



## FACT SHEET

### Frequently Asked Questions

## WHAT REQUIRES DEVELOPMENT APPROVAL?

A Development Approval notice issued by councils in South Australia is a legal document that confirms approval (probably with conditions) for an action including change or creation of a land use, some form of construction or a land division.

There is normally a specified time frame for commencement and completion of the action approved. The process would normally start within a year and be completed within 3 years. Extensions may be granted.

### The Types of Approval

Development approval can include one or more of the following types of consent:

- Development Plan Consent (Planning Consent)
- Building Rules Consent (Building Approval)
- Land Division Consent

Development Approval will not be granted until each of the different types of consent that are required for a development have been issued. For example construction or alteration of a building requires both Development Plan Consent and Building Rules Consent.

Development Plan Consent can normally only be issued by a council. Building Rules Consent can be issued by a council or a private certifier.

### Land Division

There are a range of authorities and steps associated with land division approvals including assessment by the Development Assessment Commission (DAC), the local council and the Lands Titles Office.

Some land division applications which involve building proposals or the division of land into areas less than council Development Plan guidelines (for example the division of corner allotments or hammerhead allotments) can be more efficiently processed through an initial assessment of planning and building implications by an application to council.

### What Requires Approval

As a general rule it is safe to assume that in order to avoid prosecution or a fine Development Approval is required for most actions including, for example, building or extending a structure (including a shed or garage, verandah or carport), internal alterations to a structure, demolition, signs and the establishment or change of a land use.

It is important to note that if a property has an existing established use that can normally continue even if under current laws it may not be permitted. This situation can change if (for example) an application is made to extend or alter the current use or building there may be restrictions or conditions imposed by authorities as part of the Development Approval process. These conditions may relate to either or both planning or building requirements.