

Development Applications



CITY OF
MITCHAM

What is a Development Application?

The Development Act, 1993, was set up to provide a legal structure for controlling the use and development of land throughout Australia. The Act does this by defining what constitutes development, and by specifying that such development must receive a planning consent before development begins. In some cases, building consent is also necessary.

Development refers to a wide range of activities including:

- Building work;
- Changes in land use;
- Advertising displays;
- Land division (including strata and community title);
- Any significant tree damaging activity; or
- Modification to a designed heritage item or place.

Whether it is a simple domestic structure or a complex commercial project, a development application is necessary.

Anyone who wishes to undertake development must lodge a development application with the relevant planning authority. This is either the City of Mitcham or the Development Assessment Commission. In rare cases, the planning authority may in fact be the Minister or the Governor.

Some forms of minor building work and structures are actually exempt from this definition of development and do not require approval. However, these are the exceptions rather than the rule and the situation can change depending on where it is and the nature of the work.

The best way to find out if you need consent for your proposal is to enquire at the City of Mitcham.

PLEASE NOTE: no development can begin without a written development approval.

Why is an application necessary?

Within any community there are many varied competing demands. Responsible planning is needed to manage these in a way that uses available resources fairly and in the best interests of the environment, the community and our quality of life. This not only involves creating policies defining our desired out future vision for an area, but also controlling development so this vision can remain true. Obviously, these policies influence which type of development is acceptable.

Any application gives the relevant authority (usually the City of Mitcham) the chance to individually assess development proposals against the various standards set out in the Building Code.

The City of Mitcham has a Development Plan that spells out the preferred character of different parts of the council area, the types of development favoured or discouraged, and the policies and standards against which applications are judged.

Likewise, applications are also judged against the Building Code to ensure the specifications and structural integrity of building comply with set of technical standards, such as essential safety requirements, health, and amenities, and public and disabled access.

The purpose of this process is to promote development that:

- Is appropriate for the zone (business, residence, retail, etc) it is placed in;
- Fits into and enhances the surrounding landscape, both environmentally and visually;
- Is compatible with the future vision for the area and with surrounding development;
- Does not affect the form, character or amenity of the area in a negative way
- Respects the living conditions of nearby residents; and
- Results in structurally sound and safe buildings

How do I go about lodging an application?

First of all, contact the City of Mitcham to confirm whether you need a development approval. If you do, they can advise you on the type of information you'll need to include with your application, how it is likely to be handled, whether the public needs to be notified, if other government agencies will need involved and, of course, to check if your application is consistent with Development Plan policies.

For major development proposals, you may wish to seek professional assistance to help ensure adequate and relevant information is available to minimise delays.

To determine how your development application will be handled, is it necessary to work out what kind of development your application falls into. There are three types of development.

Complying - As listed in the Development Plan or specified in the Regulations. Approval must be granted by the planning authority.

Non-complying - As listed in the Development Plan and is very strongly discouraged, although in special cases where the proposal has substantial merit the Act provided an assessment process. (See information Sheet 8)

Consent - Development which is not specified as either of the above and is individually assessed on merit, having regard to Development Plan policies.

For detailed Information Sheets relating to the development application process please contact the City of Mitcham, Development Services on 8372 8888 or visit our website www.mitchamcouncil.sa.gov.au

The above information is advisory and a guide only to give you a general understanding of the key points associated with the approval system. It is recommended that you seek professional advice or contact the City of Mitcham, Development Services on 8372 8888 or email development@mitchamcouncil.sa.gov.au regarding any specific enquires or for further assistance concerning the use and development of land. Being properly prepared can save you time and money in the long run.