



INFORMATION SHEET NO. 39

Development Application Overview

Why is a Development Application required?

An application is required so Council can assess the appropriateness of an intended land use (i.e. industrial, residential, commercial), the structural soundness of buildings and the impact of the development on the local area.

What is Development Approval?

The Council assesses hundreds of development applications per year and your development application can be assessed more efficiently depending on the detail and quality of information provided with your application.

The core function of Council's professionally qualified planning and building staff is to efficiently process (assess) development applications. An application may be required for development such as fences (eg. in a Historic Conservation Policy Area), verandahs, dwellings, sheds and garages, decking, land divisions and rainwater tanks in some instances.

A Development Approval (once issued by Council), is a document that allows you to undertake a development (i.e. construct a garage, shed, house extension). Development Approvals have been put into place to protect individuals, the community and environment. Undertaking development or building work without an approval is illegal and potentially dangerous. Should your building work cause damage or an accident to occur and no valid development approval is in place, then your insurance may not be valid and you and/or your builder may be liable for damage caused to a person/s property. Development may affect you, your neighbour and the community for years to come and a Development Approval is required to ensure that the development is consistent with the Council's Development Plan, (its vision for a particular area). Not obtaining the relevant approvals may also inhibit your ability to sell your property in the future.



A Development Approval will specify the development, design, conditions and other details that the development must comply with. The Development Approval will also specify the timeframe that the development should occur within.

A Development Approval in most instances will be made up of one or more types of Consent, explained below and the type of consent required depends on the type of development:

Development Plan Consent (Planning Consent)

- A Development Plan Consent is undertaken by a planner who assesses the Application against the relevant provisions of the Development Plan and process the application in accordance with any procedural requirements set out in legislation. This may include a referral to a State Government Agency (eg. EPA) and may require public notification where Council advises neighbours in writing of your application and provides the opportunity to make comment.

*Please note the information contained herein is intended as a guide only.
Further clarification may be obtained by contacting the Council on 8525 3200.*

Building Rules Consent

- Development that involves the construction of a building or structure in most instances requires Building Rules Consent (eg. building a shed or verandah).
- Building Rules Consent is dealt with by a qualified Building Officer who assesses the application against the technical requirements of the Building Code of Australia and other relevant Australian Standards or Ministers Specifications. In general, this assessment covers issues such as structural adequacy, fire safety, health and amenity, disabled access and energy efficiency.
- Building Rules Consent can be issued by either the Council or a "Private Certifier". A private certifier is an independent practitioner registered by the State Government to carry out and issue Building Rules Consent.

Land Division Consent

- Development that involves the realignment of boundaries between properties or creation of new allotments requires Land Division Consent. Some leases also require consent. Land Division Consent is dealt with by a planner after referring the application to other professional staff for assessment such as engineers, environmental health and building officers to ensure compliance with other Acts and Australian standards.
- Please refer to Information sheet 10 for a detailed account of the land division process.

Why are the different types of consent required?

Development often involves two types of consent. There are different types of consent because different professionals need to assess different aspects of the development. The most common form of development requires both Development Plan and Building Rules Consents. For example an assessment of a dwelling will require an assessment from a planner who considers its location, setbacks, appearance, driveway location/gradient, overlooking, overshadowing and other matters from the Council's Development Plan. The assessment from the Building Officer then checks the structural integrity of the structure through assessment against the Building Code of Australia. No building work or development can start until a full development approval has been obtained, which usually comprises both consents as referred to above.

What is a Development Plan?

The Development Plan is a document which provides planners with guidelines to follow during the development assessment process. Each Council area has its own Development Plan and its detail can differ greatly between Councils, reflecting the different types of areas such as coastal, rural, Hills face, suburbs, and industry etc.

The Development Plan separates land within each Council area into a number of different zones. For each of the particular zones (e.g. Residential or Industrial Zone), the Development Plan will outline what sort of land uses are desired for that zone. The diversity between zones is important and zones have different policies to maintain the diversity and unique character. Differences in zones include not only the types of uses but also other development features such as setbacks, height, allotment size, building style etc.

The Development Plan also outlines various objectives, principles and policies which further control and affect the design and other aspects of proposed developments. These policies can cover a range of social, environmental and economic matters. Development Plans can also spell out the desired character for different parts of the area they cover. The basic structure of a Development Plan in South Australia is relatively consistent, but the policy content varies from Council to Council.

As the Development Plan is an assessment tool, it is recommended that Applicants review the Development Plan section which relates to their development before preparing a Development Application.

All Development Plans are available to be viewed or downloaded over the internet at www.sa.gov.au or via the Council website at www.light.sa.gov.au and a hard copy of the Light Regional Council Development Plan can be viewed at both the Kapunda and Freeling Council offices.

The Council has created more than 30 development information sheets and they can be downloaded from the Council's website or provided upon request. The Kapunda and Freeling offices have the full set of information sheets available in their foyer areas.

Staff actively encourage pre-application enquires so that advice and guidance can be provided to enable your application to be processed quickly once it is lodged.