This submission form is being used to collect feedback from practitioners and the community on the Planning and Design Code in the outback (land not within a council area). It will help us consolidate comments under specific themes so that we can more easily identify trends and consider feedback according to the zone, overlay or general module to which it applies. Your input will ensure that the new planning and development rules for the outback meet the planning needs of rural South Australians and address planning issues relevant to land outside of council boundaries.

Please send your completed submission form to:

Jason Bailey, Project Lead Planning and Design Code
Department of Planning, Transport and Infrastructure
Level 5, 50 Flinders Street, Adelaide 5000
GPO Box 1815, Adelaide SA 5001
Email: DPTI.PlanningEngagement@sa.gov.au

Section one: About you

1. Are you a planning, design or building industry professional?
   ☒ Yes
   ☐ No

   If yes, please choose the professional field that best describes you from the drop-down list below:

   Planning

2. Are you lodging this submission on behalf of yourself or an organisation?
   ☒ Self
   ☐ Organisation

   If you are lodging a submission on behalf of an organisation, please provide the name of your organisation below:

   Click here to enter text.

3. What council (or non-council) area do you typically reside in?

   Marion

4. If you wish to receive a report on the feedback received during this consultation, please provide your name and email address.

   Name: Rob Tokley
Section two: Feedback on the Planning and Design Code in the outback

5. Please provide your feedback on any or all of the Code sections outlined below.

PART 4 - GENERAL MODULES

Design and Siting

PO 2.4 - Insert “the” before roofline
DTS 6.1 – The words “upper building level” should be re-worded
PO 7.3 – amend 7.3(a), to read “...and the form of development contemplated on adjoining land” (or similar). (Similar wording is used in Interface Between Land Uses 3.3(a)
PO 8.1 – Should read “Fences, walls and retaining walls alongside and rear boundaries...”

Interface between Land Uses

DTS 3.2 – There is no assessment criteria to consider overshadowing upon upper level private balconies, however, these areas are listed in PO 3.2 for consideration

Land Division

DTS 3.1 – Clarity should be provided regarding “more than 20 allotments”. Should this read “more than 20 additional allotments”? I appreciate this is the same approach to Section 198 of the PDI Act. There could be instances where, say, 10 existing allotments are divided into 21 allotments and would therefore be required to provide open space – yet create only 11 additional allotments. Furthermore, given this is a requirement of the Act, is it necessary to include in the P+D Code?
DTS 3.2 – Some Development Plans exclude land steeper than 1:4 to be included in the public open space calculation, due to a lack of usability and difficulty in obtaining access for maintenance etc. It is suggested DTS 3.2 be revised in this regard

Open Space and Recreation

PO 2.1 – Suggest this be re-worded to read, “Open space and recreation facilities maximise frontage to public roads address adjacent public roads to maximise passive surveillance and to optimise pedestrian access and visibility”
PO 2.2 – Replace the term ‘pedestrian’ for ‘user’ or ‘visitor’.
PO 3.1(a) – include the words “and other nearby places of interest”

Residential Liveability

PO 1.2 – consider including wording regarding non-residential impacts and impacts from adjoining land
PO 3.1 – should communal open space be provided with minimum dimensions (say, 5m x 5m)? Also consider additional criteria, such as “not be located adjacent bedrooms”
DTS 6.1(e)(i) and (ii) – should be amended to acknowledge adjacent walls on the same boundary, or “within 1m of that same boundary”

DTS 6.1(f) – Could become 6.1(e)(iii)

DTS 6.1(g) – should be re-worded; “will not be located within 3m of any other wall along the same boundary of that site unless on an adjacent site on that boundary unless there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure”

DTS 6.2 – Cap of 40m2 for all existing and proposed ancillary buildings seems a little superfluous when there could be many outbuildings constructed as Accepted Developments at 40m2. Also considered overly restrictive when considering the typical size of low density allotments.

**Transport, Access and Parking**

**General** – Transport, Access and Parking criteria are not listed as Deemed-to-satisfy Requirements for Carports and Outbuildings.

DTS 3.5 – Only refers to “removal or relocation of mature street trees”, however, should include reference to ‘damage’ to mature street trees – such as root severance or lopping/pruning. Also considered inconsistent with Accepted Development criteria.

DTS 3.6 – Maximum crossover width of 3.5m seems overly restrictive for a site of up to 20m in width. Maybe consider this requirement for a frontage of less than 10m (this would allow a parking space adjacent upright kerbing). For sites 10m – less than 20m consider maximum of 4.5m.

**PART 6 – LAND USE DEFINITIONS**

Retail fuel outlet – not listed alphabetically

**PART 7 – ADMINISTRATIVE DEFINITIONS**

- ARI – a hyphen should be removed between ‘means’ and ‘average’
- Battle-axe allotment – you may wish to refer to McGreevy v City of Marion for Court’s interpretation
- Building level has ‘means’ repeated
- Gross leasable floor area – case law requires the area to be measured inclusive of wall thicknesses. May wish to consider re-wording
- Habitable room – minimum dimensions would be helpful, as often a habitable room is no more than an enlarged hallway with a window presenting to street
- High Density and Medium Density have same definition
- Hours of Operation – consider whether administrative (office) functions of a use should be included or excluded in this definition
- Private open space – consider removing “front gardens” from definition, as passive surveillance of street is important and encouraged
- Private open space – provide clarity regarding what “enclosed on all sides” means – by building, fencing etc

**PART 8 – REFERRALS TO OTHER AUTHORITIES OR AGENCIES**

- Format of table should be in landscape, rather than portrait
- No referrals to DPTI for development on/adjacent arterial roads?
Section three: Evaluation of this engagement

Please tell us if you agree or disagree with the following statements:

1. I feel well-informed about the proposed Planning and Design Code for the outback (land not within a council area).
   
   Strongly agree
   
   If not, why not? What information was missing?
   
   Click here to enter text.

2. The information provided on the new Planning and Design Code for the outback was clear and understandable and enabled me to take an informed view.

   Somewhat agree

   If not, what was unclear and how could we have made it easier to understand?
   
   Click here to enter text.

3. I understand how the Planning and Design Code may affect me and/or my community.

   Neither agree nor disagree

   If not, what further information would have been useful to better understand how you might be affected by the draft State Planning Policies?

   Awaiting Regional and Metropolitan versions of P+D Code

4. I understand how my feedback will be used in the preparation of the final Planning and Design Code for the outback (land not within a council area).

   Somewhat agree

   If not, tell us how we can better communicate with you about how your feedback will be used.
   
   Click here to enter text.

5. I feel that I have had a genuine and adequate opportunity to have my say on the proposed Planning and Design Code for the outback (land not within a council area).

   Strongly agree

   If not, please tell us how we can improve our engagement with the community and what further opportunities you would like to have input.

   Click here to enter text.

6. I would be willing to participate in future consultations related to the Planning and Design Code.
Strongly agree

If not, please tell us what would prevent you from participating in future consultations related to planning policy.

Click here to enter text.