



## What is changing and how will this affect me as a resident?

The *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019* (the draft Regulations) will replace the current Regulations (*Development Regulations 2008*) from mid-2019.

This fact sheet outlines the key elements of the new development assessment system to help residents understand what it means for them.

The draft Regulations are on consultation Wednesday 16 Jan until Friday 1 March 2019.

### What are the key changes in Development Assessment for South Australia?

The key changes brought about from the Planning, Development and Infrastructure Act (PDI Act) and draft Regulations include:

- ability to undertake more types of common home improvements without needing planning approval
- new requirements to advertise and erect signage on the site of a proposed development
- longer periods of times to respond to a neighbour's development application
- more certainty in how a development application is assessed, and by whom
- development applications will be able to be lodged online via the state's new SA Planning Portal.



### Who makes development decisions?

The PDI Act introduces a new concept called the Accredited Professional Scheme, which aims to ensure those professionals making planning and development decisions are capable and qualified. The type of development category a proposal falls under will determine which professional is qualified to make the decision.

Under the new scheme, an applicant can lodge a deemed-to-satisfy development application to an accredited planning professional (or the relevant panel's assessment manager), of their choosing, or in certain cases, to an accredited building professional. This aims to enable quicker decisions to be made across the state, so good development can happen.

You can learn more about the various decision-making roles and bodies and the new development categories by watching a video on the [SA Planning Portal](#).

## Public notification

Under the draft Regulations, public notification is required for all 'performance assessed' and 'impact assessed' applications.

The time that the community has to have their say has increased. For complex applications, the time has doubled to 20 business days; and for more straightforward applications, the community will have 15 business days, instead of 10.

Another measure is the requirement to place a sign on the site of the proposed development. This is standard practice across the country; as it provides those who will be most interested in a proposal - the locals - visibility on what is proposed in their local streets and neighbourhoods.

Also, properties within 60 metres of the site must be formally notified by post. The new sign and notification process will replace newspaper advertisements, which can be easily missed.

## A thorough, yet simpler assessment for expected development

The new planning system also brings a range of expected developments, like a house in a residential zone, into a new category that will be subject to a thorough, yet simpler assessment. This type of assessment we call 'deemed-to-satisfy' will also be able to be undertaken by a larger number of accredited professionals across the state, which will enable quicker decisions.






## Enabling decision-making in a timely manner

New measures will also ensure decisions are made in time, by giving applicants the ability to seek a consent where an accredited professional or body have not met their assessment timeframes – this is called 'deemed planning consent'. This is a change from the current system that provides for an automatic 'deemed refusal' if a decision had not been made in time.



## Removing low-risk matters from the new planning and development system

Under the draft Regulations, some types of development will no longer require development approval because they are considered low risk and expected development, which are outlined below.

TYPE OF DEVELOPMENT	PROPOSED EXEMPTION	REASON
<p><b>Fence / retaining wall combinations</b></p> 	Fences on top of retaining walls.	Given that 1.0m high retaining walls can be constructed without needing approval, it makes sense to permit fences to be constructed on top of such structures to provide for a reasonable level of privacy between properties.
<p><b>Water tanks</b></p> 	All water tanks up to 15m <sup>2</sup> (or 60,000 litres maximum) in areas outside of Metropolitan Adelaide.	To enable appropriate bushfire protection measures to be undertaken without requiring approval.
<p><b>Tree houses</b></p> 	Tree houses of less than 5m <sup>2</sup> .	Small structures built for child recreation should not require approval.
<p><b>Woodfire pizza oven</b></p> 	Woodfire pizza ovens (and similar domestic masonry ovens) less than 2m in height.	Domestic kitchens are becoming increasingly common, and result in minimal planning and building impacts (noting that such ovens would still need to meet the Environment Protection Authority's requirements regarding chimney/flue location and smoke impacts).
<p><b>Demolition</b></p> 	Demolition of certain single-storey buildings. However, this does not apply to partial demolition, where the building involves a party wall, or in relation to heritage places.	There are limited relevant assessment considerations in the planning or building rules when assessing demolition of an entire structure/building. Relevant considerations are covered by Safework SA legislation <i>Work Health and Safety Regulations 2012 (SA)</i> .

For more information on the new planning and development system please visit [www.saplanningportal.com.au](http://www.saplanningportal.com.au) or email us on [DPTI.PlanningReform@sa.gov.au](mailto:DPTI.PlanningReform@sa.gov.au).