

Hon Nick Champion MP



Government  
of South Australia

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Minister for Planning

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Mr David Reynolds  
Chief Executive  
Department for Housing and Urban Development

By email: [david.reynolds@sa.gov.au](mailto:david.reynolds@sa.gov.au)

Dear Mr Reynolds

I write to advise that under section 73(10)(c) of the *Planning, Development and Infrastructure Act 2016*, I have considered the issues raised during the engagement period and have now determined to adopt the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment.

A copy of the signed Code Amendment is enclosed for your reference.

I note the following key changes have been made to the Code Amendment following the consultation period:

- Increase the maximum floor area criteria from 60 to 70 square metres to support living amenity within ancillary accommodation.
- 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.
- 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.
- 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.
- Refer to a 'site' instead of an 'allotment' in the definition of ancillary accommodation, consistent with other definitions.
- 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'.

In adopting the Code Amendment, I am of the view that the changes provide more flexible and diverse housing options by allowing ancillary accommodation and student accommodation to be self-contained, in that they may have their own bathroom, kitchen and laundry.



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The Code Amendment will come into effect when consolidated into the online Planning and Design Code and published on the PlanSA Portal online at [https://code.plan.sa.gov.au/home/browse\\_the\\_planning\\_and\\_design\\_code?code=browse](https://code.plan.sa.gov.au/home/browse_the_planning_and_design_code?code=browse). Planning and Land Use Services (PLUS) will advise you once deployment has been scheduled.

A copy of the Engagement Report is available to view on the PlanSA Portal online at [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments).

Thank you for leading the process and completion of the Engagement Report for this important Code Amendment.

For further information, please contact Mr Marc Voortman, Director, Planning, PLUS on (08) 7133 2234 or by email to [marc.voortman@sa.gov.au](mailto:marc.voortman@sa.gov.au).

Yours sincerely



**Hon Nick Champion MP**  
Minister for Planning

18/11 / 2024

Encl. Signed Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment