

## **Application for Extension of Time to Development Plan Consent or Development Approval Conditions**

Per Regulation 48 of the Development Regulations 2008 (*"Lapse of consent or approval"*), when a development is granted *Development Plan Consent*, the Applicant has *12 months from the operative date in which to obtain Building Rules Consent* (Development Approval). When a development is granted *Development Approval*, the Applicant has *12 months from the operative date to substantially commence* the development, thereafter for the development to be either *substantially or fully completed within 3 years*.

There are instances where an Applicant is unable to achieve the time frames outlined above and an extension of time is required to seek Development Approval or substantially/fully complete the development works.

Please complete and submit the form located on Council's website [www.burnside.sa.gov.au](http://www.burnside.sa.gov.au) together with payment of the appropriate fee, when applying to Council for an extension to the operable time period for a development authorisation previously issued by Council.

Applications should be lodged at least 20 business days prior to the lapsing of the Consent/ Approval to allow sufficient time for the request to be processed.

### **How is my application for an EOT assessed?**

The decision to extend the operational period of a development authorisation is discretionary. Council's Development Officer's will consider the application against a number of factors, including:

- Whether the Development Plan policies for the areas have changed since the development was approved and, if so, what impact the EOT would have on achieving the applicable objectives and principles of the Development Plan;
- Reasons why the development was not completed within the period;
- The extent of the progress made towards completion;
- The extent of works remaining to enable the development to be completed; and
- Whether it is in the public interest that the development be completed.

Please note, in assessing an application for an EOT, Council is not required to reconsider merits of the planning application.

### **How long may approval take?**

Processing time will depend on the nature and complexity of the proposal and may also be affected by the information you provide in support of your application.

If additional information is required to make a thorough assessment of your application, Council will notify the applicant and not process the application until the requested information is received.

### **How much will it cost?**

An application will not be processed until the required fee has been paid. The fee for an EOT application is **\$102.00** (2018 - 2019). Note that this fee is subject to change each financial year.

### **Please note**

The information contained here is offered as a guide only. Whilst Council staff is on hand to assist, you may also wish to seek advice from a professional planning consultant. If you need to make an application, time may be saved if you are thoroughly prepared.

### **Further information**

For further information regarding fees and payment options please contact Council's Development Services department on 8366 4244.