outcomes.

If you wish to discuss anything in this letter, please contact Alison Cusack, Coordinator City Policy and Planning on [REDACTED] or via e-mail [REDACTED]

Yours sincerely,



Chris Cowley
Chief Executive Officer



CLARE & GILBERT VALLEYS COUNCIL

15 April 2024

Dear Sir/Madam,

Re: Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

I write on behalf of the Clare and Gilbert Valleys Council's Development (CGVC) Department in response to the proposed Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment currently on public consultation. The CGVC is appreciative of the opportunity provided through the code amendment consultation process to review and provide a written submission in response to this code amendment.

Ancillary Accommodation

The Council's Planning Branch has reviewed the exhibition documentation relating to proposed Ancillary Accommodation Amendments as these are directly relevant to the Clare and Gilbert Valleys Council local government area.

From an overall perspective the Planning Branch is strongly supportive of the proposal. In particular, the proposed amendment has the following perceived/anticipated benefits:

Benefits of Ancillary Accommodation

Flexibility of usage

Allowing the Ancillary Accommodation (AA) to be self-contained significantly improves flexibility in terms of who occupies the 'accommodation' and how the property may be used as a whole. For example, AA could variously be occupied by:

- family or friends of occupants of the dwelling; or
- residential tenants.

It is envisaged that improved flexibility in relation to the use of the accommodation will support more efficient use of AA (including existing and new accommodation) and assist in alleviating current housing shortage, including within the Clare and Gilbert Valleys local government area.

Borrowing capacity

It may be reasonably expected that lending institutions are more likely to lend developers of Ancillary Accommodation money for such development where the provisions transparently support occupation (and rental) of the AA by unrelated parties as a self-contained residence, as such rental may be expected to provide a more viable income stream to offset mortgage repayments.





CLARE & GILBERT VALLEYS COUNCIL

Some suggestions for consideration

Notwithstanding the noted significant benefits of the proposed amendment, a number of suggestions for further refinement are outlined below for consideration.

Changes to proposed definition

Ancillary Accommodation with the following:

Means accommodation that:

- a) is located on the same allotment as an existing dwelling; and
- b) can be (but need not be) a self-contained residence; and
- c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and
- d) is subordinate to ~~and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing~~ the existing dwelling.

Additional provisions specifically tailored for AA use

The existing (and proposed provisions) for Ancillary Accommodation are not specifically tailored for the use and instead are generally aligned with other uses ancillary to dwellings. While the definition itself effectively guides the form of such development, it is considered that there may be merit in incorporating specific provisions in the Planning and Design Code (e.g. within the 'Design' and 'Design in Urban Areas' Provisions as well as 'Transport, Access and Parking' provisions in Part 4 of the Code) tailored to the use.

These would support creation of simplified pathways for the AA use.

Provisions could include:

- DTS/DPF criteria relating to maximum floor area, with greater maximum floor area allowances in some zones (e.g. Rural, Rural Living and Rural Neighbourhood Zones);
- Provisions providing for open space areas readily accessible from the AA and directly accessible from living area within the AA;
- Provisions relating to privacy between habitable rooms of the dwelling and AA respectively; and
- A car parking provision of 1 space per bedroom.

Provision limiting the number of Ancillary Accommodation buildings

E.g. *There will be no more than 1 Ancillary Accommodation on a site.*

Proposed 20m maximum separation distance from dwelling in Rural Zone and other zones DTS/DPF 13.1 and DTS/DPF 19.1

Consideration could be given to allowing greater separation where it can be demonstrated that the development is unlikely to unduly compromise performance outcome desired outcomes for the zone.

Ancillary Accommodation not to be subdivided (excised)

It is further recommended that for the avoidance of any potential ambiguity, consideration be given to including a provision within the Part 4 provisions relating to 'Land



CLARE & GILBERT VALLEYS COUNCIL

Division' that expressly prohibits the subdivision (Torrens and Community Title Division) of a lot to excise Ancillary Accommodation.

Prohibiting division allows for the development of more flexible 'granny flats' without undermining character of (particularly) lower density residential areas by 'eroding' minimum lot sizes.

Contact

Please don't hesitate to contact the Council if you require any clarification on any matter or wish to discuss any matter.

A handwritten signature in black ink, appearing to read 'Fraser Cormack', with a stylized flourish at the end.

Fraser Cormack
Planning Officer – Development and Community Services





27 March 2024

Submission
Ancillary Accommodation and
Student Accommodation Definitions
Review Code Amendment
Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001
Via email: plansasubmissions@sa.gov.au

Dear Sir/Madam,

Submission by the City of Charles Sturt – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment – early commencement by the Chief Executive of the Department for Trade and Investment - for Consultation

Council wishes to thank the Department for the opportunity to comment on the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

It is acknowledged that the Code Amendment proposes definition changes in the Planning and Design Code (Code) for Ancillary Accommodation and Student Accommodation to facilitate ancillary and student accommodation to be self-contained, in response to the state's current housing crisis and aim to provide more affordable housing options for the South Australian community.

The City of Charles Sturt is supportive of measures that can be undertaken in the State's Planning System to assist with the housing crisis. Notwithstanding this, Council has taken the opportunity to consider the proposed policy amendments and considers there are still other assessment provisions needed in the Code to address the following concerns.

- The proposed changes to the definition of an ancillary accommodation also meets a dwelling definition and site area then would also become a factor in the assessment with both needing to achieve the site area open space site coverage and soft landscaping requirements. The Code Amendment should include policy amendments for ancillary accommodation that if proposed as self-contained the overall site should be no less than the minimum site area proposed for two dwellings in the respective zone. The consequence of not providing this would mean ancillary accommodation (which effectively is now a separate dwelling) would be approved on sites less than the prescribed site area of the zone it is located in.



There is also a need to consider how many of these are supported by the Code on the site. Does this mean that a large site may put two ancillary accommodation facilities on the land each being 60m² in floor area and potentially result in multiple independent households on one site? The assessing authority in Charles Sturt currently have an application for two self-contained studio ancillary dwellings on one site with the main dwelling which seem to meet the provisions of the Code but has a very different impact on the locality than someone associated with the occupiers of the dwelling living in a space like that proposed.

- While ancillary accommodation is required to satisfy criteria such as 60m² in floor area or less, max of two bedrooms, maintain soft landscaping that achieves the standard or retains what is already there whichever is the lesser, % of site coverage, the issue of carparking is something that is absent and needs to be pursued. The current provisions under Table 1 in the Code for off-street carparking would still apply as if it was one dwelling. The provisions should be amended to require additional parking on-site when it is self-contained. As a self-contained accommodation the occupants (separate to the existing household) would likely have their own private vehicle(s). The provision of parking these vehicles should be satisfied on the site otherwise this would lead to further use of public local roads for parking of private vehicles, further compounding tensions in infill areas.
- A further policy amendment that should be considered relates to a sites private open space. As a self-contained residence, the Code should require an increase in the private open space required on site to accommodate both the existing dwelling as well as the ancillary accommodation. As a self-contained residence it would be expected that the occupants would require their own area of private open space separate to the household of the existing dwelling.
- The Code Amendment should consider the potential impost to existing service infrastructure such as electricity, gas, sewer, etc as well as the impacts of service provision for waste management services and seek advice through the Code Amendment process from the service providers on their capacity to service additional self-contained accommodation in areas which would normally accommodate what is currently required in a particular residential zoned area. While there may be an argument that there was already potential for ancillary accommodation of the size that's allowed and this would have already been putting pressure on services, the difference proposed is that the use of the ancillary accommodation can now be non-members of the existing household.


With the ability to build this into a rear yard and receive rental income for the separate occupation of the dwelling from the people occupying the original dwelling there is potential for more of this to occur than was the case when they could not be self-contained.

This would undoubtedly require designs to have their own kitchen, bathrooms, and laundry areas to service a separate household placing further pressures on existing utility infrastructure. Standard practice in Code Amendment investigations involving rezoning of land to facilitate infill development should involve seeking advice from State's key service providers.

The State Government should also consider the monitoring of the impacts of this Amendment including any unintended impacts and include adequate provision in the relevant legislation to protect the interest of students, people on low income, people at risk of homelessness or escaping domestic violence for example, to have their rights to adequate standard of living protected and that supports are available to them should they find themselves in a vulnerable living situation.

Should you have any questions, please contact Jim Gronthos, Senior Policy Planner on [REDACTED] or by email at [REDACTED]

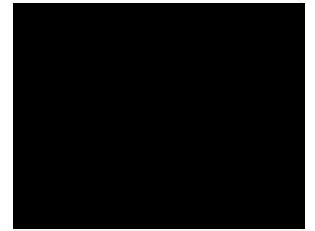
Yours sincerely

A handwritten signature in blue ink, appearing to read "Bruce Williams".

Bruce Williams
General Manager City Services

15 April 2024

State Planning Commission
Department for Trade and Investment
GPO Box 1815, ADELAIDE SA 5001
Via email: plansasubmissions@sa.gov.au



City of Prospect Submission - Ancillary Accommodation and Student Accommodation
Definitions Review Code Amendment

To whom it concerns,

Thank you for the opportunity to provide a submission in relation to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

Council's Strategic Planning and Development Policies Committee met on Thursday 4th April 2024 to discuss the proposed amendment to the Planning and Design Code, and resolved to provide feedback as outlined below.

Council is supportive of alternative and affordable housing options that preserve our character homes and streetscapes, observing also the current significant challenges being felt by the community in accessing housing that meets their needs. Council is equally however tasked with meeting the traffic, parking and other reasonable needs of its residents on local streets. Our submission approaches the Code Amendment from these perspectives. The issues identified as being of particular concern are:

- Loss of soft landscaping and/or tree canopy; and
- Provision of on-site car parking.

Further detail in relation to those matters and others is provided below.

Making Ancillary Accommodation Self-Contained

Council does not oppose this amendment in principle, noting that it allows for a 'missing middle' housing option that is broadly similar to co-housing model being sought through the Future Living Code Amendment.

Council is however concerned that without Ancillary Accommodation being assessed against additional appropriate planning policy criteria, this change in definition is likely to result in consequences that will impact residents of the new home as well as the surrounding community.

Consequential Matters – Ancillary Accommodation Occupant

As proposed, the Planning and Design Code does not provide access to basic amenities for residents including car parking, back yard space, storage, waste collection, or any of the other features expected of every other form of self-contained housing. Council believes that all members of the community deserve to have access to housing with a level of occupant amenity that meets their needs.

Council has held a policy position since 2011 that it would not provide a separate waste service to granny flats within the Prospect area. While it is possible that a tenancy agreement could be reached between the land owner and resident, the Committee anticipates that it is more likely that the resident will be expected to lease bins on a service charge basis with Council.

It would be highly desirable that protections for residents in relation to issues of this nature, for example an obligation on land owners to provide specified details to proposed tenants of Ancillary Accommodation to ensure they are fully informed, be pursued outside of planning legislation.

Consequential Matters – Surrounding Community

As Ancillary Accommodation is not required to be supported by car parking, private open space or other basic amenities on site, it seems logical that these resident needs will then be sought instead on public land.

Of particular importance is the issue of car parking. City of Prospect has many narrow streets in which car parking cannot be supported on both sides of the road, together with existing parking demand challenges in relation to many of our wider streets. Creating additional parking demand in these streets, by allowing dwellings of up to two bedroom dwellings to be constructed with no available on site car parking, is expected to impact the visitors, contractors and residents of other nearby properties.

To our knowledge there is no other type of self-contained dwelling in the Planning and Design Code that can be constructed without access to on-site car parking. Council does not see any compelling reason that Ancillary Accommodation should be exempt from this common requirement which assists to protect neighbourhood amenity. Council recommends that the same parking rates should apply to self-contained Ancillary Accommodation as apply to other detached and group dwelling types.

It is the case that there are precincts within our city that are very well served by parks and reserves, however unfortunately there are other precincts within our city that are not. Council does not consider that its current public open space networks can meet the reasonable needs of smaller families who may occupy Ancillary Accommodation, and factors such as land values prevent this being achieved in the short to medium term. Access to on-site private open space, including storage, clothes drying and recreational spaces, are also considered to be basic amenities that ought to be available to residents of this new dwelling type. Council recommends that these assessment criteria should mirror those of detached and group dwelling types.

Council is also concerned that insufficient policy protections for soft landscaping and tree canopy are currently in place within the Planning and Design Code. Council wishes to see additional policy

inserted which ensures that new Ancillary Accommodation preserves or enhances landscaping on private property, and in relation to this recommends that construction techniques which maintain or enhance deep soil planting zones on or adjacent to the site should be explicitly encouraged.

Administrative Matters

Our staff advise us that the definitions of 'dwelling' and 'ancillary accommodation' that exist in the now amended Planning and Design Code are contradictory and operationally problematic. The Committee understands that a building that meets the definition of a dwelling cannot be defined as ancillary accommodation, but also that a building that meets the definition of ancillary accommodation cannot be defined as a dwelling.

Our staff advise us that the majority of the buildings lodged with Council for small backyard accommodation would meet both definitions. This makes what should be a simple task, determining which planning policies should apply to the assessment of a proposal, an unnecessarily difficult and time-consuming task. It also opens Council staff and applicants to costs and delays from administrative appeals and/or Assessment Panel Reviews.

Our staff recommend that the definition of 'dwelling' should also be amended as part of this Code Amendment, so as to create a functional distinction between the two definitions. Our staff suggest that reference to a site, as an area of land or as a definable portion of a larger building, could be inserted into the definition of dwelling. This would mean that accommodation which is separately fenced and accessed might be referred to as a dwelling, whereas accommodation in which access and other arrangements remain shared between the primary and subordinate buildings might be referred to as ancillary accommodation.

We observe that the benefits of a Code Amendment such as this one, or indeed the Future Living Code Amendment, will be diminished if the policy is difficult for our staff to implement on the ground.

The above feedback is intended to be constructive, to indicate areas of concern and the solutions that Council recommends the State Planning Commission should implement. We hope that it is of assistance, noting again that Council is broadly supportive of this intent of this Code Amendment.

We are also hopeful that this Code Amendment demonstrates the need for the Future Living Code Amendment to be brought online in a timely manner, and trust that the State Planning Commission and Minister for Planning will pursue that Code Amendment with the same vigour that this Code Amendment has been pursued.

Regards,

Matt Larwood
Mayor, City of Prospect (on behalf of Council's Strategic Planning and Development Policies Committee)

15 April 2024

State Planning Commission
GPO Box 1815
Adelaide SA 5001

*Attention: Code Amendment Team
Planning and Land Use Services
Department for Trade and Investment
(plansasubmissions@sa.gov.au)*

Dear Commission

**CITY OF UNLEY SUBMISSION: ANCILLARY AND STUDENT ACCOMMODATION
DEFINITION CODE AMENDMENT**

The City of Unley appreciates the opportunity to contribute to the Ancillary and Student Accommodation Definition Code Amendment.

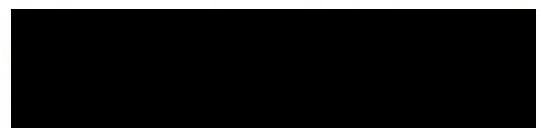
The intention of the Code Amendment is supported in seeking to provide a greater range of housing options to support both rental housing and ageing in place given the current the current demand for housing.

Despite this support, there are several matters that the City of Unley wish to raise in relation to the proposed amendments to the definition, including the following:

1. Definition as ancillary should rely on more than shared services

The ability to have a self-contained premises is supported for ancillary and student accommodation; however, the only functional clause that ensures that it is considered ancillary accommodation is the connection to utilities and services. The definition of a 'site' includes reference to separate occupancy whether or not it comprises a separate or entire allotment. Inclusion of requirements that the dwelling and ancillary accommodation is not 'separate' should be considered.

In order to remain ancillary and subordinate to the main dwelling, the definition should include reference to the retention of common open space and car parking being shared between both the main dwelling and ancillary accommodation. Common open space should not be fenced to prevent access from either the main dwelling or the ancillary accommodation. This clearly demonstrates that the land is not suitable for land division should ancillary accommodation be approved, otherwise two separately occupied buildings are located on the same allotment. It would also confirm that the ancillary accommodation will remain linked in some form to the existing dwelling, while also allowing for independent living.



2. Potential for Land Division

Given that the current proposed definition contains only the requirement for shared services between the main dwelling and ancillary accommodation, there is a risk that this link can be removed as providing a separate water meter and the like does not require development approval. If this link is removed, the site no longer meets the definition of ancillary accommodation, and this presents the chance for land division to be considered as there are now two separate and independent dwellings accommodated on the site. The desired site areas, frontage widths may no longer be applicable to an assessment of a land division application which would result in undesired land division.

3. Building Code

Given that ancillary accommodation allows for separate occupation for self-contained buildings, it is considered necessary to raise potential impacts to how an assessment may be impacted against the Building Code. Ancillary accommodation has been assessed as a form of accommodation that is related to the main dwelling; however, this new definition does not require the use of the main house for kitchen, bathroom or laundry facilities. This change may have impacts on building classification and fire separation assessments, and it is recommended that this be reviewed in line with any potential amendment to the definition to ensure that building classification issues are considered.

Conclusion

It is trusted these comments will be given further consideration and the issues that have been raised addressed by review of the nature and implications of the proposed amendments.

If there are any queries, or opportunity to contribute to further enhancement of policy, please contact Mr Gary Brinkworth, Manager Development and Regulatory, on [REDACTED] or [REDACTED]

Yours Sincerely



Megan Berghuis
ACTING CHIEF EXECUTIVE OFFICER



4 April 2024

Mr David Reynolds
Chief Executive
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Dear Mr Reynolds,

**RE: Ancillary Accommodation and Student Accommodation Definitions Review
Code Amendment - Early Commencement**

Thank you for the opportunity to provide comment on the abovementioned Code Amendment. Please take this letter as the City of West Torrens' formal submission.

The City of West Torrens is supportive of the need to address the housing crisis that is being faced by the South Australian community, however Council is not supportive of the proposed Code Amendment as the change of definition, whilst seemingly benign, is not. Without the inclusion of supporting policy, the amendment is incongruous with its intent. To facilitate a more thorough and considered Code Amendment additional policy and a more in-depth analysis of demand and supply is necessary.

At the time of Code commencement, Council advised on the need for a more flexible definition of ancillary accommodation with further consideration needing to be given to additional policy that supports:

- replacing bedroom cap with a maximum floor area cap;
- introducing requirements for shared private open space;
- implementing a limit on the number of ancillary accommodations per property.
- introducing a minimum site area requirement.
- retaining existing land use term "dependent accommodation" with specific guidelines similar to those contained in the former Development Plan.

Council is particularly concerned by the absence of minimum site areas and additional parking requirements for ancillary accommodation, which has the potential to impact occupiers and adjoining residents. This may lead to:

- increased pressure on limited public spaces,
- increased demand for on-street car parking, lack of on-site parking and increased traffic,
- the need for additional bin storage areas and on street collection, and
- pressure on existing infrastructure.

These impacts are cumulative and without inclusion of supporting policy as detailed above these issues will become more prevalent and with limited means for resolution.

When considering the proposed changes, Council requests that additional policy be introduced to:

- limit the number of ancillary accommodation buildings that are allowed on individual properties to avoid neighbourhood disturbance/nuisance;
- establish monitoring mechanisms to ensure ancillary accommodation does not have separate connections to utilities and services to prevent unintended changes in function and use over time; and
- address concerns over the long-term potential changes from ancillary dwellings to separate dwellings and the unintended associated impacts on the State's housing supply and diversity goals.

Additionally, it should be noted that the changes to enable leasing ancillary accommodation to a third party may result in the need for the building to have a separate street number, bin collection and letterboxes if those services are requested. For this reason is the Lands Titles Office aware of the changes which may also result in property owners having to pay additional property rates and taxes?

Regarding student accommodation, the previous policy clearly delineated common facilities as being provided so that this accommodation is not self-contained. By virtue of allowing student accommodation to be self-contained in the current policy, the types of facilities that would have previously been common, are no longer necessary e.g., kitchen, laundry, and bathroom. If student accommodation is self-contained the importance of communal facilities is diminished.

I'd like to draw your attention to the following:

- *B Central Development Group Pty Ltd v Stonnington CC* [2009] VCAT 2265 at [21] identifies that a significant characteristic of student accommodation is that it includes communal facilities to support social interaction. It is common for student housing to provide a level of communal facilities for the benefit of those residing within the development, similar to an aged care facility or a retirement village.
- Further to this *Piccolo Developments v Melbourne CC* [2006] VCAT 2608 (cited with approval in *Morris*) held that the "provision and maintenance of student accommodation communal facilities is a fundamental component of providing an excellent, well-managed facility.
- It is important that communal areas be accessible and in high movement areas if they are to promote student interaction and thereby a "sense of community". *Nelrup Pty Ltd v Stonnington CC* [2010] VCAT 2036 (cited with approval in *Morris*).

The City of West Torrens is keenly familiar with the subject matter of student accommodation and its peculiarities, and take this opportunity to remind you of the case of *Morris v City of West Torrens* [2011] SAERDC 32. On this basis the following is recommended:

- Stronger policy in the Code is required regarding minimum shared recreation areas, common areas and facilities both internally and externally. This could be considered by way of square metre provision per person.
- Clear identification of where student accommodation is to be located e.g., neighbourhood type zones.

These recommendations speak to the specific characterisation of land use and the particularities of student accommodation. Various authorities have made reference to the fact that the needs of student accommodation are different to those of other types of accommodation. In particular in *Morris v City of West Torrens* [2011] SAERDC 32, Commissioner Hamnett stated (at [28]):

it is reasonable as a matter of general planning principle to distinguish student accommodation from other forms of residential development and to accept that typical student accommodation developments will have reduced amounts of car parking, smaller rooms or apartments and communal areas intended to promote or facilitate social interaction. A management regime, which includes limits on car ownership or use, as well as rules to limit noise to avoid nuisance to other residents and neighbours, will also be characteristic of student accommodation developments, as will some form of on-site supervision.

Council is keen to engage in discussions, provide feedback, and contribute in any way possible to aid in this review process. Council believes that, through collaborative efforts and careful consideration, the appropriate mechanism can be formulated to address the issues outlined herein.

If you require any additional information or clarification, please contact Caitlin Rorke-Wickins Team Leader Strategic Planning on [REDACTED] or phone [REDACTED].

Yours sincerely,



Angelo Catinari
Chief Executive Officer
City of West Torrens

Enc:

- Extract from Council Meeting held 19 March 2024. Report titled "*Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment- Early Commencement*"

16.9 Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - Early Commencement

Brief

The South Australian government is proposing to change the existing Planning and Design Code definitions for "ancillary accommodation" and "student accommodation". This report presents the recommended feedback to Department for Trade and Investment.

RECOMMENDATION

It is recommended to Council that the letter contained as Attachment 1 of the Agenda report be submitted to Department for Trade and Investment (DTI) as its formal response to the *Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment*.

Introduction

The proposed changes allow ancillary and student accommodation to be self-contained. This means they can have their own bathroom, kitchen and laundry.

The changes are proposed in response to the state's current housing crisis and are expected to increase rental stock and housing diversity. They also aim to provide more affordable housing options for the South Australian community.

Other aspects of the definitions will remain unchanged. This means:

- Ancillary accommodation must still be subordinate to a main dwelling and have limited floor area.
- Student accommodation must still incorporate common facilities for shared use by students.

The proposed amendment complements recent changes to the planning regulations (gazetted 16 November 2023) that enable homeowners to lease ancillary accommodation to anyone they choose. A simplified explanation by Norman Waterhouse is provided via the link below:
<https://www.normans.com.au/news/ancillary-accommodation-and-accepted-dwellings-amendments-to-the-planning-development-and-infrastructure-general-regulations-2017>

The effect of this amendment is that, even where a condition has been imposed on a development authorisation for ancillary accommodation that attempts to restrict its occupancy (for instance, to a relative or associate of the resident of the existing dwelling), any breach of such condition is not held to be a contravention under section 215 of the Act. This amendment therefore authorises the residential leasing of ancillary accommodation where it might otherwise have been unlawful to do so.

Of note, recent amendments to Practice Direction 12 further prevent relevant authorities from imposing new conditions to this effect in respect of applications for ancillary accommodation.

This was intended to enable a greater number of granny flats to be made available to the rental market.

Relevant consultation documents are:

- Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment ([Draft Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - for early commencement \(plan.sa.gov.au\)](#))
- Engagement Plan ([Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - Engagement Plan](#))

- Fact Sheet ([Fact Sheet - Changing the definition of ancillary and student accommodation \(plan.sa.gov.au\)](#))
- Frequently Asked Questions ([Frequently Asked Questions - Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment \(plan.sa.gov.au\)](#))

Discussion

The draft Code Amendment came into effect on an interim basis on the same day as it was released for public consultation (29 February 2024), via 'early commencement'. The early commencement process is used when the Minister considers that the immediate application of the policy change is necessary in the interests of orderly and proper development, and to counter applications for undesirable development ahead of the outcome of consideration of this Code Amendment by the Minister.

The change proposed applies only to the definitions of ancillary accommodation and student accommodation.

	Previous Definition	Current Definition via early commencement (Green indicates the new words)
Ancillary Accommodation	<p><i>Means accommodation that:</i></p> <ul style="list-style-type: none"> a) <i>is located on the same allotment as an existing dwelling; and</i> b) <i>is not a self-contained residence; and</i> c) <i>contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and</i> d) <i>is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.</i> 	<p><i>Means accommodation that:</i></p> <ul style="list-style-type: none"> a) <i>is located on the same allotment as an existing dwelling; and</i> b) is not <i>can be (but need not be) a self-contained residence; and</i> c) <i>contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and</i> d) <i>is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.</i>
Student Accommodation	<p><i>Means premises used to accommodate students in room or dormitory style accommodation that is not self-contained and that includes common facilities for shared use by student occupants such as:</i></p> <ul style="list-style-type: none"> a) <i>shared cooking facilities and/or the provision of meals;</i> b) <i>common rooms and recreation areas;</i> c) <i>shared laundry facilities or a laundry service; or</i> d) <i>shared bathroom facilities.</i> 	<p><i>Means premises used to accommodate students in room or dormitory style accommodation that is not can be (but need not be) self-contained and that includes common facilities for shared use by student occupants such as:</i></p> <ul style="list-style-type: none"> a) <i>shared cooking facilities and/or the provision of meals;</i> b) <i>common rooms and recreation areas;</i> c) <i>shared laundry facilities or a laundry service; or</i> d) <i>shared bathroom facilities.</i>

On review of the revised definitions the following points are recommended for inclusion in Council's response on the Code Amendment:

- At the time of Code implementation, Council advised the following, which remains relevant:

Ancillary accommodation: *Definition is restrictive and does not adequately reflect the flexibility currently afforded to this form of development. Further consideration should be given to:*

- Maximum floor area cap instead of bedroom cap
- Shared private open space
- Limit on how many you can have onsite
- Minimum site area before you can have one
- Consider retaining existing land use term dependant accommodation and implementing similar definitions/PDCs seen in Development Plans e.g.
- Dependent accommodation (i.e., accommodation where the living unit is located on the same allotment as the main dwelling and connected to the same services of the main dwelling) should be developed on the same allotment as the existing dwelling only where:
 - a) the site is of adequate size and configuration and the minimum total site is greater than 500 square metres.
 - b) the accommodation has a small floor area relative to the associated main dwelling with a floor area not exceeding 60 square metres.
 - c) adequate outdoor private open space of a minimum of 100 square metres is provided for the use of all occupants.
 - d) adequate on-site car parking is provided by one additional car parking space being provided on the site.
 - e) the building is designed to, and comprises colours and materials that will, complement the original dwelling.

Currently, there are no minimum site areas, and no additional parking requirements for development of an ancillary accommodation which may be to the detriment of the occupier and adjoining residents, resulting in additional pressure on limited public spaces to provide parking, open space etc.

- Is there a limit to the number of ancillary accommodation buildings that could be placed on one property? If someone had a large allotment, could they conceivably place multiple ancillary accommodation buildings on the one allotment? What controls are in place to limit the number of ancillary accommodation buildings on one site?
- The changes to enable leasing ancillary accommodation to a third party may qualify for a street number, bin collection and letterboxes if those services are requested. Is the Lands Title Office aware of the changes which may result in property owners having to pay additional rates?

- How will relevant authorities be required to monitor and ensure that the ancillary accommodation does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling? The connection of these services are not classified as development in their own right and councils won't know when they occur and won't be able to assess a change of use from ancillary accommodation to dwelling.
- If new connections were provided without the relevant authority's knowledge this would change the function and use of the building from ancillary accommodation to a dwelling. If over an extended period of time, would there be an argument that these two separate dwelling be formalised as they function as two detached dwellings?
- If over time, ancillary dwellings were to change land use to dwelling, concern is raised over the fragmentation of land which may become counterproductive to the State's intent to provide increased housing supply and diversity. The fragmentation would reduce opportunity for other dwelling typologies and densities e.g., detached dwellings and excised ancillary accommodation on its own land rather than residential flat buildings, row dwellings due to benefit cost ratio for landowners.

Turning to student accommodation, the definition does not appear to fully reflect the intent within the proposed definition. Specifically, the Code Amendment has the following rationale:

The requirement for student accommodation to not be self-contained has existed since the definition of 'student accommodation' was introduced at the commencement of the Code in March 2021.

Recent student accommodation proposals have sought to incorporate small kitchenettes in individual dormitory units, meaning that these rooms would be considered self-contained, and therefore would no longer fall within the definition of student accommodation. It is considered reasonable for individual rooms to be self-contained, while ensuring that shared facilities, services, and common areas are still provided.

The current policy clearly delineates common facilities are provided on the proviso they are not self-contained. By virtue of allowing student accommodation to be self-contained, the types of facilities that would have been common are no longer necessary e.g., kitchen, laundry, and bathroom.

On this basis the following is recommended:

- Stronger policy in the Code is sought, particularly around minimum shared recreation areas internally and externally by way of square metre provision per person.
- Clear identification of where student accommodation is to be located e.g., neighbourhood type zones.

A draft of the City of West Torrens' formal submission on this matter is included in **Attachment 1**.

Climate Impact Considerations

(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)

Appropriate policy implementation has the ability to promote a climate resilient built form.

Conclusion

This report presents items for further clarification and consideration from DTI on the *Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment*. It is recommended that the content of this report be provided as feedback via PlanSA on the Code Amendment and consultation.

Attachments

1. **Draft of the City of West Torrens' formal submission on the Code Amendment**



**CAMPBELLTOWN
CITY COUNCIL**

Office of the Mayor

13 May 2024

The Hon Nick Champion MP
Minister for Planning
GPO Box 11032
ADELAIDE SA 5000

Dear Mr Champion *Nick.*

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

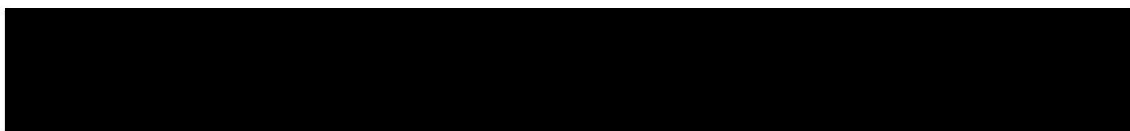
I wish to advise that at its meeting on 2 April 2024, Council resolved to write to you regarding the proposed Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

Council urges the Government to defer further consideration of this amendment and pair it with a Code Amendment to review and develop a new Policy with regard to Ancillary Accommodation and Student Accommodation. Council believes this approach will properly support the broadened definitions and enable Council's Development Assessment Staff to pursue positive design outcomes.

Should you wish to discuss this matter further, please contact Council's Chief Executive Officer, Mr Paul Di Iulio on [REDACTED]

Yours sincerely

Jill Whittaker OAM
Mayor Campbelltown



Minutes

Council Meeting

Minutes of the meeting of the **Council** held in the Council Chamber, [REDACTED]

Tuesday 2 April 2024

Elected Members Present: Mayor Jill Whittaker OAM
Councillor Therese Britton-La Salle Arrived 7.01 pm
Councillor John Flynn
Councillor Jagdish Lakhani
Councillor Anna Leombruno
Councillor Johanna McLuskey Arrived 7.01 pm
Councillor Matthew Noble
Councillor Claude Scalzi

Council Staff Present: Chief Executive Officer
General Manager Corporate Services
General Manager Infrastructure, Planning & Sustainability Services
Manager Community Services & Social Development
Manager Planning Services
Executive Assistant
Executive Support Officer

Meeting Commenced: 7.00 pm

1. Opening of the Meeting, Kaurna Acknowledgement and Council Pledge

The time being 7.00 pm Mayor Whittaker opened the meeting.

2. Apologies

The time being 7.01 pm Cr Britton-La Salle and Cr McLuskey entered the meeting.

Cr Leombruno moved and Cr Lakhani seconded that apologies be received for the absence of Cr Blackborough, Cr Barbaro and Cr Ajrish.

Carried

3. Minutes

Cr Leombruno moved and Cr Scalzi seconded that the minutes of the meeting of the Council held on Tuesday 19 March 2024 as printed and circulated be taken as read and confirmed.

Carried

4. Public Question Time

Mr Michael Giuffreda of Newton questioned whether Julie Court reserve could be named as such?

General Manager of Infrastructure, Planning & Sustainability Services advised that the Park is a small undeveloped pocket Reserve. The question was taken on notice.

Mr Michael Giuffreda of Newton asked about mitigating the traffic travelling on Julie Court and whether Council could plant trees along Julie Court Reserve and position the trees so that motorists cannot see Graves Street?

General Manager of Infrastructure, Planning & Sustainability Services advised that Staff will investigate this matter.

Mr Michael Giuffreda of Newton asked what is the purpose of the traffic islands in Liascos Avenue?

General Manager of Infrastructure, Planning & Sustainability Services advised that it is to stop traffic cutting the corner.

Mr Peter Stainer of Athelstone asked a question regarding the toilets in all Council owned facilities and was under the impression that all toilet doors should open outward for safety reasons.

General Manager of Infrastructure, Planning & Sustainability Services advised that yes there was a Council resolution to ensure that the doors opened outward for safety reasons, however, toilet doors are now manufactured to be able to be easily lifted for easy access in an emergency.

5. Business Adjourned

Nil.

6. Questions With Notice

Nil.

7. Deputations / Presentations

Nil.

8. Petition

Nil.

9. Motions on Notice

- 9.1 Cr Noble moved and Cr Leombruno seconded that the item be deferred to later in the meeting. **Carried**
- 9.2 Cr Leombruno moved and Cr Scalzi seconded that Council rescinds its previous decision at its meeting of Tuesday 19 March 2024:

‘That the report be received and the tree (mature swamp mallet) be retained.’ **Lost**
- 9.3 Cr Lakhani moved and Cr Noble seconded that Staff prepare a comprehensive report on the installation of a new drinking water fountain in the Lochiel Park play area, as there is none, the report may include cost estimates, feasibility analysis and a potential location for the drinking water fountain installation. **Carried**

10. Recommendations from Committees

10.1 Ageing Well Advisory Committee – Minutes, Thursday 21 March 2024

Cr Leombruno moved and Cr Lakhani seconded that the minutes of the Ageing Well Advisory Committee made at its meeting held on Thursday 21 March 2024 be received.

Carried

11. Reports from Officers

11.1 Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Cr Britton-La Salle moved and Cr Leombruno seconded that Council writes to the Minister for Planning, Hon Nick Champion MP to strongly urge the Government to defer further consideration of this amendment and pair it with a Code Amendment to review and develop new Policy with regard to Ancillary Accommodation and Student Accommodation, which will properly support the broadened definitions and enable assessment Staff to pursue positive design outcomes.

Carried

11.2 Service Club request – Blue Tree Project

The time being 7.38 pm Cr Lakhani declared a general conflict of interest in the following matter due to being a member of the Rotary Club of Campbelltown and remained in the Chamber.

Cr Leombruno moved and Cr Flynn seconded that Council Support the Rotary Club of Campbelltown participation in the Blue Tree Project subject to gaining Staff permission, utilising the criteria detailed in the report, prior to painting a tree.

An **Amendment** was moved by Cr Noble that Council Support a 12 month trial of the Rotary Club of Campbelltown's participation in the Blue Tree Project subject to gaining Staff permission, utilising the criteria detailed in the report, prior to painting a tree.

The Amendment lapsed for want of a seconder

The **Motion** on being put was

Lost on the casting vote of the Mayor

Cr Lakhani did not participate in debate or vote on the **Motion**.

The time being 7.52 pm Cr Lakhani declared a general conflict of interest in the following matter due to being a member of Rotary Club of Campbelltown and remained in the Chamber.

Cr McLuskey moved and Cr Leombruno seconded that Council commends the Rotary Club of Campbelltown for their desire to raise awareness regarding mental health issues and that Staff work with the Club to find other ways that they can raise awareness of mental health issues within the Community.

Carried

Cr Lakhani did not participate in debate or vote on the **Motion**.

11.3 Tool Library

Cr Britton-La Salle moved and Cr McLuskey seconded that Council supports the Campbelltown Tool Library being run at the Campbelltown Depot and uses the \$3,000 seed funding to purchase tools for the Tool Library so that the trial at the Depot proceeds.

Carried Unanimously

11.4 Request to Fly Italian Flag

Cr Lakhani moved and Cr Leombruno seconded that Com.It.Es South Australia be advised that in lieu of flying the Italian flag Council will illuminate the Migrant Monument in red, green and white to acknowledge Italian National Day on 2 June 2024 and will provide social media communication to raise Community awareness of the importance of this day.

Carried Unanimously

12. Member's Reports

Nil.

9. Motions on Notice

9.1 Cr Noble moved and Cr McLuskey seconded that:

1. under the provisions of Section 90 (2) of the Local Government Act 1999 an order be made that the public except Elected Members and the following Staff; Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure, Planning & Sustainability Services, Executive Assistant and Executive Support Officer be excluded from attendance at the meeting in order to consider in confidence Item 9.1.
2. the Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of the report at the meeting could reasonably be expected to confer commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, as contained in Section 90 (3)(d)(i) and (ii).

Carried

The time being 8.33 pm Cr Britton-La Salle left the meeting.

The time being 8.36 pm Cr Britton-La Salle re-entered the meeting.

Cr Flynn moved and Cr Lakhani seconded that an order be made under the provisions of Section 91(7) of the *Local Government Act 1999*, that the report, attachments and minutes of the subject matter, having been dealt with on a confidential basis under Section 90(3) of the Act, should be kept confidential on the grounds that disclosure of information could confer commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party as contained in Section 90 (3)(b)(i) until the matter is finalised.

Carried

13. Closure of Meeting

The time being 8.41 pm the Mayor closed the meeting.

Certified a true recordCHAIRPERSON

Taken as read and confirmed this
dayCHAIRPERSON

11 April 2023
Our ref: D23/56810

Mr Craig Holden
Chair
State Planning Commission
GPO Box 1815
Adelaide SA 5001

Via email: PlanSA@sa.gov.au

Dear Mr Holden

Ancillary and Student Accommodation Definitions Code Amendment – City of Tea Tree Gully submission

Thank you for the opportunity to provide feedback on the Ancillary and Student Accommodation Definitions Code Amendment (early commencement) released for public consultation from 29 February to 15 April 2024

At its meeting on 25 July 2023, Council considered the proposed new definitions as proposed by the Code Amendment. Whilst outside the scope of the subject code amendment, the recent changes to the *Planning, Development and Infrastructure Act (General) Regulations 2017* as gazetted November 2023) were also reviewed, in order to consider the changes to the operation of ancillary and student accommodation in a holistic manner.

Given the ongoing housing crisis and the need for a greater diversity of dwelling types as identified in our [State of the City](#) report, the City of Tea tree Gully does not have a fundamental concern with the Code Amendment changes to the definition of ancillary of student accommodation or the previous Regulation changes. However, it is considered there are policy controls that the Code Amendment should provide to minimise amenity impacts to our community. The recommended policy changes are included with the attached submission, which was endorsed by Council at its meeting 9 April 2024.

The City of Tea Tree Gully thanks the State Planning Commission for the opportunity to provide a submission during their consultation on the code amendment, and look forward to working collaboratively with the Commission and PLUS to implement the recommendations outlined in this submission.

Should you have any questions regarding the content of Council's submission, please do not hesitate to contact Jessica Lewig, Lead - Urban Planning, on [REDACTED] or via email [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ryan McMahon', with a stylized flourish at the end.

Ryan McMahon
Chief Executive Officer

Ancillary and Student Accommodation Definitions Code Amendment – CTTG Submission

Ref #	Item	Comments	Recommendations
1	Car parking	<p>As outlined in previous submissions from the City of Tea Tree Gully on the Miscellaneous and Technical Enhancements Code Amendment, and the Expert Panel Review on Planning Reforms, there are ongoing concerns relating to carparking as a result of policy requirements within the Planning and Design Code. These include concerns with the following:</p> <ul style="list-style-type: none"> • dimensions being too small to accommodate modern vehicles • Inadequate storage being provided in dwellings, with garages being used for storage which has flow-on effects for on-street car parking • Design of car parking spaces and usability <p>The combination of the previously gazetted Regulation change, and the early enactment of the Code Amendment means that ancillary accommodation can now be rented out to a third party and can be self-contained. However it is noted that there are no proposed changes relating to the provision of onsite carparking.</p> <p>The current Code provisions do not require any additional parking requirements for ancillary accommodation beyond those associated with the main dwelling. Thus there are concerns that with combined Regulation changes and Code Amendment, there are likely to be increased car parking requirements which are not required to be accommodated on site. This will likely lead to increased on-street carparking.</p>	<p>Amendment to <i>General Development Policies – Transport Access and Parking - Table 1 – General Off-Street Car Parking Requirements</i> to require ancillary accommodation to provide one (1) on-site carpark in addition to the requirements for the main dwelling</p>
2	Private open space	<p>As mentioned above, the combination of the previously gazetted Regulation change, and the early enactment of the Code Amendment means that ancillary accommodation can now be rented out to a third party and can be self-contained. However it is noted that there are no proposed changes relating to the provision of private open space.</p>	<p>Amendment to <i>General Development Policies – Design in Urban Areas - Table 1 – Private Open Space</i> to require the dedicated provision of</p>

		<p>Whilst the current Code provisions require the ancillary accommodation to ensure the prescribed amount of private open space is maintained for the main dwelling, there is no requirement to provide dedicated private open space for the ancillary accommodation. Further, given there are no requirements for the ancillary accommodation to provide dedicated car parking, there are concerns that private open space may be compromised by informal onsite vehicle parking arrangements.</p>	<p>private open space for ancillary accommodation</p>
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15 April 2024

State Planning Commission
Department of Trade and Investment
GPO Box 1815
ADELAIDE SA 5001



plansasubmissions@sa.gov.au

**Ancillary Accommodation and Student Accommodation Definitions
Review Code Amendment**

Dear State Planning Commission

Council appreciates the opportunity to provide a submission with respect to the current consultation of the Ancillary Accommodation and Student Accommodation Definitions Code Amendment.

Whilst the code amendment focuses on changes to the definitions of ancillary accommodation and student accommodation. Council staff have taken the opportunity to highlight some concerns that may present themselves as a result of these changes. Which should be addressed through changes to the Performance Outcomes, Designated Performance Features and Deemed to Satisfy provisions of the Planning and Design Code.

Should you have any questions regarding the submission, please contact Council via email at [REDACTED] or by telephone at [REDACTED]

Yours sincerely,

A handwritten signature in black ink, appearing to read "AZ", is written over a light blue grid background.

Anthony Zollo
Planning Coordinator



Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment – 2024

Current Code Policy	Proposed Code Policy	Council Comments
<p>Ancillary accommodation</p> <p>Ancillary accommodation is defined under Part 7 – Land Use Definitions of the Code:</p> <p>Means accommodation that:</p> <ul style="list-style-type: none"> a) is located on the same allotment as an existing dwelling; and b) is not a self-contained residence; and c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling. 	<p>The Code Amendment proposes to amend the definitions for ancillary accommodation and student accommodation as follows (deleted text shown in red strikethrough and new text in green underlined):</p> <p>Ancillary accommodation</p> <p>Means accommodation that:</p> <ul style="list-style-type: none"> a) is located on the same allotment as an existing dwelling; and b) is not can be (but need not be) a self-contained residence; and c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling. 	<p>Add to definition of ancillary accommodation e) no more than one (1) ancillary accommodation on the same allotment as an existing dwelling.</p> <p>The above addition is considered necessary to ensure that additional accommodation on a site remains ancillary to the primary dwelling on the land and does not comprise an alternate form of residential development.</p>
<p>Student accommodation</p> <p>Student accommodation is defined under Part 7 – Land Use Definitions of the Code:</p> <p>Means premises used to accommodate students in room or dormitory style accommodation that is not self-contained and that includes common facilities for shared use by student occupants such as:</p> <ul style="list-style-type: none"> a) shared cooking facilities and/or the provision of meals; b) common rooms and recreation areas; c) shared laundry facilities or a laundry service; or 	<p>Student accommodation:</p> <p>Means premises used to accommodate students in room or dormitory style accommodation that is not can be (but need not be) self-contained and that includes common facilities for shared use by student occupants such as:</p> <ul style="list-style-type: none"> d) shared cooking facilities and/or the provision of meals; e) common rooms and recreation areas; f) shared laundry facilities or a laundry service; or g) shared bathroom facilities. 	<p>No comments to provide</p>

<p>d) shared bathroom facilities.</p>		
	<p>Add the following as (l) to DTS/DPF 13.1 in the Design General Development Policies and DTS/DPF 19.1 in the Design in Urban Areas General Development Policies:</p> <p>l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.</p>	<p>Add the below:</p> <ul style="list-style-type: none"> • <i>ancillary accommodation is located within 20m of an existing dwelling.</i> <p>as (l) to the following DTS/DPFs:</p> <ul style="list-style-type: none"> • DTS/DPF 7.1 Business Neighbourhood Zone • DTS/DPF 8.1 City Living Zone • DTS/DPF 11.1 Established Neighbourhood Zone • DTS/DPF 11.1 General Neighbourhood Zone • DTS/DPF 9.1 Golf Course Estate Zone • DTS/DPF 12.1 Hills Neighbourhood Zone • DTS/DPF 10.1 Housing Diversity Neighbourhood Zone • DTS/DPF 10.1 Neighbourhood Zone • DTS/DPF 7.1 Rural Neighbourhood Zone • DTS/DPF 6.1 Rural Settlement Zone • DTS/DPF 6.1 Rural Shack Settlement Zone • DTS/DPF 7.1 Suburban Business Zone • DTS/DPF 11.1 Suburban Neighbourhood Zone • DTS/DPF 11.1 Township Neighbourhood Zone • DTS/DPF 10.1 Urban Renewal Zone • DTS/DPF 12.2 Waterfront Neighbourhood Zone

		<ul style="list-style-type: none"> • DTS/DPF 13.1 General Development Policies – Design • DTS/DPF 19.1 General Development Policies – Design in Urban Areas <p>Whilst the intention of policy is well placed, it is considered that ancillary accommodation should be located in close proximity to the primary dwelling irrespective of the zoning of the subject land. Allotments within Rural Living Zones and neighbourhood type zones of rural townships can often consist of allotments that are larger than 1 hectare in area. On allotments of this size, without amending (I), ancillary accommodation could be located more than 100 metres away from the primary dwelling and be categorised as Deemed to Satisfy. It is considered that additional accommodation that would be located more than 100 metres away from the primary dwelling, is not truly ancillary to the primary dwelling. The policy should therefore seek to guide relevant authorities accordingly, irrespective of the zone, and eliminate unintended deemed to satisfy pathways for additional accommodation that is not truly ancillary.</p>
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Additional Matters	Council Comments
<p style="text-align: center;">Car Parking</p>	<p>No consideration has been made regarding the potential impact on the demand for on-street car parking as a result of this code amendment. Prior to the early commencement of this code amendment, the policies within the Planning and Design code did not require off-street car parking to be supplied for ancillary accommodation. Whilst professional opinions may differ on the matter, at least some justification could be provided for this through the previous definition, which identified that ancillary accommodation did not comprise a self-contained residence, however, this is no longer the case. The code amendment now identifies that ancillary accommodation “can be (but need not be) a self-contained residence”. Accordingly, given that ancillary accommodation may comprise a self-contained residence, policies should be introduced to the Planning and Design Code relating to the suitable provision of off-street car parking (with exception to the designated areas identified</p>

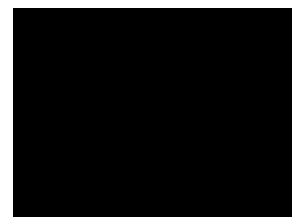
<p>Private Open Space</p>	<p>within Table 2 – Off-Street Car Parking Requirements in Designated Areas, General Development Policies – Transport, Access and Parking). It remains to be demonstrated, the level of impact the code amendment will have on the demand for on-street car parking.</p> <p>Similarly, the code amendment does not consider the private open space (POS) needs of ancillary accommodation when it is in the form of a self-contained residence. Whilst considered in the assessment of dwellings, it can be argued that open space that is shared between the primary dwelling and the ancillary accommodation is no longer considered as “private” open space but instead as “communal” open space, given that they both comprise self-contained residences. This has the potential to compromise the viability of establishing ancillary accommodation on many sites given that they are assessed against the following provision:</p> <ul style="list-style-type: none"> - <i>“Ancillary buildings and structures do not result in:</i> <ol style="list-style-type: none"> 1. <i>less private open space than specified in Design Table 1 - Private Open Space”</i> <p>Where the POS of an existing dwelling was proposed to be shared with another self-contained residence, it is hard to argue that it would remain as POS without some form of physical barrier. It is likely that in many instances, the POS would instead be considered as communal open space, and therefore would not meet the above provision. Further investigation is therefore recommended into this matter to alleviate potential unintended consequences of the code amendment.</p>
<p>Land Division</p>	<p>Some concern is held that by identifying that ancillary accommodation can comprise a self-contained residence, may enable land divisions to be undertaken with undesirable outcomes.</p> <p>The term “self-contained” depicts a use or an activity that can successfully operate independently from other uses and activities. This may substantiate an argument that an established ancillary accommodation, being self-contained, exists on a site (portion of the allotment) independent from the primary dwelling.</p> <p>If the above argument was accepted, both the primary dwelling and ancillary accommodation could be considered as occupying their own sites independent from each other. A land division could then be applied for on the basis that the division is only formalising the two sites that already operate independently from each other, and which are approved. It would be challenging to argue that such a land division did not meet General Development Policies – Land Division PO 1.1: <i>“Land division creates allotments suitable for their intended use.”</i></p> <p>Given that ancillary accommodation may be approved as a self-contained residence with no consideration of the functionality of the site, POS, car parking, vehicle and pedestrian access, solar access, bin storage, etc., policy should be included within General Development Policies – Land Division that prevents ancillary accommodation from being divided from the primary dwelling it is</p>

	<p>ancillary to. This would necessitate that the ancillary accommodation must receive approval for a change of land use to a dwelling as part of (or prior to) the land division application. In instances where land division may be appropriate it would provide the ability to consider car parking, open space setbacks etc.</p>
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11/04/2024



Marc Voortman
Director Planning
Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5000



Dear Marc

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment – City of Marion submission

This letter forms Council's submission on the draft Code Amendment released for consultation and placed under Early Commencement.

Council acknowledges and supports the government's aspirational goal to increase the diversity of housing choice, particularly at a time of known economic, social and industry pressures. In this regard, recent changes that support ancillary accommodation to accommodate persons not related to the principal dwelling has the potential to provide additional opportunities and options for housing supply, particularly rental housing supply.

Council congratulates PLUS' efforts to address this through this Code Amendment, which, overall is supported by Council. Whilst Council, in principle, supports the intent of this Code Amendment, it does form the view that the change in definition must be accompanied by appropriate supporting policies. These policies are considered necessary to ensure all members of the community are appropriately supported and result in positive development outcomes.

While acknowledging that this Code Amendment relates only to definitions, the usage of the Early Commencement process for this Code Amendment means the potential policy and design issues may present immediately for Relevant Authorities administering the Code.

Notwithstanding the desire for affordable housing choice, Council considers the provision of appropriate policy and design outcomes important to avoid the potential creation of sub-optimal environments for what may be vulnerable people within our community.



Council's comments, therefore, have considered the definitions and policy matters which are considered necessary to ensure suitable design and amenity outcomes for all forms of residential accommodation.

Opportunity to provide further clarity within the definition

The amendments to the definition of Ancillary Accommodation are supported, however, Council's believes there is an opportunity to provide greater certainty relating to the issue of 'subordinate' within part (d) of the definition:

d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling.

This clause contains two concepts within the one sentence, which confuses and provides ambiguity as to the meaning, interpretation and application of the word 'subordinate'. Does it mean that the accommodation needs to be subordinate to the dwelling itself, or does it mean subordinate to the services?

Subordinate is a qualitative concept, and in some instances a matter of fact and degree to the circumstances in question. Whilst this provides a degree of flexibility, it also creates a degree of uncertainty, and is open to inconsistency in interpretation. Council questions its appropriateness in this format in a definition.

The Macquarie Dictionary defines subordinate as:

...placed in or belonging to a lower order...
...of lesser importance; secondary...
...subservient...
...dependent...

The listed criteria within the Code's definition relating to the same allotment, limited number of bedrooms and use of dwelling's utility services, already speak to a subservience or secondary relationship to a dwelling on the land. As such, there may not be a need to further articulate a degree of subordinacy, unless this relates specifically to size or number of accommodation units on an allotment. However, it should also be recognised that the size or number on an allotment may have more merit being explored and accommodated as part of an assessment process, on their merits and in response to the context and circumstance in which they may be regarded as appropriate, instead of within the definition.

The definition for ancillary accommodation is also considered to be captured by the definition of dwelling (despite each specifically excluding each other within the Code). A key defining characteristic between the two formats of accommodation is size as, in most

cases, ancillary accommodation would be substantially smaller than established dwellings. As such, further defining and delineating a size (or potentially a ratio of the dwelling footprint) in comparison to the dwelling on the land within the definition can assist in differentiating between the two definitions.

Council suggests PLUS explore:

- separating the issue of use of the dwelling's utility services from the concept of subordination to avoid uncertainty in interpretation; and, either;
- removing the subordinate concept from the definition, and allowing this to be considered as part of the assessment, guided by supporting policy; or
- providing greater clarity as to the aspects of ancillary accommodation that would contribute to making it subordinate to the dwelling (such as being of a smaller floor area footprint to that of the dwelling on the land), enabling an easier understanding for laypeople.

Required policy measures

Council notes that there is already a level of policy support aimed directly at ancillary accommodation, principally in the form of two Performance Outcomes within most Neighbourhood-type Zones (either 10.1 and 10.2 or 11.1 and 11.2, depending upon the zone). Collectively, these policies provide a level of policy guidance on the following matters:

- appropriateness of land use
- visual impact and site coverage
- size and height of buildings
- siting and design to avoid streetscape impacts and impacts on neighbouring properties (principally setbacks and wall boundary extents)
- maintenance of sufficient soft landscaping
- maintenance of private open space for the main dwelling
- not impacting on existing on-site parking provision required for the dwelling
- suitable clearance from powerlines,
- minimisation of earthworks and retaining
- maintenance of on-site waste control system operational requirements
- road sightline distances at corners.

Quality of accommodation

The potential increasing focus on ancillary accommodation forming permanent accommodation for people not related to occupants of the dwelling (and having no reliance or use of facilities within the main dwelling) brings differences to the desired level of quality of accommodation and the impacts these forms of development will have compared to circumstances when there is a stronger reliance and relationship to those in the dwelling.

There is a fundamental question as to whether there should be an accepted reduction in amenity for persons permanently residing within ancillary accommodation as opposed a dwelling. Council does not believe a reduced level of amenity is acceptable.

Council is concerned that those seeking (and potentially desperate for) accommodation may be taken advantage of through delivery of living environments with poor amenity. These people are typically unwilling to complain or have no other accommodation options. There is a need to ensure a set of minimum design and accommodation standards for people to live in a reasonable level of comfort and dignity (aside from the safety related criteria set out within the Housing Improvement Act 2016 and Housing Improvement Regulations 2017).

A New Policy Module

Council believes additional policy is considered necessary to suitably manage the impacts of ancillary accommodation within mostly established neighbourhoods. Council believes this requires separating policy for ancillary accommodation from those policies in place for other forms of ancillary buildings and structures This will aid in addressing the following design and amenity issues.

Minimum accommodation size

The ability for ancillary accommodation to accommodate non-resident occupants requires appropriate safeguards to maintain a suitable level of amenity and prevent poor living environments. Minimum accommodation sizes need to be considered for these forms of accommodation, no different to the minimum sizes within the Code relating to apartments (Design in Urban Areas PO 31.1), which could be applied for studio (35m², single bedroom (50m²) and 2 bedroom (60m² - aligned to the maximum size desired by the DTS for ancillary accommodation).

Outlook, Natural Ventilation and Amenity

Where ancillary accommodation is self-contained, it is important that occupants are provided with a suitable outlook and thermal comfort. Similarly, natural ventilation is important in that it supports thermal comfort without reliance on mechanical heating and cooling, thereby minimising noise impacts from air conditioning on the occupants of the main house (and neighbours), as well as keeps operational costs of the accommodation down.

As such, it is important that the Assessment Tables refer to Performance Outcomes and DTS criteria that support the achievement of comfortable living environments. Wording

within Design in Urban Areas POs 18.1, 18.2 and 31.2 can be adapted and added to those new POs applying to Ancillary Accommodation within the zones.

Visual Privacy, Overlooking and Overshadowing

The potential for such buildings to be positioned in sloping rear yards exists in many parts of Adelaide and, as a result, may lead to situations where there is potential for both overshadowing and overlooking from the resultant building form. Similarly, notwithstanding the DTS criteria governing height, there is scope for ancillary accommodation to be in a 2-level building format (such as loft in roof).

As forms of accommodation, the potential impacts of overlooking are not unreasonable and as such, the Assessment Tables within relevant Neighbourhood Zones should also reference relevant performance outcomes, such as:

- Interface Between Land Uses Module (POs 3.1 and 3.2 can be adapted or replicated to apply also to ancillary accommodation).
- Design in Urban Areas (POs 10.1 and 10.2 can easily be directly applied) to address scenarios where an upper loft space is proposed as part of ancillary accommodation.
- An adaptation of Design in Urban Areas PO/DTS 45.2 which relates to decks but could be adapted to cater for habitable windows of ancillary accommodation.

Private Open Space

Given that these changes to ancillary accommodation are intended to allow people to reside who have no relationship with those of the main dwelling; the ability to utilise existing dwelling's private open space areas cannot be relied upon (unlike if it is used as a more traditional granny flat or teenager's retreat).

Therefore, it is not unreasonable to ensure that some form of private open space area is able to be provided for the accommodation for the benefit and amenity of the occupants. As ancillary accommodation can comprise up to two bedrooms, there is scope for 3 or 4 people to be housed within such developments (on top of those in the existing dwelling).

Existing policies referenced by the assessment tables only relate to the maintenance of private open space areas for the main dwelling. These policies should be amended to ensure a minimal area of private open space is provided for the ancillary accommodation directly, and reference could be made to the above ground residential flat building or apartment open space areas within Table 1 – Private Open Space (between 4m² and 11m²) as a suitable minimal area based on the number of bedrooms proposed.

The Assessment Tables should also reference Design in Urban Areas PO 21.1, PO21.2 to further guide how it is provided (and reference Table 1).

Car Parking Provision

Again, the ability for occupants to have no relation to those in the dwelling will change the nature in demand for parking from where the usage is related to person related to those in the main dwelling. There is scope for these forms of accommodation to house two adults, each with a car, in addition to the occupants of the dwelling. As such, it is more than just “an additional bedroom” has historically been the policy approach. This also has implications in that the lack of relationship removes the ability to share parking spaces (such as in the driveway), as the ability to move cars for access is removed.

Council wishes to avoid situations where occupants of ancillary accommodation are forced to:

- park their cars on-street, thereby generating additional angst and concern to those expressed by our community from infill development; or
- park cars within front yards of dwellings, which will have a poor amenity and greening outcome (garden spaces and potentially areas for trees will likely be removed as a result)

Parking needs to be an integrated solution for the allotment and provided at one additional parking space for the ancillary accommodation in addition to the dwelling. Table 1 – General Off-Street Car Parking Requirements can be easily amended to address this.

Limiting the number of ancillary accommodation units on a site

Council is concerned some landowners may, where rear yards are large to accommodate more than one building in the form of ancillary accommodation, view the provision of ancillary accommodation as a source of additional income. Council does not wish to restrict an individual's right to generate a source of income however, it may be prudent to consider limiting the number of ancillary accommodation units on a site to avoid impacts on loss of greening and changes to neighbourhood character (particularly rear yards). This would be in addition to respective policy measures governing built form and amenity considerations (such as site coverage, private open space for dwelling etc)

At a minimum, this needs to be applied immediately for a deemed-to-satisfy pathway, thereby limiting DTS criteria to only one ancillary accommodation on a site with more than one accommodation unit to be considered through the performance assessed pathway.

Density changes and land division by stealth

Council holds significant concerns that the ability to construct self-contained residencies in the form of ancillary accommodation will result in inappropriate density changes and the potential for future land division (or at a minimum be pressured to support potential land division).

There is a risk that the desire to convert ancillary accommodation to formal dwellings in the future will result in subsequent land division proposals that require Council to assess dwellings where there is effectively a reduced level of amenity (in terms of parking, open space etc) compared to that expected for new dwellings.

This “land division by stealth” arrangement may not create good design outcomes on the ground and it may be difficult to defend against arguments that suggest the existing arrangement is suitable from an amenity perspective (given it has previously been approved), unless land division and zone policy is strengthened. This is particularly relevant in locations where certain forms of additional land division are not desired (such as Character Overlay, Established Neighbourhood Zones and Suburban Neighbourhood Zones).

Avoiding future compliance concerns

There is also a concern that over time, landowners can request separate service connections for the ancillary accommodation. There may be benefits for owners doing this to enable separating utility service usage and charges from those renting the ancillary accommodation, as well as building more support for rationale for land division. Whilst this would change the nature of the development, and therefore require enforcement action, this will be almost impossible for Council’s to monitor and administer as they are not notified of new connections.

There is a need for PLUS to work with agencies/utilities to ensure any requests for new connections in such circumstances are for new dwellings with an approval only (perhaps this can be done in the same manner that the Licencing Court seeks evidence of a land use approval for licensed premises).

Urgency in the next Code Amendment

Whilst it is acknowledged that some of the comments and recommended changes to policy may be deemed to be outside of the scope of the current Code Amendment, Council asks that PLUS proceeds with the second stage Code Amendment addressing policy matters as a matter of urgency, so that these important policy and design issues can be addressed as early as possible (given the Early Commencement of the current Code Amendment).

Once again, I congratulate the department on this amendment, and encourage it to bring the policy issues into force as a priority, either as part of this Code Amendment, or the next Code Amendment process.

I hope Council's submission will provide value to PLUS in its finalisation of the Code Amendment (and preparation of future Code Amendment). Should you require any further clarification or information on any matters raised within this submission, please contact David Barone, Senior Strategic and Policy Planner on [REDACTED] or by email at [REDACTED].

Yours faithfully



Warwick Deller-Coombs
Manager Development and Regulatory Services



City of
Norwood
Payneham
& St Peters

12 April 2024

Mr Craig Holden
Chair
State Planning Commission
Department for Trade and Investment
By email: plansasubmissions@sa.gov.au

Dear Mr Holden

ANCILLARY ACCOMMODATION AND STUDENT ACCOMMODATION DEFINITIONS REVIEW CODE AMENDMENT

Thank you for the opportunity to provide comment on the *Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment*.

The City of Norwood Payneham & St Peters supports the intent of the Code Amendment, to improve alternative and affordable housing options by facilitating self-contained ancillary and student accommodation. Ancillary accommodation is an effective option for providing alternative housing options in established urban areas, which, if designed and sited appropriately, can be implemented without compromising existing streetscapes or neighbourhood character. The proposed change to the definitions will open this housing option to a broader range of occupants which will assist with housing availability. Notwithstanding the Council's support in principle for the proposal, the following comments are provided to highlight the need for a policy framework which supports the effective assessment and operation of ancillary accommodation.

Distinguishing 'ancillary accommodation' and 'dwelling'

Although the definitions of dwelling and ancillary accommodation are mutually exclusive, there will be circumstances where it is unclear which definition is applicable; for example, a property consisting of two allotments where the main dwelling and granny flat are each on a separate allotment, or two modest residences on the same allotment which share services. A possible solution is for the definitions to refer to ancillary accommodation as being on the same 'site' as the primary dwelling, in addition to, or rather than 'allotment'.

Some property owners may seek to separate the ancillary accommodation from the primary dwelling, either informally through fencing or formally through a subsequent land division. In the General Neighbourhood Zone, DTS 2.3 would facilitate a DTS land division if the division: *"reflects the site boundaries illustrated and approved in an existing development authorisation... where the allotments are used or are proposed to be used solely for residential purposes"*. There is some risk that a self-contained residence which has been delineated by fencing could be interpreted as having its own 'site' and therefore could be interpreted as permitting a DTS land division, notwithstanding any shortfalls in site area or provision of services and amenities. For the avoidance of doubt, it is suggested that the inclusion of a new Code policy which speaks against internal fencing or other delineation between the residences be considered.

To assist in identifying what fits the definition of ancillary accommodation, it may be beneficial to provide guidance on what constitutes *'rooms or areas capable of being used as a bedroom'*. For example, whether this only applies to rooms which are enclosed, or if it includes living areas or similar spaces which could be converted.



Community
Well-being is...
Social Equity
Cultural Vitality
Economic Prosperity
Environmental
Sustainability



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Assessment provisions for ancillary accommodation

It is understood that a subsequent Code Amendment will be prepared to provide additional Code Policy which supports the assessment of ancillary and student accommodation. While the rationale for prioritising the change in land use definitions is acknowledged, it is important that the subsequent Code Amendment is progressed as soon as possible to avoid poor planning outcomes. In this context, some suggestions for additional policy relating to ancillary accommodation are set out below for your consideration.

Amenity and services

New policies should be considered for inclusion in the Code to address future occupants' access to on-site amenity and services, such as private open space, car parking, waste storage and collection. That said, it is not suggested that the Code prescribe minimum standards for these amenities, as the need for these amenities will vary significantly depending on the circumstances of the ancillary accommodation. In addition, prescribing minimums may result in fencing or other delineation on site which is not a desirable outcome. However, amenity and access to services should still be considered as part of development assessment to ensure future occupants (who may not have the benefit of housing choice) are provided with an acceptable quality of living. To accommodate a Deemed to Satisfy pathway, a DTS provision could require on-site amenities and services to be shared between the main dwelling and ancillary accommodation.

Quantity of ancillary accommodation

Some applicants may seek to develop more than one additional self-contained accommodation on a site. This has the potential to negatively impact surrounding properties and result in compromised amenity and access to services for future occupants. It is suggested that a performance outcome be included to manage the number of separate self-contained residences on a site, and for the associated Deemed to Satisfy requirement to limit the site to one (1) ancillary self-contained residence.

Building levels and Overlooking

Notwithstanding that *Ancillary Buildings and Structures DTS/DPF 11.1* sets parameters for wall and building height, there is no limit on the number of building levels for ancillary buildings, and overlooking policies are not currently applied to these assessments. It is suggested that either DTS/DPF 11.1 envisages single level buildings (without a mezzanine) and/or relevant overlooking policies are applied in the assessment tables.

Thank you again for the opportunity to participate in this Code Amendment process. The Council looks forward to continuing to contribute to improvements to policies and processes associated with the Code.

Should you require any additional information or clarification, please contact Emily McLuskey on [REDACTED] or [REDACTED]

Yours sincerely



Carlos Buzzetti
GENERAL MANAGER, URBAN PLANNING & ENVIRONMENT

22 March 2024

Code Amendment Team
Planning and Land Use Services Division
Department for Trade and Investment

By email: plansasubmissions@sa.gov.au

Dear Sir/Madam,

**Submission – Ancillary Accommodation and Student Accommodation
Definitions Review Code Amendment**

Thank you for notice of the release of the above-mentioned Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment on 29 February 2024.

Council supports the proposed amendments to definitions of Ancillary Accommodation and Student Accommodation as outlined within the Code Amendment released for public consultation.

The Code Amendment provides greater certainty for applicants and Relevant Authorities in respect to the types of facilities permitted within ancillary accommodation.

The current definition may preclude facilities such as a kitchen, bathroom or laundry facilities which are common and expected within ancillary accommodation.

The proposed change recognises the importance of ancillary accommodation to support housing choice and diversity of housing, especially given the housing market pressures currently experienced.

We look forward to the outcome from the consultation process and how the proposed changes will be implemented on a permanent basis.

Sincerely,



Jake McVicar
Director, Development and Community Services



The Barossa Council

15 March 2024



Code Amendment Team
Planning and Land Use Services Division
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

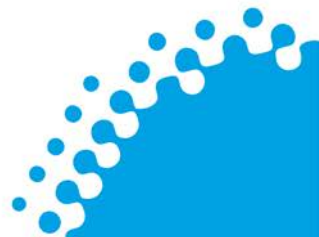
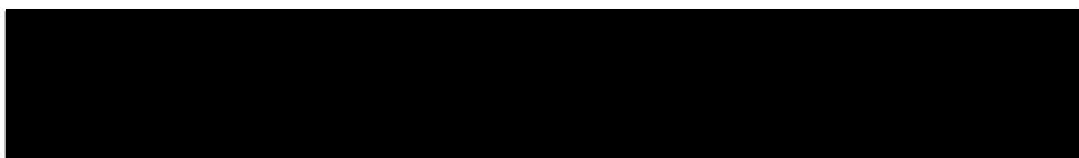
Sent via email plansasubmissions@sa.gov.au

Dear Planning and Land Use Services

**Submission – Ancillary Accommodation and Student Accommodation Definitions
Review Code Amendment**

I refer to the abovenamed Code Amendment that has been released for consultation. Thank you for the invitation to comment. Upon review, while the amendment is brief (comprising two changed sentences) the following comments are provided for your consideration:

1. For the definition of ancillary accommodation, it would appear that clauses (b) and (d) have the potential to conflict with each other. Clause (b) allows for the possibility of a self-contained development (in the future), but clause (d) effectively disallows it (in the present).
2. Clause (b)'s phrasing of "...*can be (but need not be) a self-contained residence*" is considered to be unconventional. In particular:
 - The purpose of a land use definition, semantically speaking, is to define what a land use *is*, rather than what it "*could be*" or "*need not be*". It is not entirely clear if subclause (b) is necessary; its wording is open to interpretation and debate, when assessment officers determine/verify the nature of development at the application stage. This contrasts with the more explicit wording of subclause (d).
 - The expression of "*can be...*" may entertain the possibility of a subsequent land division into the future. It is unclear the Code Amendment has foreshadowed this scenario.
3. It is unclear if the proposed policy has been road tested with historical applications, noting that a search for "ancillary accommodation" on the PlanSA Portal shows 75 applications in the City of Port Adelaide Enfield. It is also unclear if the policy has incorporated any independent legal advice or case law. (If it has, the Code Amendment does not appear to have discussed it.) It is also understood that the Local Government Assessment Managers Forum previously raised concerns with the Code's definition and its practicality.



4. The definition of student accommodation may also be worth applying to a new Code definition for 'shared accommodation' or the like. The Code does not seem to cater for this form of accommodation, even though it forms part of the state's housing stock. The Code previously removed the historical definition of 'multiple dwelling', and it may be worth offsetting this removal.
5. With the Planning and Design Code having a floor area limit of 60m² for ancillary accommodation, it is unclear if the Code allows for multiple 60m² buildings on the same allotment (provided other Code provisions are satisfied). Although this is policy matter is beyond the scope of land use definitions, it may be worth resolving this matter as part of the Code Amendment.

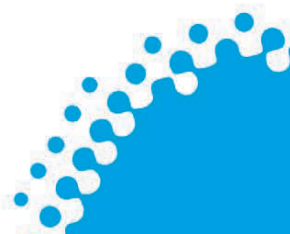
In closing, the City of Port Adelaide Enfield supports the intent for clear policy guidance on ancillary and student accommodation. However, the Code Amendment's wording is not considered to be 'watertight' in its current form. If this is not addressed, it may lead to unintended consequences at the development assessment stage.

If you require further information or would like to discuss this matter, please contact me on telephone [REDACTED]

Yours sincerely



Steve Hooper
Development Services Manager



From: [David Read](#)
To: [DTI:PlanSA Submissions](#)
Subject: Submission - Ancillary Accommodation & Student Accommodation Definitions Review Code Amendment (City of Victor Harbor)
Date: Tuesday, 9 April 2024 12:02:59 PM
Attachments: [covh_logo_rgb_4817ac2f-a8c9-4bb1-9d7a-1ed0de5e99aa.png](#)

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City of Victor Harbor Submission: Ancillary Accommodation & Student Accommodation Definitions Review Code Amendment

Note: The following commentary is offered predominantly from a planning practitioner/operational perspective.

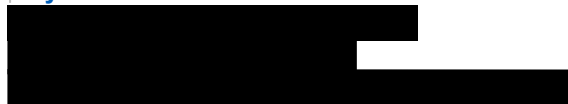
General comments and/or clarification sought:

1. Code policy should address the provision and expectations for on-site car parking to be designated for Ancillary Accommodation and/or Student Accommodation.
2. Code policy should address the provision and expectations for on-site open space to be designated for the Ancillary Accommodation.
3. Code policy should address the provision and expectations regarding minimum allotment sizes/site areas to be designated for both the existing dwelling and, the proposed Ancillary Accommodation.
4. Clarification is sought regarding the policy relationship, clear interpretation and/or development assessment relevance between 'Ancillary Buildings' and 'Ancillary Accommodation' e.g. DTS/DPF 19.2

David Read | Strategic & Policy Planner



City of Victor Harbor



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The City of Victor Harbor acknowledges the Ramindjeri and Ngarrindjeri people, the Traditional Custodians of the land and surrounding waters where we live and work. We acknowledge their deep connection to Country and pay our respects to Elders past, present and emerging. This respect is extended to Aboriginal and Torres Strait Islander people across Australia.

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CITY OF
ADELAIDE

Kaurna Country
25 Pirie Street, Adelaide
GPO Box 2252 Adelaide
South Australia 5001

T +61 (08) 8203 7203
F +61 (08) 8203 7575
W cityofadelaide.com.au

ABN 20 903 762 572

Enquiries: Sarah Gilmour [REDACTED]
Reference: ACC2023/31587

12 April 2024

Mr David Reynolds
Chief Executive Officer
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5000

Via email: planSASubmissions@sa.gov.au

Dear Mr Reynolds

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

Thank you for the opportunity to provide input to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (the Code Amendment). On 9 April 2024, Council endorsed the following position on the Code Amendment.

In 2023, Council set its ambition for greater housing diversity in the City of Adelaide through its Strategic Plan 2024-2028. Development of Council's Housing Strategy - *Investing in our Housing Future* in 2024, was driven by Council's desire to increase population and act where the market has failed to provide sufficient affordable housing.

The City of Adelaide supports the intent of the Code Amendment to enable greater housing diversity and rental supply as this strongly aligns with the objectives of our Housing Strategy.

The Council notes the:

- State Government's intention to undertake further housing diversity-related Code Amendments in 2024 relating to policies for Ancillary Accommodation, Student Accommodation and Build to Rent.
- Alignment of the State Government's Code Amendment program, with the City of Adelaide's support, through its submission to the Expert Panel Planning System Implementation Review, for amendment of the Planning and Design Code to strengthen policies that promote residential development and good design in the city.

The City of Adelaide acknowledges the constructive working relationship between Planning and Land Use Services and the City of Adelaide as it relates to a shared ambition for housing diversity and housing supply outcomes.

To that end, I invite you to contact Sarah Gilmour, Associate Director, Park Lands, Policy and Sustainability on [REDACTED] to discuss how the City of Adelaide can work with the State Planning Commission and Planning and Land Use Services on housing diversity.

Yours sincerely


Michael Sedgman
Acting Chief Executive Officer

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.



Public Submissions

Andrew Houlihan
Phae Barrett
James Allen
Lachlan Love
Angela Bayldon
Lachlan Phillips
Kym Mc Kay
Paul Drever
Nastasja
Daryl
Will Dodsworth
Blake Harding
Jim Macedo
Cameron Holoubek
Lisa Kettler
Michael Collins
Anne Frodsham
Liz voigt
Natasha Lee-Jenkins
Marina
Waynr
Rae
Tristan Avella-O'Brien
Anthea Starr
Daryl Lobbe
Rebecca Mead
Geoff
Sonja Graetz
Donna-Lee Edwards
Alistair McCulloch
Bradley John Serravalli
Jennifer Russell
Sharon Mraz
Arthur Davis
Sara
Jan fuller
Tina Sayce
Susan Dilena
Vanessa Worrall
David Oreo
Kerry Colbung
James
Kate Heppner
Paul Anderson
Edmund Feary
Amanda Tiss
Noel
Jon Bouras
Anna Minges

Benita Parsons
Darryl Gobbett
Ann Painter
Megan
Julie Blake
Angela
Todd Westbury
Moira Henningsen
Conrad Harrison
Sylwia Dziuba
Kerry Hallett
Sarah Brown
Rhona Parker-Benton
Mark Wheal
Darren Nelson
Andrew Shaw
Anna Tsykin
Tracey
Lynne Hoet
Susan Dawe
Sandra Bradley
Jonathan Phillips
Raylene
Rolando Fabbian
Dix Molanus
Eva Kannis
Martin Bailey
Rachel
Michele Slatter
Fi George
Simone Perici
Christy

15 April 2024

State Planning Commission
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Dear Sir/Madam,

RE: Ancillary Accommodation and Student Accommodation Code amendment.

Thank you for the opportunity to make comment on the Ancillary Accommodation and Student Accommodation Code amendment.

Please find attached below my comments;

1. Seek the removal from the definition of ancillary accommodation “that contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom”. The current use of the word “capable” adds a level of uncertainty that can lead to inconsistent application. Recommend this be replaced with a suitable floor area size that is exclusive of elements such as verandas and decks.
2. Support the definition to continue to require that the building “is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling”. Note caution around this element as it would be likely people would want relevant services metered separately.
3. That the definition or policy should seek to limit ancillary accommodation to one per allotment.
4. Code policy should support an appropriate amenity for all those residing on the property. This should include controls to ensure site coverage, private open space, additional car parking, clothes drying and refuse storage are sufficient, and clarified if they are to be shared or should stack up as standalone. Particularly as they are to be rented for separate accommodation and no longer for dependents.
5. Policy to clarify that no additional driveway crossovers are should be required.
6. Policy to support materials and finishes of the accommodation to complement and blend with the principal dwelling.

Thank you for considering my comments. I would be pleased to discuss any of the above directly.

A handwritten signature in black ink, appearing to read 'A. Houlihan', with a long horizontal line extending to the right.

Andrew Houlihan

Accredited Professional (APP20210047)

Registered Planner (SA) PIA

Graduate Certificate in Social Planning Flinders University, Adelaide SA (2012)

Bachelor of Urban and Regional Planning University of South Australia, Adelaide SA (2008)

From: [PlanSA Submissions](#)
To: [DTI:PlanSA Submissions](#)
Subject: Public Consultation submission for Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement
Date: Friday, 5 April 2024 1:19:28 PM

PlanSA,

Submission Details

Amendment: Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement

Customer type: Advocacy Organisation

Given name: Phae

Family name: Barrett

Organisation: Tiny Home Expo

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I am involved with the Tiny Home Industry and see first hand, daily, the effect of EXCLUDING tiny houses as a housing choice. The amendment should go further to INCLUDE tiny houses under 'Ancillary Accommodation' and 'Student Accommodation' Definitions.

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Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: plansasubmissions@sa.gov.au

From: [PlanSA Submissions](#)
To: [DTI:PlanSA Submissions](#)
Subject: Public Consultation submission for Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement
Date: Sunday, 14 April 2024 7:03:19 AM

PlanSA,

Submission Details

Amendment: Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement

Customer type: Member of the public

Given name: James

Family name: Allen

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I am commenting as an individual not representing an organisation. I support the new more flexible concept of ancillary accommodation in response to the need for more affordable accommodation. With my wife I own a split level home built in the 1970s of a type that is not uncommon in certain foothills suburbs. A number of dwellings like ours were built with lower level garages and entertainment areas under the main living areas. Depending on the individual circumstances, these lower levels of larger 1970s split-level dwellings may lend themselves to a change of use to ancillary accommodation associated with ongoing use of a dwelling. This sits well with the concept of lifecycle housing meaning occupants do not need to sell and repurchase but can downsize in situ while supporting accommodation needs of others as tenants. Short stay accommodation in the temporarily separated lower or upper level of one of these houses is an option too. This may be achievable with no change of use if ancillary to the existing use of a dwelling which depends on the duration of stay, the frequency of short-stay occupation of part or all of the house within a year, whether extended family are staying vs tourists etc. I expect a limited short-stay business model is easier to establish than ancillary accommodation for which planning consent is required. On the other hand, given a housing crisis, ancillary accommodation is socially more optimal. The current Code provisions for ancillary accommodation facilitate a change of use that may be cost effective in our situation now if the existing number of car parking spaces (two) for the four-bedroom house is deemed sufficient. New policy requiring additional parking, despite no net extra living space or bedrooms, however, could be a stumbling block, being expensive to meet on a sloping site with retaining walls etc. It would alter the aesthetics of a detached house and its front garden and tend to make short-stay more competitive, perversely so.

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Attachment
3: No file uploaded

Attachment
4: No file uploaded

Attachment
5: No file uploaded

Sent to
proponent plansasubmissions@sa.gov.au
email:

From: [PlanSA Submissions](#)
To: [DTI:PlanSA Submissions](#)
Subject: Public Consultation submission for Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement
Date: Saturday, 16 March 2024 12:19:43 PM

PlanSA,

Submission Details

Amendment: Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement

Customer type: Member of the public

Given name: Lachlan

Family name: Love

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I always assumed building a granny flat with all the life support amenities wouldn't be a problem. I'm surprised that this is not the case.

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Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: plansasubmissions@sa.gov.au

From: [PlanSA Submissions](#)
To: [DTI:PlanSA Submissions](#)
Subject: Public Consultation submission for Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement
Date: Friday, 22 March 2024 11:08:11 PM

PlanSA,

Submission Details

Amendment: Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - early commencement

Customer type: Member of the public

Given name: Angela

Family name: Bayldon

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I think the Code Amendment is a great initiative. It provides the opportunity for aging persons to live independently but close to younger family members who can offer assistance as required. It also allows younger family members to escape the rental crisis and access a home where an older family member can reciprocate with assistance such as childcare etc. While it is not the total solution, I believe this Code will help combat a number of current social issues including the rental / housing crisis and health issues such as social isolation (particularly of the aged).

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Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: plansasubmissions@sa.gov.au

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Lachlan Phillips completed Survey
Date: Saturday, 16 March 2024 9:51:09 AM

Lachlan Phillips just submitted the survey Survey with the responses below.

Name

Lachlan Phillips

Postcode

5233

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The ability to have ancillary accommodation operate separately, which will give inhabitants that little bit more privacy.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Kym Mc Kay completed Survey
Date: Sunday, 3 March 2024 5:57:16 PM

Kym Mc Kay just submitted the survey Survey with the responses below.

Name

Kym

Postcode

5031

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

It allows people who can't afford or get into retirement villages to move in with their children eg "granny FlaT"

Do you have any other feedback you'd like to share?

Make life easier for people , planning rules are destroying lives

From: [Paul](#)
To: [DTI:PlanSA Submissions](#)
Cc: [REDACTED]
Subject: FEEDBACK - CHANGES TO GRANNY FLAT POLICIES & SPECIFICATIONS
Date: Monday, 4 March 2024 1:18:00 PM
Attachments: [20230625_160840.jpg](#)
Importance: High

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Dear Sir/Madam,

We are in the initial stages (paid \$3000 for soil report & plans) of building a granny flat at the rear of our property, namely [REDACTED]. The land size is 900 square metres.

The proposed plans are not ideal, and adjustments had to be made because of the current planning policies – no laundry facilities and it is really one bedroom & a study.

This is with our builder pushing the granny flat size stipulation from 60 sqm (current legislation) to 64 sqm.

But the reasons for looking at a Granny flat are - I am 74 years old this year and my health problems are such that I cannot continue to maintain our garden which we created ourselves – see attached photo.

We currently have an investment property - 2-bedroom self-contained 68 sqm unit at

Warradale that we rent to a pensioner at \$225 per week. We plan to sell this unit, pay

off mortgage and put the rest towards this granny flat proposal.

It does not make sense to sell and downsize because of the costs (stamp duty, removalist etc) and more importantly we wish to stay in the area in a single storey house (which there are hardly any).

The size of the granny flat is the critical factor. It dictates the rental desirability of the

property, the option to have 2 good sized bedrooms and more importantly to fit a

separate laundry or a laundry in bathroom.

The first consideration is the size of granny flat needs to be increased to 70 sqm (at the very least) if the size of the overall property allows for it.

The rear boundary set back of 3 m is too restrictive given that garages up to 5 m high

are allowed to be 300 mm off the boundary. Loosening this criteria would allow more

granny flats to be built.

For example, at the rear of our property we have a 3.5 m double garage 300mm off the fence, but we are expected to have a granny flat 3m from the same fence boundary.

These proposed new policy procedures give me some hope that we could build a granny flat that meets our needs as well as the Government's need for more housing.

At the contract stage in about 5 weeks time, I will advise my builder to do a variation

to our Granny Flat plans and **increase the size to 70 sqm**. Adding a laundry trough/

washing machine in the bathroom and increasing room sizes. Also, a setback of

2 metres off the rear boundary.

I hope that SA Planning & my local Council are flexible and approve it in anticipation of likely changes to the legislation. If our plan is rejected, we will incur delays and more costs in submitting revised plans.

The other option is to simply shelve the project until the new legislation is enacted and hopefully the granny flat size has been increased and setbacks changed.

I come from a welfare background and as much as it helps us in terms of another retirement income stream (currently not on Centrelink payments) I see the

importance in providing housing in this current Housing Crisis.

Copy to: MinisterChampion@sa.gov.au

For your information & action.

Regards

Paul Drever & Valerie Dellow



From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Elisa completed Survey
Date: Thursday, 28 March 2024 1:10:44 PM

Elisa just submitted the survey Survey with the responses below.

Name

Nastasja

Postcode

5251

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Definitely agree

The proposed amendment will benefit my local area.

Definitely agree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

As a supporter of tiny homes and different styles of accommodation, I support the proposal. Landlords will need to be monitored though to ensure they are not misusing the amendments.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: dt___ completed Survey
Date: Friday, 15 March 2024 9:38:02 AM

dt___ just submitted the survey Survey with the responses below.

Name

Daryl

Postcode

5107

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

For ancillary accommodation - that it will make it easier for development approvals for people to have the freedom of lifestyles, whether it be multi-generational living or renting/providing shelter to others - will go a long way to help with the housing crisis. For student accommodation - this is makes general sense, especially given recent times' concerns of sharing facilities and COVID. It may also help encourage healthier eating habits with being able to prepare food more freely instead of waiting for a turn in a shared facility which may result in laziness/buying takeaway etc.

Do you have any other feedback you'd like to share?

Please continue to review the Code against current trends and make sensible amendments

like these when necessary. Good job.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Dodsy completed Survey
Date: Saturday, 16 March 2024 10:29:41 PM

Dodsy just submitted the survey Survey with the responses below.

Name

Will Dodsworth

Postcode

5000

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Student

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat disagree
---	-------------------

The proposed amendment will benefit my local area.	Neither agree nor disagree
---	----------------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - i agree with the ancillary accommodation amendments but not the student accommodations. as i feel that students shouldn't have to suffer from substandard accommodations just because they studying .

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: BH completed Survey
Date: Tuesday, 2 April 2024 12:49:38 PM

BH just submitted the survey Survey with the responses below.

Name

Blake Harding

Postcode

5235

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

From: [Jim Macedo](#)
To: [DTI:PlanSA Submissions](#)
Subject: Ancillary Accommodation & Student Accommodation Definitions Review Code Amendment - Feedback
Date: Thursday, 25 April 2024 4:00:31 PM

You don't often get email from jim.macedo@outlook.com. [Learn why this is important](#)

Hello,

I apologise for the delay in responding. Here is my feedback:

As an interstate property investor, I am interested in developing a granny flat on my property in South Australia.

The change in the definition of 'Ancillary Accommodation' to permit 'self-containment' is a positive step. However, it is not sufficient to incentivise me to begin investing and proceed with the construction of the granny flat.

Ideally, as a landlord, I would prefer tenants of both the principal residence and the ancillary accommodation to be able to separately pay for their own usage of utilities and services. Currently, I am concerned that I will end up paying for the utility usage (water and electricity) for both the ancillary building and the principal residence, as it is difficult to determine who is using how much of each service. This situation is not ideal.

Therefore, I would like to see a change that allows ancillary buildings to have separate connections to utilities and services. This would ensure that tenants are responsible for their own usage, easing the burden on landlords.

Thank you for your consideration.
Regards,

Jim Macedo

[REDACTED]
[REDACTED]

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 30 March 2024 6:20:14 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Cameron Holoubek

Postcode

5015

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 6 April 2024 9:45:30 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Lisa Kettler

Postcode

5114

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That it may increase options for multigenerational living on existing sites, but it must be managed with consideration for impacts ion load on other infrastructure such as sewer and water

Do you have any other feedback you'd like to share?

Hope this happens soon

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 6 April 2024 8:15:11 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Michael Collins

Postcode

5174

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Opening flexibility for ancillary accommodation to be self contained.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 6 April 2024 5:53:19 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Anne Frodsham

Postcode

5152

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The opportunity for smaller self contained accommodation separate to the main dwelling.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 6 April 2024 9:05:37 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Liz voigt

Postcode

5583

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 6 April 2024 8:25:05 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Natasha Lee-Jenkins

Postcode

5204

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Currently we have a shortage of long term rental accommodation in our area. Families with children have been continuously moving from caravan parks and campgrounds, or moving out of the community altogether because they have no choice.

Do you have any other feedback you'd like to share?

No.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 5 April 2024 9:24:43 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Marina

Postcode

5019

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Other (please specify) - My husband and I have recently purchased a block of land and would like to include a small granny flat at the back of the land in order to be able to support our parents as they become elderly.

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

No Answer

Do you have any other feedback you'd like to share?

I believe that the proposed amendment would be a welcome change and it would support with the following circumstances on the background of the cost of living crisis: -
Multigenerational living (i.e. young adults are staying at home for longer, elderly relatives can be looked after by their families) -Supporting those whom are most vulnerable to have a safe dwelling available to them at an affordable cost.

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 5 April 2024 6:59:52 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Waynr

Postcode

5016

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The move to self contained 'granny flats' should increase affordable rental availability.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 5 April 2024 2:39:34 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Rae

Postcode

5016

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Neither agree nor disagree
---	----------------------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Accommodation is secure, cost effective and available to those who need it

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 5 April 2024 8:06:32 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Tristan Avella-O'Brien

Postcode

5083

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Ancillary accomodation making it more possible for inter generational (and affordable) living arrangements.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 8 April 2024 10:03:41 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Anthea Starr

Postcode

5243

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - The 20m from primary dwelling rule on rural land is too limiting. It's not creating separate titles so loss of productive land is unlikely. People should be able to site the ancillary accommodation wherever best suits on the land. This is a hang over from old times thinking it's just for old parents. To be effective as "flexible housing stock" you want some more privacy and separation than 20m allows.

What is most important to you regarding this proposed Code Amendment?

Self contained is obvious and necessary, removal of the 20m rule is paramount on rural land.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 8 April 2024 5:23:11 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Daryl Lobbe

Postcode

5075

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Development industry

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

As a building designer, in the last 2 years I have seen an uptick in clients wanting to have an ancillary accomodation. Sometimes they would like this to be self contained so that a family member can live there, but have their own lives and not impact the land owner too much. I see this as a positive step forward to creating more housing in severe housing crisis, and will help a lot of people once the amendment comes into effect.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 7:50:37 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Rebecca M

Postcode

5035

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

It will provide more housing opportunities in more diverse areas

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 9:50:15 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Geoff

Postcode

5204

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Definitely agree

The proposed amendment will benefit my local area.

Somewhat agree

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - The 20m distance to the main residence might be ok when a new granny flat is planned. But in a rural/farm situation there might be an existing suitable building which could be converted to accommodation that is not within the 20m proposed. The existing building does not take up primary production land or fragment it as it currently exists.

What is most important to you regarding this proposed Code Amendment?

That it is supported by councils!

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Tuesday, 9 April 2024 12:19:55 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sonja Graetz

Postcode

5034

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Education provider

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That it allows greater flexibility both for owners of properties where these ancillary accommodations sit, but also provide an additional supply of affordable housing for those currently priced out of the private rental market.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 11 April 2024 7:19:00 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Donna-Lee Edwards

Postcode

5118

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - However, I don't believe that the maximum size of 60m2 is enough space. How are families, especially domestic violence victims, expected to live in such a small space. For a single student, no problem, but for a family, no. There needs to be different categories of sizes depending on total land size for example. If I had a dwelling on a semi rural property that was perfectly ok and wanted to build another family home (say on 2acres or more) why should I have to demolish a perfectly good home post completion of the new dwelling?

What is most important to you regarding this proposed Code Amendment?

The fact that the dwelling can finally be self contained. We have a worse housing crisis

than what is really known to the public and everyone deserves to have a safe space to live in fully.

Do you have any other feedback you'd like to share?

Only that there needs to be the ability to be flexible with development and have some common sense approach to sizes of multiple dwellings on various land sizes. Please don't just restrict to a 60m² home. With the ability to put up simple designs, such as container homes, and expandable homes, we need to think about those people who need a larger space to live safely.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 10 April 2024 7:34:39 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Alistair McCulloch

Postcode

5045

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Neither agree nor disagree
---	----------------------------

The proposed amendment will benefit my local area.	Neither agree nor disagree
---	----------------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The removal of the requirement to have shared accommodation in any ancilliary housings development.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 10 April 2024 7:08:36 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Bradley John Serravalli

Postcode

5118

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That it is changed to support more housing options

Do you have any other feedback you'd like to share?

not at this stage

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 10 April 2024 4:44:16 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Jennifer Russell

Postcode

5280

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Other (please specify) - Lodging with house-owning daughter

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

People with difficulty finding accommodation can be comfortably accommodated in ancillary accommodation on owner's property

Do you have any other feedback you'd like to share?

This would help solve the housing crisis and allow comfortable reasonably priced or free

accommodation for people who cannot buy property for themselves.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 11:06:29 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sharon Mraz

Postcode

5070

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Other (please specify) - We are in the process of seeking development approval for an ancillary development on our property so my husband and I can downsize, and our son and family can move into the large family home. Our design is sympathetic to our current home and to the suburb. We hope that consideration would be given to removing the current ruling that our structure has to be attached to the main house.

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - We would hope to have all ancillary additions to be considered self contained and not have the requirement to be attached to the main residence, as is currently the case for ancillary additions over 60sq m.

What is most important to you regarding this proposed Code Amendment?

The removal of the need to have an ancillary addition over 60sq m attached to the main house, should also be included in the amendment. That is, it should not need to be attached.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 11:11:33 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Arthur Davis

Postcode

5074

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Somewhat agree

The proposed amendment will benefit my local area.

Neither agree nor disagree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

An increased range of housing options is a good thing

Do you have any other feedback you'd like to share?

The subdividing of properties and increase in housing density in Adelaide has not alleviated the accommodation crisis. Dwellings are no cheaper, and fitting more people

into less space without accompanying urban design reforms is a recipe for misery. We hope to hear much more on how this Code Amendment will be part of a whole raft of new considerations.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 2:33:15 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sara

Postcode

5353

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

No Answer

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 2:50:07 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Jan fuller

Postcode

5353

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Housing for all

Do you have any other feedback you'd like to share?

This is truly the way to go

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 3:42:12 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Tina Sayce

Postcode

5351

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Opportunity to use already available dwellings with some minor alterations for accommodation

Do you have any other feedback you'd like to share?

The subdivision guidelines and double residences on one property should be reviewed

especially for the Barossa Valley. I have 30 acres and older children who would like to live here but cannot due to the one residence per property rule

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Tuesday, 2 April 2024 4:40:56 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Susan Dilena

Postcode

5061

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Provide additional housing and reduce the pressure on those needing to rent

Do you have any other feedback you'd like to share?

no

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 5:49:56 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Vanessa Worrall

Postcode

5049

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

No Answer

Do you have any other feedback you'd like to share?

I think it is important that councils acknowledge people's desire and need for multi-generational living. The maximum size allowed for ancillary dwellings should be assessed

(increased) and made consistent across all metropolitan councils.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 28 March 2024 10:45:45 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

David Oreo

Postcode

5155

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Development industry

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Utilising existing space to provide extra housing options

Do you have any other feedback you'd like to share?

Allow tiny homes on acreages ASAP

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 3 April 2024 9:29:37 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Kerry Colbung

Postcode

5690

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Greater housing availability & flexibility in an overcrowded market

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 9:00:17 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

James

Postcode

5035

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Student

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 28 March 2024 12:08:47 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Kate Heppner

Postcode

5344

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Current limitations impede housing affordability. Our hope is to build a small subsidiary house for family, it is only regulation standing in our way as there is ample land available. There should also be no restrictions in terms of distance from the main dwelling to allow for sufficient privacy. Extended family members do not necessarily want to be living in each other's pocket, but rather want ease of access for support.

Do you have any other feedback you'd like to share?

Although outside the scope of this consultation, there is also unreasonable blanket restrictions on subdivision in rural living areas, in terms of the current minimum land area. When purchasing our property we planned to subdivide for family. Then we discovered that the minimum land parcel was changed shortly after buying, and before we had progressed to submitting the subdivision application. This has been incredibly frustrating, especially given we are surrounded by smaller land parcels and had confirmed the minimum land size requirements during the purchase process. We now have land surplus to our needs.

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 7 April 2024 9:13:12 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Paul Anderson

Postcode

5007

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 25 March 2024 1:16:10 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Edmund Feary

Postcode

5000

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Definitely agree

The proposed amendment will benefit my local area.

Definitely agree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

This effectively legalises granny flats- that is a good thing. Enabling ageing in place is a really important objective that our planning system should enable and it's important that this change is made to allow that to happen. I'm sceptical as to how much housing supply it will really "unlock", but I'm thoroughly supportive of the changes to allow for ageing in place.

Do you have any other feedback you'd like to share?

It feels like the minimum possible change. This was an opportunity to really properly scrutinise and re-examine these policies and feels like an opportunity missed. I hope that the Commission will look to expand the scope of the Future Living Code Amendment, and will actually advance this because it has been sitting on the backburner for far too long. That said, let's not let the perfect be the enemy of the good. This is a positive change and one that I hope can be implemented soon (noting that the interim operation hasn't really changed anything since it has to be assessed against both policies).

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 3 April 2024 9:09:35 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Amanda Tiss

Postcode

5606

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Allowing outbuildings to be fully self contained, habitable and rentable

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 27 March 2024 3:27:43 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Noel

Postcode

5155

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - That short term rentals such as Air BnB are strongly regulated. The changes should ease the housing crisis, not contribute to it.

What is most important to you regarding this proposed Code Amendment?

That it is for family and long-term rental only, no Air Bnb or similar. That environmental considerations apply to ensure liveability, urban biodiversity are maintained.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 28 March 2024 3:58:18 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Jon

Postcode

5107

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Development industry
Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That it allows for self contained ancillary accommodation which can be utilized to ease the cost of living and rental shortage.

Do you have any other feedback you'd like to share?

I am strongly in favor of this proposed code amendment.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 4 April 2024 12:02:53 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Anna Minges

Postcode

5051

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Change it quickly

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Tuesday, 2 April 2024 2:58:08 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Benita Parsons

Postcode

5017

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

Do you have any other feedback you'd like to share?

I suggest these amendments prioritise inclusion of kitchen and bathroom, but not laundry. This is an underutilised space in most houses and could be a common space. Or encourage european style laundry that is not a seperate room but contained in a cupboard space.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 1 April 2024 9:07:41 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Darryl Gobbett

Postcode

5052

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Other (please specify) - Economic research

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Allowing more South Australians to age in place and reduce need for further urban sprawl

Do you have any other feedback you'd like to share?

The 60 square metre limit needs to be reconsidered, ie made larger. This is to take account

of the current generation of older South Australians likely to live longer than their parents, be working and volunteering longer and have got used to larger homes and spaces for studies, hobbies etc. In addition, with the Federal Government policies of ageing in place, more space is likely to be needed as health deteriorates. The Royal Commissions into Disability and Aged Care also noted the need for building codes to change to accommodate larger door widths, accessible bathrooms, wheelchairs, ramps etc and these are each likely to require more space and therefore use up living space within the 60 square metre limit.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 6 March 2024 7:21:42 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Darryl Gobbett

Postcode

5052

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Other (please specify) - Economic research

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - For older downsizer couples now in their 70s, the 60 square metre area and no more than 2 potential bedrooms limitations will generally be too small in the context of likely expected lifestyle needs, including longer workforce participation compared to previous downsizers such as their parents. Examples would be the likely need for on office/study or hobby area separate to the bedroom and lounge/dining/kitchen area. If ageing in place is to be accommodated, this may also require such a room to be available later for separate health care support. In that context a larger bathroom may also be required. WA has a living area of up to 70 square metres and the Gold Coast up to 90 square metres. Concerns about excess infill or crowding on existing home blocks should be able to be met by having a limit on the total area of existing home and the ancillary development as a ratio of the total block size. In addition, most of these ancillary developments are likely to take place in the older suburbs on the standard quarter acre block so more than 60 square metres living area should be able to be accommodated. It is also the case that Councils are allowing the subdivision of these quarter acre blocks and the construction of homes on the additional block where the aggregate living areas of

the existing and new home, and corresponding combined homes to plot ratio, would generally be substantially larger than the current existing home and an ancillary development of up to 60 square metres. There needs to be clarification of whether ancillary developments can, subject to reasonable capacity requirements, use existing septic tanks, rain water tanks and firefighting water storage on larger rural or peri-urban blocks. Clarification is also needed on the capacity to add solar voltaic panels and batteries to what will be an existing electricity connection at which panels and a battery may already exist. This is likely to be resisted by electricity retailers

What is most important to you regarding this proposed Code Amendment?

Not having Councils be able to thwart the intent of the Amendment. Having more flexibility in the total living area and internal layout to meet the likely current and future needs of older downsizers, particularly with the intention of many to age in place in smaller homes and likely also to shift their existing housing to their adult children and grandchildren who can then provide later support.

Do you have any other feedback you'd like to share?

The Amendments are a very good idea but well overdue.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 3 April 2024 2:00:37 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Ann Painter

Postcode

5051

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Separate self contained facilities for anyone, not just a dependent

Do you have any other feedback you'd like to share?

I think this amendment is well overdue, as the current one is outdated, only allowing dependent accommodation. Especially with our housing shortage crisis. It could reduce

government costs in many areas such as aged care, allowing an income and/ or more support for the elderly to stay in their own homes. It would also help accommodate people suffering family breakdown, illness or loss of income. The advantages are numerous.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 1 March 2024 10:06:40 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Megan

Postcode

5082

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
The proposed amendment will benefit my local area.	Definitely disagree

Do you support the proposed Code Amendment?

No

What is most important to you regarding this proposed Code Amendment?

You have not considered the impacts this will put on Local Councils such as rubbish collection, noise complaints, impacts on infrastructure

Do you have any other feedback you'd like to share?

Provide local government with additional funding to deal with this

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 7 March 2024 4:16:06 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Julie Blake

Postcode

5007

What is your interest in the proposed Code Amendment? (select all that apply)

Community group
Development industry

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Removing barriers to adding new homes using existing land

Do you have any other feedback you'd like to share?

Our experience at Westside Housing, a registered community housing provider, is that fencing cannot be erected between the main and ancillary dwellings which would improve the lived experience of the people living there. We are delighted the state government is removing barriers for extra housing through ancillary dwellings as it has been a tough slog previously. Keep going with this please

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 7 March 2024 4:27:10 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Angela

Postcode

5048

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Cheap accomodation for students and older Australians who can't afford high rent

Do you have any other feedback you'd like to share?

I like the idea of older people having a younger person close by - possibly cheaper rent for the student to do a few chores or just check in on the older home owner

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 10 March 2024 5:48:15 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Todd Westbury

Postcode

5034

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Ensuring those that choose to live in granny flats and like accommodation are provided the same living rights as home owners and tenants in stand-alone dwellings. (e.g. not forcing granny flat tenants to do their washing outside or in a commercial laundry - like a second class citizen)

Do you have any other feedback you'd like to share?

This streamlines planning rules with the government's recent action to allow granny flats to be rentable to anyone. It should be noted that supply should not only come from releasing existing granny flat stock, but through the creation of new stock.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 10 March 2024 6:13:45 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Moira Henningsen

Postcode

5000

What is your interest in the proposed Code Amendment? (select all that apply)

Other (please specify) - I would like to build a granny flat at my daughters house

Do you own or rent your primary residence?

Other (please specify) - Own with a mortgage

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Being allowed to have a washing machine, which is a basic need for most people.

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 11 March 2024 10:32:14 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Conrad Harrison

Postcode

5573

What is your interest in the proposed Code Amendment? (select all that apply)

Other (please specify) - Structural Designer

Do you own or rent your primary residence?

Other (please specify) - board and lodging

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
The proposed amendment will benefit my local area.	Neither agree nor disagree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That the main functional areas of a dwelling, namely the wet areas: kitchen, bathroom and laundry would be permitted. This would make the facilities more suitable to rent to non-family members, such as students, housekeepers, tutors, or persons who provide no additional service to the main household.

Do you have any other feedback you'd like to share?

Average household occupancy around the industrialised world is less than 3 persons. If we keep building more dwellings then it would progressively drop to 2, then 1. Birth rate is typically less than replacement level and population growth is due to migration: either internal between towns and cities, or external between countries. If we allow additional

dwelling units (ADU) as the USA has called them, then average occupancy for the allotments would remain at 3, whilst dwelling occupancy would drop to 1.5 persons. So no increase in average population density, and should be no need for additional infrastructure: pipelines, power lines, schools, hospitals. It would also be beneficial if allotments were designed with such ancillary dwelling in the first place, and the primary dwelling for internal division into at least 2 separate apartments. So each allotment has potential for use with 3 sole occupancy units or main dwelling for 4 person family. Thus has family gets older the dwelling divides into more private separate apartments: allow for extended family in one dwelling on one allotment. As part of housing pressure is elder generation looking to down size, and younger generation trying to get started.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 13 March 2024 5:12:50 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sylwia Dziuba

Postcode

5108

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Other (please specify) - I'm a futurist that specialises in the property sector

Do you own or rent your primary residence?

Other (please specify) - Live-in, full-time carer for sick mum

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

It will help people who live in Granny flats to feel more independent. It will also help them avoid awkward situations by not having to share a washing machine with the residents of the main property.

Do you have any other feedback you'd like to share?

no

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 13 March 2024 6:27:22 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Kerry Hallett

Postcode

5068

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Council

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - It needs safeguards to ensure more flexibility actually addresses the housing shortage as opposed to just increasing tourist accommodation eg current CAP development application for two tourist accommodation 'pods' on a Mt Osmond residential block.

What is most important to you regarding this proposed Code Amendment?

Loss of more tree canopy cover because more land will be built over. Social problems associated with overcrowding eg 6 students sharing a one-bed unit. Potential to result in Substandard housing for low income families/individuals.

Do you have any other feedback you'd like to share?

For years the private and/or not for profit sector has been the focus of housing provision

increases when what is really needed is a revert to public housing. Stop selling it off and start building more ie Housing South Australians. Affordable housing has been a shocking failure. Affordable Units in inner suburbs are purchased by property investors as soon as they become available and are then rented out at high rents or sold off immediately for a profit. There are also rumours circulating that early developers are providing alerts about the release of inner suburb affordable housing so that property investors are forewarned and snap up as soon as they are released.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 4:15:06 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sarah Bown

Postcode

5000

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

That people can stay in granny flats as a separate housing option means there will be more housing available in the community.

Do you have any other feedback you'd like to share?

We would have less issues if the government would ban overseas buyers from purchasing homes here. Only citizens should be able to buy homes.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 4:31:22 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Rhona Parker-Benton

Postcode

5253

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The ability to have self contained accommodation separate to the main house for family or friends is important to all parties living together. Under the same roof can be quite stressful. Fully support this change

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 5:09:42 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Mark Wheal

Postcode

5280

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public
Community group
Development industry

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely disagree
---	---------------------

The proposed amendment will benefit my local area.	Definitely disagree
---	---------------------

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - Local councils still have the final say, this is the problem

What is most important to you regarding this proposed Code Amendment?

Not allowing local councils to restrict or hold back developments when all criteria's are met.

Do you have any other feedback you'd like to share?

This needs to be allowed without primary residence, if you could have 4-5 or even more on a block why not allow it. The more the merrier, housing is at critical levels.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 6:04:48 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Darren Nelson

Postcode

5252

What is your interest in the proposed Code Amendment? (select all that apply)

Development industry

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
The proposed amendment will benefit my local area.	Definitely agree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Prompt implementation - Fast track legislation ASAP -This will help alleviate the housing crisis almost instantly

Do you have any other feedback you'd like to share?

MUST Minimise planning red tape on this style of development at council level - (on developments would be better)

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 6:20:38 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Andrew Shaw

Postcode

5114

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
The proposed amendment will benefit my local area.	Somewhat agree

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - For there should be prohibition on short term rental of the facility, minimum lease duration or prohibition. There should be a limitation on the total floor area - this prevents very large open plan spaces that may subsequently contain sofa-beds etc thereby bypassing the two bedroom limitation There should be some consideration of parking needs. It should be an explicit limit on the number of such units on any one title.

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 6:23:25 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

anna tsykin

Postcode

5013

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

I have a huge block (2330 sqm) and will be able to do something useful with this land to help pay my mortgage

Do you have any other feedback you'd like to share?

This amendment will direct private investment into increasing housing supply in areas with high demand

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 8:32:55 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Tracey

Postcode

5157

What is your interest in the proposed Code Amendment? (select all that apply)

Other (please specify) - Wanting to keep my family of two adult children and my ex-husband living on 55 acres after buying property in 1990 and not being able to subdivide since rules changed in 1984 in rural zone. I am in my my 60s working full time and I want to have two ancillary buildings for myself with son and exhusband to live in while my daughter and husband move into main residence and start a family. So many loopholes and costs involved and considering I work full time on a 63,000 wage a year before tax, time things were changed. We want this property kept in the family for ever to be past down as it was started from scratch in 1990 with no power, telephone and not fully fenced.

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat disagree
---	-------------------

The proposed amendment will benefit my local area.	Definitely disagree
---	---------------------

Do you support the proposed Code Amendment?

No

What is most important to you regarding this proposed Code Amendment?

I understand that we, meaning my ex-husband and myself, currently can not subdivide due to the current code introduced in 1984 but as this property will always be kept in the family to be passed down in future generations, you need to make exceptions for this like they did in the 1850s. This was to be our superannuation in 1990 looking into the future but given the way overseas investors and prices that continue to ballon out, I need you to

change codes for this amendment. Currently under the 20 metre from existing home, I need the homes 40m away as native trees grown from seed 30 years ago either need to be removed or cut down to the stump as they are dangerous and are a danger to dropping or losing large branches if build is within 20m of existing home.

Do you have any other feedback you'd like to share?

Feel free to contact me on [REDACTED] if you would like to discuss this further with me.
Thanks Tracey

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 9:40:17 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Lynne Hoet

Postcode

5162

What is your interest in the proposed Code Amendment? (select all that apply)

Community group

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

People are more able to live with dignity when they have their own essential facilities. Societies complexities of diverse health cleanliness standards and financial capacity make it hard for people when they have to share bathrooms, kitchens and to a lesser extent laundries.

Do you have any other feedback you'd like to share?

The housing crisis has to be addressed by making many changes and and adopting innovative ideas and we cannot rely solely on Government resources to alleviate the current level of homelessness

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Friday, 15 March 2024 10:37:06 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Susan Dawe

Postcode

5076

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

I lived in a granny flat .. sleepout during my days as a university and it was great as I had access to the garden. I would much rather see some gardens remain that at present houses on larfe blocks being bulldozed and two or more two storey houses replace them. As all the cars end up parked on the street.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 16 March 2024 5:58:36 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Sandra Bradley

Postcode

5211

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
The proposed amendment will benefit my local area.	Somewhat disagree

Do you support the proposed Code Amendment?

No

What is most important to you regarding this proposed Code Amendment?

Although it improves the definition of ancillary and student accommodation, it does not allow for completely self-contained accommodation. This means that if a tiny house (with 2 rooms) is on the property and the tiny house has independent solar panels, waste water (as in combustible toilet), heating or air conditioning, it does not fall under this act even though it is a separate, self-contained facility.

Do you have any other feedback you'd like to share?

Why are the planning regulations being designed to negate the effect and influence of tiny housing? There are ways and means for getting rates and services from such structures if they are on separate allotments of land or sharing an allotment of land.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 16 March 2024 11:21:00 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Jonathan Phillips

Postcode

5233

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

More freedom regarding flexible housing arrangements. Young people struggle to take on full loans for housing, or pay rent starting at \$500 per week. This has the potential to allow rent at more affordable prices to allow young people to save up deposits, that they can purchase properties.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Saturday, 16 March 2024 2:52:56 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Raylene

Postcode

5050

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Ancillary or "Granny" flats being built on blocks big enough to accommodate them.

Do you have any other feedback you'd like to share?

No

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 17 March 2024 9:59:23 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Rolando Fabbian

Postcode

5089

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

It allows more freedom to (home owner) developers and council officers in increasing housing versatility. For example, I plan to replace my shed with some sort of accommodation where my autistic son can live independently somewhat. Myself and my wife can then live in the main house and one day, maybe carers or my son's siblings, can live in the main house and provide supervisory care and support. Once the place is sold, a student or another renter could live in the adjacent accommodation.

Do you have any other feedback you'd like to share?

It allows more freedom to (home owner) developers and council officers in increasing housing versatility. For example, I plan to replace my shed with some sort of

accommodation where my autistic son can live independently somewhat. Myself and my wife can then live in the main house and one day, maybe carers or my son's siblings, can live in the main house and provide supervisory care and support. Once the place is sold, a student or another renter could live in the adjacent accommodation.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 17 March 2024 11:18:44 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

DIX MOLANUS

Postcode

5173

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
The proposed amendment will benefit my local area.	Neither agree nor disagree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

MAKE BETTER USE OF LAND THAT IS NOT AVAILABLE DEVELOPMENT

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 18 March 2024 7:16:09 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

eva kannis

Postcode

5019

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
The proposed amendment will benefit my local area.	Somewhat agree

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Creating affordable housing for young people and elderly people

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Monday, 18 March 2024 9:19:37 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Martin Bailey

Postcode

5345

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Promotes reater flexibility for extended families by allowing increased independence for those family members in ancillary accommodation to be self contained. It also allows students from rural and remote communities greater independence and personal security by having appropriate facilities within ancillary accommodation. Property owners will now have the option to provide ancillary accommodation while maintaining their own independence and privacy by not having to share facilities such as bathrooms.

Do you have any other feedback you'd like to share?

A long overdue change. Empower local governments to monitor and investigate rural properties on the perimeter of towns that provide ling term substandard accommodation in

the cash economy to predominantly persons on benefits.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 20 March 2024 11:13:58 AM

Anonymous User just submitted the survey Survey with the responses below.

Name

Rachel

Postcode

5064

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat agree
---	----------------

The proposed amendment will benefit my local area.	Somewhat agree
---	----------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

The ability to build a self-contained granny flat in my big (and underutilised) back garden to support my disabled daughter to live independently in the future, but in a place where we can keep a close eye on her.

Do you have any other feedback you'd like to share?

I would like to ensure that sufficient off street parking for an extra car is always able to be provided as part of the approval process.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 20 March 2024 12:27:47 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Michele Slatter

Postcode

5006

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Definitely agree
---	------------------

The proposed amendment will benefit my local area.	Definitely agree
---	------------------

Do you support the proposed Code Amendment?

Yes

What is most important to you regarding this proposed Code Amendment?

Good/better use of land to accommodate family members close to the family and also to relieve housing stress

Do you have any other feedback you'd like to share?

Making it easier to establish pre-built/modular homes would be a great step forward as

there now seem to be quality products available but only rarely in SA. Vic appears to lead on this.

From: [YourSAy](#)
To: [REDACTED]; [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Wednesday, 20 March 2024 4:42:49 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Fi George

Postcode

5043

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Somewhat agree

The proposed amendment will benefit my local area.

Neither agree nor disagree

Do you support the proposed Code Amendment?

Yes with concerns (please specify) - Concerns about minimum standards - as we already struggle with regulating the minimum standards for rental properties.

What is most important to you regarding this proposed Code Amendment?

Very clear minimum standards that are regulated. Affordability.

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Thursday, 21 March 2024 5:10:37 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Simone Perici

Postcode

5018

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Rent

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.

Definitely agree

The proposed amendment will benefit my local area.

Somewhat disagree

Do you support the proposed Code Amendment?

No

What is most important to you regarding this proposed Code Amendment?

The quality of housing for ancillary accommodation and student accommodations, if you spend just 10 minutes looking at any real estate website you will see subpar to uncompliant ancillary accommodations advertised every day. Until stricter laws and penalties for non compliant landlords are put into place regarding ancillary accommodation it is hard to support any proposed changes.

Do you have any other feedback you'd like to share?

No Answer

From: [YourSAy](#)
To: [REDACTED] [DTI:PlanSA Submissions](#)
Subject: Anonymous User completed Survey
Date: Sunday, 24 March 2024 12:21:27 PM

Anonymous User just submitted the survey Survey with the responses below.

Name

Christy

Postcode

5084

Please provide your email address.

[REDACTED]

What is your interest in the proposed Code Amendment? (select all that apply)

Member of the public

Do you own or rent your primary residence?

Own

Please indicate if you agree or disagree with the following statements:

I understand how the proposed Code Amendment will impact me and my local area.	Somewhat disagree
---	-------------------

The proposed amendment will benefit my local area.	Neither agree nor disagree
---	----------------------------

Do you support the proposed Code Amendment?

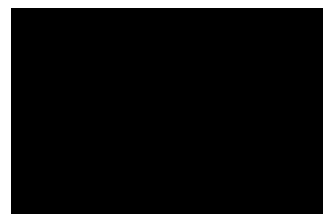
Yes with concerns (please specify) - Student accommodation already appears to be overly expensive, and this will just raise prices more. It won't address issues such as providers overcharging for utilities. I'm also concerned that the changes to ancillary accommodation will lead to more granny flats in suburban areas (with the associated problems of congested streets due to more cars, removal of trees, more noise, reduction of light to neighbouring properties, stormwater runoff and other issues that could be avoided by properly investigating and allocating land to medium and larger apartments instead.

What is most important to you regarding this proposed Code Amendment?

Probably the effect of proliferating granny flats and similar substandard accommodations.

Stakeholder Submissions

Housing Industry Association (HIA)
Student Accommodation Association (SAA)
Tiny Home Association (THA)
Property Council of Australia
Botten Levinson Lawyers
Local Government Association (LGA)



27 March 2024

Code Amendment Team
Planning and Land Use Services Division
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Dear Sir/Madam,

Discussion Paper – Ancillary Accommodation and Student Accommodation definitions review Code amendment.

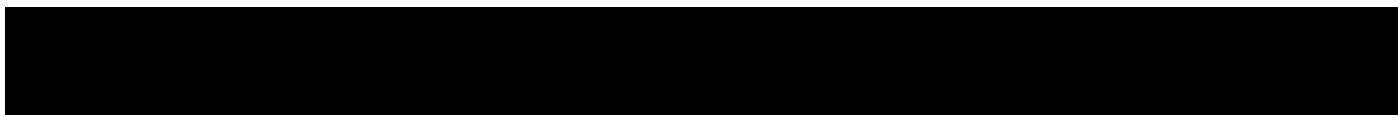
The Housing Industry Association (HIA) appreciates the opportunity to provide the following comments regarding the above-mentioned code amendment. We acknowledge the work performed by the Code Amendment Team on the consultation draft and the impact these changes will have on living conditions within certain residential and commercial properties.

The amendment is in response to a shortage of available housing, highlighted by the rental crisis currently experienced in this state. This matter requires urgent attention.

Under the proposed changes, buildings such as granny flats and student accommodation can be self-contained; elements critical for independent occupation (toilets, kitchens and laundries) may be fitted into units without specific restrictions.

HIA supports these changes. Any regulatory amendment which helps reduce pressure on the housing market is a step in the right direction. With that said, we encourage the Government to take further steps by increasing the floor area limitations for ancillary accommodation. By doing so, a greater amount of standard “off-the shelf” designs could be utilised, encouraging property owners to invest.

Acknowledging 1.2 million homes are to be built over the next five years under the National Housing Accord, we remind the State more work needs to be done to meet this target. This amendment should be the first of many steps to improve housing availability. We encourage the Government to



continually review the planning system, including the removal of red tape that hinders deemed-to-satisfy development as listed within the Planning and Design Code.

Thank you once again for the opportunity to provide feedback. HIA welcomes further discussion on these matters and waits for your subsequent response. Please do not hesitate to contact myself on [REDACTED] or alternatively [REDACTED].

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED

A handwritten signature in black ink, appearing to read 'S Knight', written in a cursive style.

Stephen Knight
HIA Executive Director – South Australia

Code Amendment Team
Planning and Land Use Services Division
Department of Trade and Investment
GPO Box 1815
Adelaide, SA, 5001

Thursday, 11 April 2024

To Whom it May Concern,

Consultation by the Chief Executive of the Department for Trade and Investment on the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

The [Student Accommodation Association](#) Incorporated (SAA) brings together education and student accommodation providers in Australia to promote the value and quality of accommodation provided for the exclusive use of students and has established a strong profile in government, education and commercial sectors as being a reputable body of engaged industry participants.

While grateful for the opportunity to provide feedback through the consultation process relating to the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment, SAA would also like to take this opportunity to work with the Government of South Australia, Department of Trade and Investment to broaden the amendments in a strategic bid to better distinguish student accommodation from other forms of accommodation for the future.

The importance of student accommodation to the international education sector in South Australia

International education is the third largest export sector in South Australia, worth \$2.47bn annually to the economy. There are more than 54,000 international student enrolments in SA, up about 9,000 from figures prior to border closers arising from the pandemic.

Having secure access to a portfolio of fit for purpose and professionally managed student accommodation options is imperative to continuing to support international education in this state and the over reliance on private rental accommodation stock in South Australia threatens to stifle further growth in this important export sector.

The Department of Trade and Investment, through this Code review has an opportunity to reshape the planning and design code to encourage the deployment of investment capital in fit for purpose student accommodation and by doing so, serve to activate increased supply.

An increase in student accommodation in the state stands to:

- Offer South Australia a competitive advantage over other study destinations by providing international students with easy access to quality and affordable accommodation for the exclusive use of students. Student accommodation supports the recruitment of international students to the state, by providing safe, secure, and professionally managed student residential environments in which students can make friends and be inspired to succeed academically.
- Relieve the international education sectors heavy reliance on the private rental market reducing demand for current rental stock by channelling students into accommodation provided for the exclusive use of students and thereby creating capacity in the rental market for local South Australian's. Greater supply places downward pressure on rents.

- Improve the international student experience in South Australia by offering more student accommodation options and thereby negating the need for international students to seek unregulated share accommodation via social media groups reducing their risk of exposure to exploitation and online scams.
- Support the creation of Adelaide University which aims to be ranked in the top 5 in Australia for student experience and is committed to supporting students through their university experience to help them succeed in their learning and career journey.
- Support higher education institutions in South Australia to align with the intent of the Australian Universities Accord Final Report which encourages international education providers to maintain their social licence to operate through various avenues including “access and availability of affordable student housing”.

National changes in the education sector requiring an adjustment in government settings to encourage more student accommodation development.

Australian higher education providers are beginning to proactively engage with the student accommodation sector in response to three significant issues:

1. **Quantity vs. Quality** - recent changes to the migration act have the potential to have a negative impact on international student enrolments, particularly in the VET sector. A significant factor behind the changes impacting international students is an ambition to relieve housing pressure.

If education providers in South Australia are going to effectively compete for high-quality international students, then student accommodation will become a crucial element to underpinning the education delivery platform.

This is a unique concept in Australia, but it is standard practice in other international study destinations such as the US, UK, the Middle East, and Asia countries who already demonstrate their commitment to high quality student experience by ensuring students have access to quality student accommodation.

If South Australia hopes to continue to attract quality international students to this state, a worldclass student experience underpinned by access to quality student accommodation will play a significant role in fulfilling the state’s strategic objective.

2. **Future Supply** - Education providers in other states of Australia are already scrambling to generate accommodation supply to support international student enrolments and are turning to established homestay providers.

South Australian education providers are already responding to a notable change in market conditions and are beginning to proactively engage with local student accommodation providers.

Established relationships between local education and student accommodation providers will lead to project development in partnership of fit for purpose student accommodation to support international student enrolments in the future. Partnerships will lead to the deployment of capital investment which will generate an increase in supply of quality student accommodation in South Australia.

There is also a call for a review of the ESOS act which might require education providers to secure a proportion of student accommodation beds, through direct capital investment in new facilities or partnership arrangements with established student accommodation providers, to support an increase in international student enrolments in future.

3. **Accountability** - There is a significant move to ensure education providers are more accountable for a student's on and off campus student experience.

This is likely to provide significant motivation for education providers to become active in the student accommodation space and acquire secure access to quality student accommodation so they can provide their student population with a controlled accommodation message underpinned by access to safe and secure professionally managed student accommodation options.

In this context, the Department of Trade and Investment is set to play an important role in supporting the development of new student accommodation stock in South Australia and this process represents a unique opportunity to adjust the settings that pertain to the development of student accommodation in this state, to encourage future development and to ensure South Australia is not left behind.

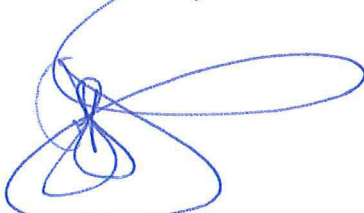
Recommended adjustment to the Student Accommodation Definitions Code

Student accommodation means premises used to accommodate students **exclusively**, in room or dormitory style accommodation **and managed in accordance with student accommodation industry best practice standards as defined by the [National Property Accreditation Scheme \(NPAS\)](#)**, that can be (but need not be) self-contained and that includes common facilities for share use by student occupants such as:

- f) Shared cooking facilities and/or the provision of meals
- g) Common rooms and recreation areas
- h) Shared laundry facilities or a laundry service; or
- i) Shared bathroom facilities

The Student Accommodation Association would welcome the opportunity to continue this conversation and to work with the Department of Trade and Investment to ensure we embrace this opportunity to define a fit for purpose definition for student accommodation which is designed to generate more capital investment in this unique and important asset class to support international education in South Australia in the future.

Yours faithfully,



Geoff Denison
President

From: [Rochelle Ryan](#)
To: [DTI:PlanSA Submissions](#)
Subject: Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment
Date: Sunday, 14 April 2024 2:15:23 PM
Attachments: [Outlook-z515zfly.png](#)
[Outlook-olq2khlh.png](#)

You don't often get email from rochelle@tinyhouse.org.au. [Learn why this is important](#)

Dear Hon Nick Champion

As the President of the Australian Tiny Home Association (ATHA) who represents over 1,000 subscribers and 300 members, with a social media reach of 100,000, and owner of a petition with over 20,000 signatures on it, agree to the proposed changes to the legislation where ancillary accommodation can be a self-contained residence.

ATHA would like the definition of the ancillary dwelling to include "moveable Tiny House on Wheels (THOW) and Skids (THOS)". as we continue advocate for legalising the living in Tiny Houses in Australia. Our mission is to educate the public on [purchasing](#) a tiny house built in Australia to Australian building codes and regulations.

Our [housing policy](#) has been accepted and endorsed by local governments in WA, VIC and NSW. This is a policy guidance document that can be provided by tiny house advocates and owners to local government or used by local government planning and building officers to support the legal approval of tiny houses in their local area.

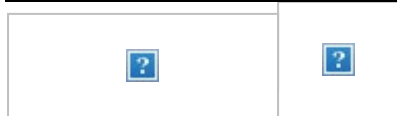
We would welcome these proposed changes and look forward to working with your department in securing safe, sustainable and long-term housing options for those who can't afford to purchase land, however have the funds and income to secure permanent housing via purchasing a THOW or THOS.

Regards,

Rochelle Ryan

President

[Redacted signature block]



I acknowledge the Ngunawal Peoples, the traditional custodians of this wonderful place where I live and work



Australia's property industry
Creating for Generations

Property Council of Australia



10th April 2024

Subject: Endorsement of Proposed Amendment: Ancillary Accommodation and Student Accommodation Definitions Review

Dear Minister for Planning,

I am writing on behalf of the Student Accommodation Council to express our full support for the proposed amendment outlined in the document titled "*Ancillary Accommodation and Student Accommodation Definitions Review*." We believe that this amendment is a crucial step forward in aligning regulatory frameworks with the evolving needs of student accommodation in South Australia.

Who is the Student Accommodation Council?

The Student Accommodation Council is the peak industry group representing purpose-built student accommodation (PBSA), a unique asset class owned and operated by the private sector and currently providing over 76,500 beds to students across Australia in over 200 buildings. The Student Accommodation Council is a newly established division of The Property Council of Australia created to advocate on behalf of this growing sector.

The ten founding members of the SAC account for the majority of PBSA beds in Australia. These members are Scape, Journal Student Living, GSA and Yugo, Iglu, UniLodge, Campus Living Villages, Student One, Wee Hur and Y-Suites, Cedar Pacific and Pamoja Capital, Centurion and Dwell.

There are 23 PBSA developments in the City of Adelaide alone, and the state supports 6,700 beds in total. The vast majority of these beds are owned or managed by our members.

Most PBSA buildings currently in planning or recently developed offer studio rooms that incorporate individual kitchenettes – this allows the resident access to their own kitchen for basic meal preparation, as well as the communal kitchens common in PBSA buildings.

Ancillary Accommodation Amendment

One of the significant advancements in Purpose-Built Student Accommodation (PBSA) developments is the inclusion of individual kitchenettes for residents. This feature enhances the quality of living for students, providing them with greater autonomy and flexibility in their daily routines. Even though the vast majority of PBSA buildings currently being

developed or recently developed already incorporate kitchenettes within rooms, the current regulatory landscape may pose challenges to the implementation of such amenities.

This is because the current legislation states:

Under Part 7 – Land Use Definitions of the Code, student accommodation:

Means premises used to accommodate students in room or dormitory style accommodation that is not self-contained and that includes common facilities for shared use by student occupants such as:

- a) shared cooking facilities and/or the provision of meals;*
- b) common rooms and recreation areas;*
- c) shared laundry facilities or a laundry service; or*
- d) shared bathroom facilities*

This means that many PBSA buildings which provide residents with the flexibility of their own individual kitchenettes (by far the norm in nationally and internationally) are not actually compliant with the definitions of student accommodation within the Code.

The proposed changes offer a more comprehensive and nuanced definition of student accommodation, which includes provisions for ancillary facilities such as individual kitchenettes. By explicitly recognizing these amenities within the regulatory framework, this amendment helps facilitate the development and expansion of PBSA projects that meet the evolving expectations of students.

As advocates for the student accommodation sector, we commend the efforts of the planning authorities in proactively addressing the regulatory framework's shortcomings and adapting to changing demographic trends and student preferences. We firmly believe that this amendment will foster innovation, investment, and sustainable growth in student accommodation developments while ensuring compliance with relevant standards and regulations.

In conclusion, the Student Accommodation Council stands behind the proposed amendment and encourages its swift implementation for the benefit of students, educational institutions, and the broader community.

Thank you for considering our input and for your ongoing commitment to enhancing the quality of student accommodation in South Australia.

Sincerely, Yours sincerely



Torie Brown | Executive Director
Student Accommodation Council

Our ref: LRH/223013

15 April 2024

Ms Rhiannon Hardy
Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

By email: rhiannon.hardy@sa.gov.au
plansasubmissions@sa.gov.au

Dear Rhiannon,

Submission – Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment

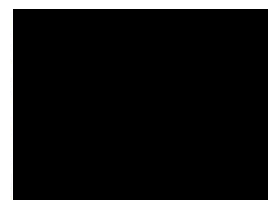
Thank you for the opportunity to comment on the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment (**Code Amendment**). We make the following submissions on behalf of affected clients.

Application of ancillary accommodation definition to group dwellings

The Code Amendment seeks to address the current housing crisis by encouraging diverse housing options which support housing affordability and ageing in place. The proposed amendments to the definition of “ancillary accommodation” in the Planning and Design Code (**Code**) to support self-contained housing units goes some way to achieving this however it is apparent that there is uncertainty in the application of the definition where dwellings are not contained on individual allotments.

We act for a developer proposing to construct ancillary accommodation units at the rear of existing group dwellings. The proposal is currently the subject of an appeal in the Environment, Resources and Development Court which has been adjourned pending the outcome of the Code Amendment. One of the issues in dispute is whether the proposed units fall within the current definition of ancillary accommodation because they are located on the same allotment as more than one existing dwelling even though they are each ancillary to only one dwelling, and share a site with that dwelling.

One way to resolve the ambiguity would be to divide the existing group dwellings in a Community Scheme such that the proposed ancillary accommodation units are only located on the same allotment as the dwellings to which they are ancillary. This is undesirable for a number of reasons, not the least of which is the significant time, cost and uncertainty involved in pursuing an application for the division of land.



It is not uncommon for group dwellings to be located on a single Torrens title allotment rather than individual allotments within a Community Scheme. Such is often the case for purpose built rental housing where it is easier and more cost effective to manage the property as a single landholding.

It is apparent that this uncertainty around the interpretation of the definition could affect a number of proposals for housing units which are ancillary to group dwellings. That is obviously undesirable, particularly given the renewed importance of urban infill growth as highlighted in the recent Greater Adelaide Regional Plan Discussion Paper.

Proposed amendments

In light of the above, we submit that the definition of “ancillary accommodation” in the Code be amended as follows:

Ancillary accommodation means accommodation that:

- (a) is located on the same allotment as an existing dwelling **site as the existing dwelling to which it is ancillary**; and*
- (b) can be (but need not be) a self-contained residence; and*
- (c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and*
- (d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, wastewater system or waste control system) to those servicing the existing dwelling **to which it is ancillary**.*

The longstanding policy intention behind the definition of ancillary accommodation is that “granny flat” type developments be ancillary to a main dwelling on the same site. The fact that there may be *other* dwellings on the same allotment is not inconsistent with that policy intention.

By replacing “allotment” with “site”, the proposed amendments would also bring the definition of ancillary accommodation in line with other relevant definitions in the Code, including:

Detached dwelling: *Means a detached building comprising 1 dwelling on its **own site** and has a frontage to a public road, or to a road proposed in a plan of land division that is the subject of a current development authorisation*

Group dwelling: *Means 1 of a group of 2 or more detached buildings, each of which is used as a dwelling and 1 or more of which has **a site** without a frontage to a public road or to a road proposed in a plan of land division that is the subject of a current development authorisation.*

Outbuilding: *Means a non-habitable detached building on the **same site as a main building which is ancillary** and subordinate to the main building and has a use and function which relates to the main building, but does not include a private bushfire shelter.*

There is significant public benefit to supporting ancillary accommodation on sites which contain group dwellings. They often provide a more affordable housing option in established suburbs which are well serviced by existing social and transport infrastructure. It would be an unfortunate planning outcome if the urban infill potential of group dwellings is significantly compromised due to mere technicalities in the wording of a definition in the Code.

We would welcome an opportunity to discuss the above proposed amendments further, if necessary.

Yours faithfully

A handwritten signature in blue ink that reads "Lydia Hart".

Lydia Hart
BOTTEN LEVINSON



Updating the definitions of ancillary and student accommodation

LGA Submission

April 2024

[Redacted]

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Introduction

About the Local Government Association of South Australia

The Local Government Association of South Australia (LGASA) is the voice of local government in South Australia, representing all 68 councils across the state and the Anangu Pitjantjatjara Yankunytjatjara.

The South Australian *Local Government Act 1999* recognises the LGA as a public authority for the purpose of promoting and advancing the interests of local government. The LGA is also recognised in and has prescribed functions in 29 other South Australian Acts of Parliament. The LGA provides leadership, support, representation and advocacy relevant to the needs of our member councils.

The LGASA is a strong advocate for policies that achieve better outcomes for councils and the communities they represent. As such, the LGASA welcomes the opportunity to provide a submission to this consultation on Updating the definitions of “ancillary accommodation” and “student accommodation” in the Planning and Design Code.

This submission has been informed by consultation with our membership and existing policy positions.

LGA Submission

Overview

The State Government of South Australia has taken decisive steps to enhance housing accessibility and affordability across the region. These measures are geared towards fostering a more inclusive and sustainable housing landscape. Key initiatives include:

- Eliminating stamp duty for eligible first-time homebuyers embarking on new home purchases, thereby facilitating smoother entry into the property market.
- Unveiling the largest-ever land release for new housing developments, a move projected to cater to over 50,000 South Australians, spanning both northern and southern regions of the city.
- Bolstering renters' rights through measures such as reduced bond costs and the prohibition of rent bidding, aimed at curbing the escalation of rental prices and fostering a fairer renting environment.

While these initiatives mark significant strides towards long-term housing improvement, they only scratch the surface of addressing the pervasive housing crisis in South Australia. With the state experiencing a continuous influx of workers, students, retirees, and migrants, the existing housing stock falls short of meeting the burgeoning demand. Recent reports indicate alarmingly low vacancy rates, underscoring the severity of the housing crunch as an economic barometer.

In the past, granny flats in South Australia were considered ancillary accommodation, which came with restrictions that limited their ability to be fully self-contained. This classification was intended to assist aging relatives or accommodate expanding families within tight living spaces. However, with the recent updates to the definitions of ancillary and student accommodation, the State Government is striving to ease housing pressures and encourage more adaptable living arrangements. While these changes are expected to have a positive effect, their magnitude may be relatively modest.

Part A – Ancillary accommodation

DTI PLUS states the definition for ancillary accommodation is being changed in response to the current housing crisis, as well as the need for a greater range of housing options. This proposed amendment is expected to increase the supply and diversity of affordable rental stock.

LGA supports the proposed change which provides the option for ancillary accommodation to be self-contained. However, despite the intention of the change, the proposed code amendment retains the restriction preventing ancillary accommodation from having separate connections to utilities and services. This creates an issue where the term “ancillary accommodation” for the purposes of increasing rental stock, fundamentally changes the definition where the intended function is no longer ancillary in its purpose.

Changing the definition changes the function

The term "ancillary" traditionally denotes a supportive or supplementary role, often in relation to a main function or purpose. However, the recent amendment to the definition of "ancillary accommodation" introduces a significant departure from its original concept. This amendment broadens the scope to include residences situated on the same allotment as an existing dwelling, regardless of their self-contained nature.

While this expansion aims to address the pressing need for affordable rental housing, it fundamentally alters the essence of "ancillary accommodation." The addition of the phrase "can be (but need not be)" introduces a notable distinction in characteristics and land use implications. This syntactical shift delineates two distinct categories: one comprising ancillary accommodation and the other not. This may lead to complexity in assessment resulting in delays and potential conflict between property owners and councils.

Consequently, the term "ancillary accommodation" no longer accurately reflects its traditional concept of supportive or supplementary housing. Instead, it now encompasses a wider array of residential accommodation types, blurring the line between what constitutes ancillary and non-ancillary dwellings.

Examples from other States

NSW

Within the framework of the New South Wales (NSW) planning system, the Principal Local Environmental Plan delineates two accommodation types sanctioned for installation on a single land allotment alongside another dwelling, each with its own connections and self-sufficiency. These accommodation types comprise:

a) Secondary dwelling: Intended as an ancillary unit to the primary dwelling on the property, the secondary dwelling is self-contained and subject to land-use restrictions prohibiting subdivision. Its size is constrained by floor space ratios relative to the primary dwelling, encompassing structures commonly referred to as granny flats.

b) Dual occupancy: Whether attached or detached from the main dwelling, a dual occupancy unit functions autonomously, devoid of reliance on the primary dwelling. This accommodation type holds the potential for subdivision and is not bound by height restrictions concerning floor space ratios.

This delineation offers clarity and flexibility within the NSW planning framework, accommodating various housing needs while maintaining regulatory oversight and land usage guidelines.

QLD

In QLD, a secondary dwelling is:

- a dwelling on a lot that is used in conjunction with, but subordinate to, another dwelling.
- a secondary dwelling is referred to as a granny flat and can be a maximum of 80m² in size.
- The secondary dwelling must be located within 20 metres of the dwelling house.
- Before 2022, the secondary dwelling was required to be occupied by persons who form part of one household with the primary dwelling.
- The Queensland Government recently amended the Planning Regulation 2017 to allow property owners to rent secondary dwellings to non-household members.

VIC

In VIC, a small second home is a dwelling that:

- is 60 square metres or less with a kitchen, bathroom, and toilet, located on the same lot as an existing home.
- must not be connected to reticulated natural gas.
- does not require a car parking space.
- Anyone can live in or rent-out a small second home, including a family member, dependent person or unrelated persons.

Recommendation 1:

- either revise the definition of ancillary accommodation to better serve the objective of increasing affordable rental stock or establish a new category of residential accommodation tailored to meet this specific purpose and function.

Impacts on future Tenancy Agreements

This amendment now permits ancillary accommodation to include amenities such as kitchens, bathrooms, and laundry facilities without separate connections to utilities and services. This will bring South Australia into line with other States (see above definitions). While seemingly beneficial, this change poses challenges in presenting ancillary accommodation to the rental market, which is the objective of this amendment.

LGA holds the view that retaining the restriction preventing separate connections will have unintended consequences where it will lead to an increased number of residential tenancy disputes being raised with SACAT, thereby creating additional workload and pressure in that space.

It is highly likely that any self-contained ancillary accommodation that is presented to the rental market without separate connections will create complexities in lease agreements such as:

- The inability to apportion costs accurately and reasonably between lessee and lessor, especially in circumstances where the arrangement is for a residential tenancy agreement for transactional purposes, and the lessee is not a family member or relative.
- It will create confusion and ambiguity regarding rights of the use of the land i.e. private open spaces, driveways and carparking etc.

- Potential disputes over maintenance responsibilities between the lessee and lessor due to shared utilities and facilities.
- Increased difficulty in determining liability for damages or accidents occurring within the shared premises.

Recommendation 2:

- The Government engages with CBS and SACAT to determine appropriate conditions for tenancy agreements for self-contained accommodation and those that require the use of the services of the primary dwelling.

Unintended Pathway for Land Divisions

LGA recognises the legitimate concerns of our members regarding the potential ramifications of the code amendment, particularly the unintended pathway it may create for land divisions where the currently defined “ancillary accommodation” could be divided into separate parcels of land. However, it’s important to acknowledge that land divisions can be a natural progression in certain circumstances, particularly when the parcel of land meets the statutory minimum lot size requirements.

While allowing for land divisions based on minimum lot size requirements is reasonable and aligns with established urban planning principles, it is essential to exercise caution and discretion in permitting such divisions. In cases where the minimum lot size criteria are met, the subdivision process can contribute to effective land utilisation and promote sustainable development practices.

Conversely, in instances where parcels do not meet the prescribed minimum lot size standards, permitting land divisions could pose significant challenges and risks. Such divisions may lead to overcrowding, strain on infrastructure, and adverse impacts on the overall liveability and functionality of the community. Therefore, it is necessary to enact provisions within the code amendment explicitly prohibiting land divisions in these circumstances.

By striking a balance between facilitating appropriate land divisions that adhere to established criteria and safeguarding against indiscriminate subdivision practices, policy and decision makers can ensure that the code amendment effectively addresses the need for affordable housing while preserving the integrity and coherence of neighbourhoods and communities.

Recommendation 3:

- The Government investigates this matter further with a view to consult with planning authorities in other States such as QLD i.e. requirement to have the secondary dwelling within 20meters of main dwelling.

Limiting the number and type of “ancillary accommodation”

It’s essential to approach these limitations with a nuanced understanding of the unique needs and characteristics of each community. While imposing restrictions on ancillary accommodation can help manage urban growth and maintain neighbourhood cohesion, it’s equally important to recognise the demand for diverse housing options, particularly in the context of affordable rental housing. Therefore,

any limitations should be carefully calibrated to strike a balance between regulatory control and the provision of adequate housing opportunities for residents.

To prevent the excessive proliferation of ancillary accommodation, it may be prudent to impose a numerical limit on the number of "granny flats" or ancillary dwellings that an individual property owner can establish. This limit can be based on various factors such as lot size, zoning regulations, and the capacity of local infrastructure to support additional housing units.

Recommendation 4:

- A maximum of one ancillary dwelling per property could be allowed, with exceptions made for larger properties meeting specific criteria. By imposing such a cap, policy and decision makers can mitigate the risk of overdevelopment and ensure that residential areas remain balanced and sustainable.

Recommendation 5:

- Maintain the overall size of any ancillary dwelling to 60m²

Preservation of trees and green canopies

An increase in housing options inevitably corresponds to a surge in demographics and population within residential areas. While accommodating this growth is essential for fostering vibrant communities and supporting economic development, it must be done in a manner that prioritises sustainability and environmental preservation. An influx of residents necessitates more space, but this should not come at the expense of vital natural assets such as trees, native vegetation, greenspaces, and canopies.

Recommendation 6:

- The Government should implement minimum open space requirements through a policy review and update to the code.

Consultation with Land Titles Office

With the anticipated rise in the creation of new ancillary dwellings, there will undoubtedly be a corresponding influx of applications seeking unique address identifiers submitted to the Land Titles Office. It is therefore appropriate for the government to liaise and consult with this agency in preparation of the likely increase in applications.

Recommendation 7:

- The State Planning Commission seek direction from the Land Titles Office on the most efficient way to uniquely identify any Ancillary dwellings.

Part B – Student accommodation

Regarding student accommodation, the current policy distinctly outlines that common facilities are provided under the condition that they are not self-contained. However, with the proposal to allow student accommodation to be self-contained, the necessity for such common facilities, including kitchens, bathrooms, and laundry rooms is removed. Consequently, it is important to ensure that individual or shared rooms and shared spaces possess adequate square meterage for public health reasons, and that delineations for common areas are clearly defined.

Recommendation 8:

- The State Planning Commission considers the number of people who can reside in student accommodation based on floor space in consultation with environmental and public health professionals.

Impact on services and provision of healthy spaces

In addition to addressing the immediate housing challenges, it's crucial to recognise the broader impact on community infrastructure and services. As South Australia experiences a surge in population growth due to these housing initiatives, the strain on essential services like water, wastewater management, and community amenities such as parks becomes increasingly evident.

To ensure the sustainability and liveability of communities, it's imperative to allocate funding specifically earmarked for enhancing community infrastructure. This funding should support the expansion and maintenance of water and wastewater systems to accommodate the growing population. Additionally, it should facilitate the development and upkeep of community parks, ensuring that residents have access to recreational spaces that promote health and wellbeing.

By dedicating funding for infrastructure enhancement, we can mitigate the potential strain on services and amenities caused by population growth. This proactive approach not only addresses the immediate needs of residents but also fosters resilient and vibrant communities capable of thriving in the long term.

Recommendation 9:

- That the SA Planning Development Fund is expanded to include student accommodation to cater for increase in use of public open space.

Conclusion

The LGA welcomes the opportunity to provide feedback on these matters. By ensuring the planning system has effective pathways to enhance ancillary accommodation to respond to housing pressures is timely and appropriate. The consideration given student accommodation in this submission aims to ensure that people residing in shared student accommodations have the basic amenities and protections afforded to them.

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