

### Introduction

All development, as defined by the *Planning, Development and Infrastructure Act 2016* requires a development approval.

A Development Approval consists of the following Consents:

- Planning Consent
- Building Consent (other than for land divisions and Regulated Trees)
- Land Division Consent (for land divisions only)

To get a Development Approval, a development application for each consent needs to be submitted via the [Plan SA portal](#) and not directly with council.

### How are applications assessed?

After a development application has been lodged, it is assessed by a relevant authority for a decision.

How a development is assessed depends on the complexity of what is being proposed and its location.

The timing of a development approval depends on its assessment pathway and the completeness of the application.

Once the required Consents have been granted, a Development Approval is issued by Council (within 5 business days).

### Planning Consent

Required for development that may have a planning impact on its surrounding area, for example:

- building or extending a house
- changing the use of land from an office to a shop
- removing a significant tree.

Planning consent is granted by assessing the development against the planning policies within the Planning and Design Code to minimise any negative impacts on the surrounding area. A negative impact may be overlooking, overshadowing, increased noise or poor access.

Planning Consent is usually decided by:

- Council's Assessment Manager
- Council Assessment Panel (see below)
- [an independent accredited professional](#) (for Deemed-to-satisfy developments only).

For development applications that require public notification and attract submissions against the proposal where representors want to be heard, applications are decided by the Marion council Assessment Panel.

### Building consent

Required for development that involves building work, for example:

- building a carport or garage
- building a swimming pool
- demolition.

Building consent is granted by assessing the development against the Building Code of Australia to ensure building work will be undertaken in a safe and compliant way.

A building consent may be required even if no building works are proposed. This is because a change in land use may require different building fire safety requirements.

You can choose to have your building consent granted by:

- Council's building officers; or
- [an independent accredited professional](#).

### Land Division consent

Required for development that involves the creation, movement or deletion of land boundaries, for example:

- moving the boundary between two allotments
- subdividing land into two or more allotments

Depending on the land division, additional criteria may apply to achieving conditions (such as utility connections). More information can be found within our **Land Division Fact Sheet**.

### Timeframes

The *Planning, Development and Infrastructure Act 2016* prescribes statutory timeframes in which a development must be assessed and approved.

A 5 business day verification period applies at the start to ensure all information is received, and confirm the assessment pathway.

Planning Consent timeframes (additional to verification period):

Assessment pathway	Business days
Deemed to satisfy	5
Performance assessed - no public notification and no referral	20
Performance assessed - no public notification with referral required	50
Performance assessed - public notification required	70

Building Consent timeframes:

Development type	Business days
Class 1 or 10	20
Class 2 to 9	60

Land division Consent timeframes are 60 business days.

For performance assessed developments, the assessment 'clock' stops if the assessment authority or a referral agency asks the applicant to provide additional information. Generally, 12 weeks is allowed for more information to be provided. The assessment 'clock' restarts when the information is received.

### Public Notification

Some development applications may need public notification as part of their assessment. Council will write to adjacent landowners (within 60 metres) and a sign must be placed on the land (either by Council or applicant).

Public notification is for a 15-business day period.

Note that most development applications do not require public notification, and this is set out within the Planning and Design Code. Council has no role in determining whether a proposal is excluded from Public Notification.

At the end of the assessment process the relevant authority determines whether to grant or refuse the consent. The authority making the decision will depend on whether objections have been received or not.

Once a decision has been made, you'll receive a Decision Notification Form (DNF) which details;

- conditions attached to the approval,
- notes for information about ongoing obligations; or
- any rights of review to the decision.