



FACT SHEET

Frequently Asked Questions

WHAT IS TOWN AND URBAN PLANNING?

The Reason

Town and urban planning and related “planning approval” (Development Plan Consent) is the process used by government to control and direct construction of structures and changes to land use in South Australia.

This process is exercised through legislation (in South Australia the Development Act as amended with associated Acts and Regulations).

Most of the hands on control is applied by local councils on the basis of a council area Development Plan which includes zoning of land areas in association with various forms of written policy and guidelines.

The Process

Negotiating the approval of planning applications through a council can be a complicated process. In most cases it is a significant advantage to have application documents prepared by a professional planner.

It is likely that council planners will ask for further information and amendment possibly on a number of occasions. Some requests (such as site drainage and sun penetration) can result in a requirement for specialist advice.

Although the Development Act places time schedules on the consideration of applications by council these schedules are affected by the process of responding to requests for amendment or further information.

The Detail

Planning applications are provided with a category by council planners which define the basic process which can include advertising the application, receiving comments from the public and a right or not of court appeal in relation to a decision.

Planning applications are assessed in South Australia by Development Assessment Panels (DAP) within each council area. Development Assessment Panels are composed of elected councilors and independent nominated members. The nominated members are in the majority.

Some planning applications are classified as “Non Complying” and as a result the process of approval is more complicated and there is no right of appeal.

Building Work

Where a planning application involves building work a building approval (Building Rules Consent) is also required. Planning and building approval combined lead to a “Development Approval” from council as a basis for constructing the project.

Building approval can be an extension of planning approval and therefore implications of the Australian Building Code should be considered at the planning application stage in order to avoid possible complications and delays as the result of a conflict between legislative requirements.

Land Division

Land division consent is a process administered through the Development and associated Acts. Professional planning advice is an advantage particularly where existing urban allotments and buildings are involved.