

Draft Future Living Code Amendment: proposed supporting regulatory changes

To ensure that co-located housing is developed and maintained in the way it is intended, supporting changes to planning regulations would need to be made and new conditions would need to be included as part of their planning consents.

Planning, Development and Infrastructure (General) Regulations 2017

Approval for fencing within a co-located housing development

Co-located housing developments will be designed to maintain visibility between living areas and communal open space, avoiding internal fencing and other obstructions to promote passive surveillance across the site.

Currently fencing up to 2.1 metres high does not require development approval. A change in the regulations is proposed that would require approval for fencing within the co-located housing development.

Schedule 4 clause 4(1)(d) of the regulations, which exempts fencing up to 2.1 metres in height from requiring development approval, would be amended to require approval for:

- a fence in the Co-located Housing Overlay under the Planning and Design Code that is not located on a boundary with land outside of the subject co-located housing development.

Note: current front fencing restrictions in the Historic Area Overlay will continue to apply, as well as these additional requirements for within the co-located housing development.

Additional information required for a co-located housing planning application

The planning application for a co-located housing development will require a similar suite of drawings as other forms of housing development. These include a site plan, floor plans and elevations showing the buildings' heights, setbacks and materials.

However, due to the way co-located houses share the block, and because such applications are likely to create more dwellings than would be allowed in other forms of development, the drawings will need to clearly demonstrate functionality and amenity within the development itself, as well as how they relate to neighbours.

Proposed changes to Schedule 8 of the regulations would require the following additional information for a co-located housing planning application:

- site plan showing:
 - the footprints of the dwellings on the site and of the immediate neighbours
 - how the site is proposed to be used, including areas for shared facilities, common outdoor areas, private outdoor areas, shared car parking, rubbish bin storage and washing lines
 - which existing buildings/structures are to be removed/demolished to accommodate the proposed co-located housing development
- floor plans showing fixed and loose furniture that demonstrates functionality and amenity.

Examples of combined site plans/floor plans are included in the Explanatory Guide for Co-located Housing, available on the [YourSAy website](#). These show the type of detailed plans required to describe the functionality and amenity for both the homes and the site.

For co-located housing creating more than 6 community lots, the current requirements in Schedule 8 can be used to ensure there is a scheme description that defines common/shared and private areas associated with each of the community lots.

The community titling aspect of co-located housing development will be critical to consider at the time of assessment, so it is also proposed that a requirement be included that:

- in the case of an application for co-located housing, both the land use and land division components of the development must be lodged together for assessment purposes.

New planning conditions

Changes to State Planning Commission's [Practice Direction 12 \(Conditions\) 2020](#) are proposed to require any planning consent for co-located housing to include one of the following conditions:

- applications for co-located housing involving more than 6 residential lots: common and private areas set out in the scheme description provided as part of the application must be maintained in accordance with that scheme description.
- applications for co-located housing involving 6 or less residential lots: common and private areas relating to each lot must be maintained in accordance with approved plans.

This aims to ensure any changes to the approved arrangements over time are enforceable.

The conditions will also be flagged on the sale of an individual property so new purchasers will be made aware of common and private areas within the co-located housing development.

Further information

Find out more about co-located housing and the draft Future Living Code Amendment, including details of community information sessions and how to share your feedback by 7 November 2024, on the YourSAy website at: yoursay.sa.gov.au/future-living.