

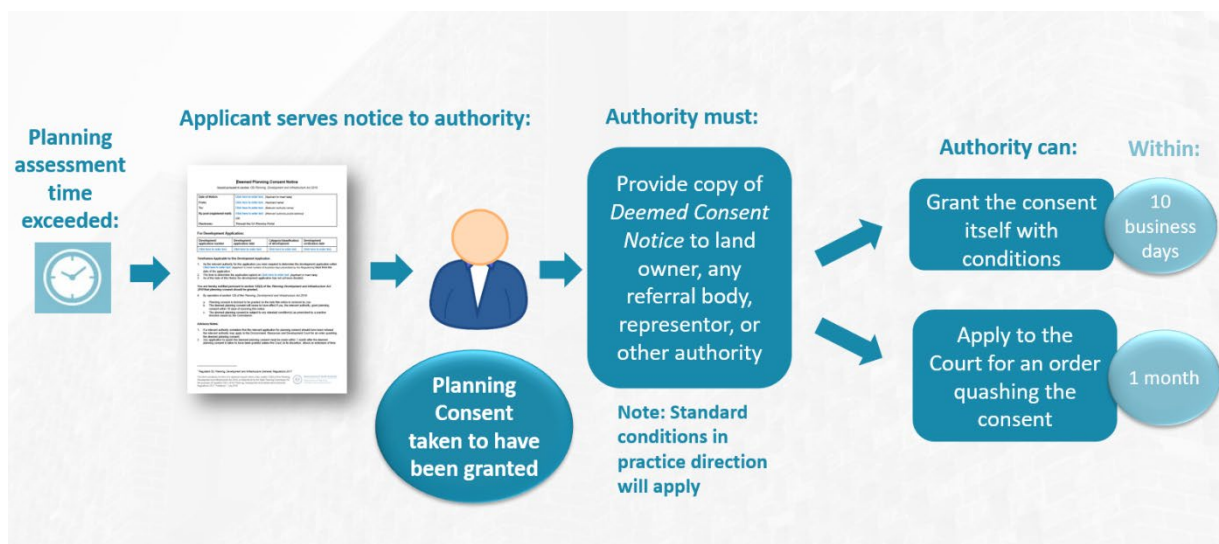
Background

1

A Deemed Consent Notice is used to obtain a 'deemed planning consent' for a development application. This notice may be served on a Relevant Authority by an applicant when a Relevant Authority fails to make a decision within the time prescribed in the regulations.

A Deemed Consent Notice does not apply in relation to Impact Assessed development where the Minister is the Relevant Authority.

Attached to this notice is State Planning Commission Practice Direction 11 (Deemed Planning Consent Standard Conditions) 2020, which specifies the standard condition(s) for the purpose of the deemed planning consent. The Deemed Consent Notice is to be in the prescribed manner and form that is available on the PlanSA portal (a Deemed Consent Notice – [Deemed Planning Consent Notice](#))



The process for issuing a deemed planning consent is, as follows:

- When the timeframe has not been met, the applicant may serve notice on the Relevant Authority by:
 - Notice lodged through the applicants development application via the DAP system, or
 - Registered post.
- On receipt the Relevant Authority will be taken to have 'granted' the consent.
- The Relevant Authority has up to **10 business days** to issue its own consent with or without conditions, which - if issued - supersedes the deemed consent.
- If the Relevant Authority fails to issue its own consent, the standard conditions specified by a practice direction will apply to the deemed consent.

The Relevant Authority then has **one month** within which to apply to the court for an order quashing the consent. The ability for an authority to apply to the court for the consent to be quashed will guard against administrative mistakes that could lead to undesirable outcomes.

Serving a Deemed Consent Notice on planning consent

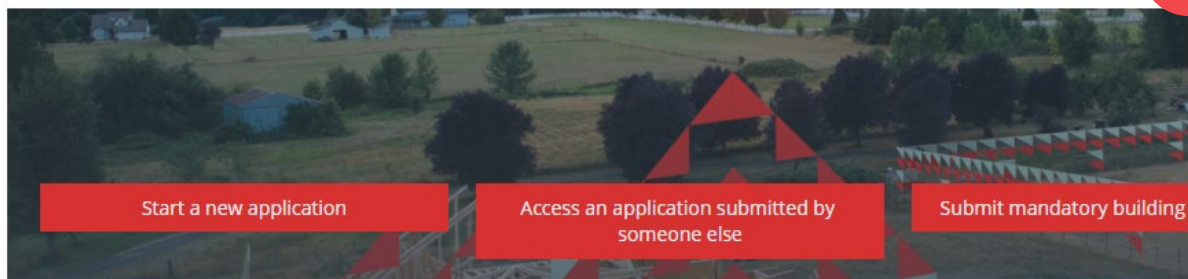
2

1. Search for the application.
2. Click on **ID number** to open the development application.

Development application processing

23000903

1



FOR YOUR ACTION (17)

UNDER ASSESSMENT (42)

DRAFT (4)

LAND DIVISION CERTIFICATES (0)

CERTIFICATE OF OCCUPANCY (6)

1 results for: "23000903"

ID	Owner	Location	Nature of Development
23000903	P Public	56 ROBE ST ROBE SA 5276	Land division (1 allotment into 2)

2

The **Development application** summary screen is shown.

Development application - 23000903:

UPLOAD ADDITIONAL DOCUMENT...

Summary Documents Event History Sharing access Inspection Related Actions



Application Status: Lodged

Fees Outstanding: No

Development Location(s)

3. Click on 'Planning consent' within the **Status detail** view.



South Australian Property and Planning Atlas (SAPPA) in a new
in

> Zoning information

Your actions

Apply for next consent

Status detail

3

Planning consent

Assessment in progress

- Click on **Related Actions** and then **Serve Deemed Consent Notice**.

3

Summary Documents Fees **Related Actions**



[Serve Deemed Consent Notice](#)

4

Serving a deemed consent notice on a combined planning & land division consent

The option to 'Service Deemed Consent Notice' with the **Related Actions** tab is not available for a combined planning and land division consent, instead follow the alternate instructions below and send the notice by 'registered post'.

- [Download the Deemed Consent Notice from PlanSA](#) on page 5.
- [Complete the Deemed Planning Consent Notice](#) on page 6.
- Send the notice by 'registered post' to the relevant authority.

- Click on **Deemed Consent Notice Template**.

Serve Deemed Consent Notice

Advisory Notes

By submitting the deemed consent notice, the relevant authority associated with the consent will be notified

If a relevant authority considers that the relevant application for planning consent should have been refused the relevant authority may apply to the Environment, Resources and Development Court for an order quashing the deemed planning consent.

Any application to quash the deemed planning consent must be made within 1 month after the deemed planning consent is taken to have been granted unless the Court, in its discretion, allows an extension of time.

Upload Deemed Consent Notice *

UPLOAD Drop file here

Deemed Consent Notice Template

5

CANCEL

SUBMIT

- The PlanSA **Deemed consent notice** page shows with the current version of the Deemed Consent Notice form.
- Download the form and then:
 - [Complete the Deemed Planning Consent Notice](#) instructions on page 6, and
 - [Save Deemed Consent Notice](#) on page 9.

FORM

Deemed consent notice

This form can be given to a relevant authority to obtain planning consent for a development application where the assessment time has been exceeded.

Related Documents

No related documents found

Versions

Current



[Deemed Consent Notice form - Version 1 \(18 June 2020\) \(MS Word Document 214.2 KB\)](#)

Published 18 June 2020

7

How to... Serve a Deemed Consent Notice



8. Return to **Serve Deemed Consent Notice**.

4

Planning and Land Division Consent for Development Application: 21001476

Summary Documents Fees **Related Actions**

Serve Deemed Consent Notice

8

Advisory Notes

By submitting the deemed consent notice, the relevant authority associated with the consent will be notified

If a relevant authority considers that the relevant application for planning consent should have been refused the relevant authority may apply to the Environment quashing the deemed planning consent.

9. Click **Upload** to locate the saved notice and then drag-and-drop into the *Drop files here* field.

Serve Deemed Consent Notice

Advisory Notes

By submitting the deemed consent notice, the relevant authority associated with the consent will be notified

If a relevant authority considers that the relevant application for planning consent should have been refused the relevant authority may apply to the Environment quashing the deemed planning consent.

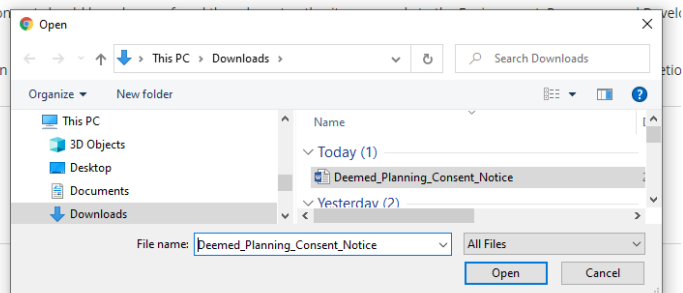
Any application to quash the deemed planning consent must be made within time.

Upload Deemed Consent Notice

UPLOAD *Drop file here*


Deemed Consent Notice Template

CANCEL



10. Click **Submit** to complete and serve the notice to the Relevant Authority.

Upload Deemed Consent Notice *

 **Deemed_Planning_Consent_Notice**
DOCX - 183.38 KB

Deemed Consent Notice Template

CANCEL

10

SUBMIT

On submission of the Deemed Consent Notice you will receive an email notification advising 'the notice has been served' including a link to view the development application.

How to...

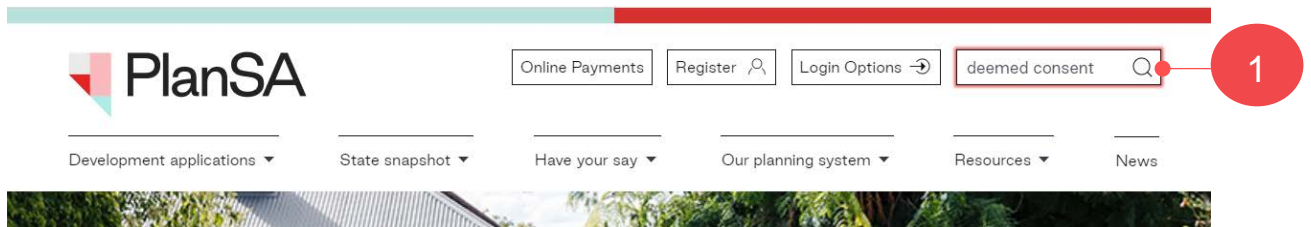
Serve a Deemed Consent Notice



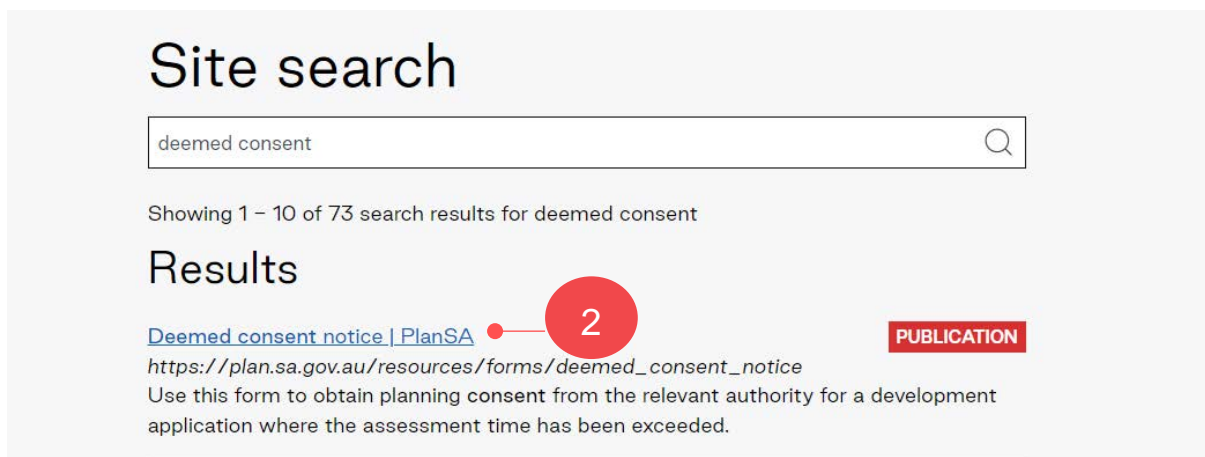
Download the Deemed Consent Notice from PlanSA

5

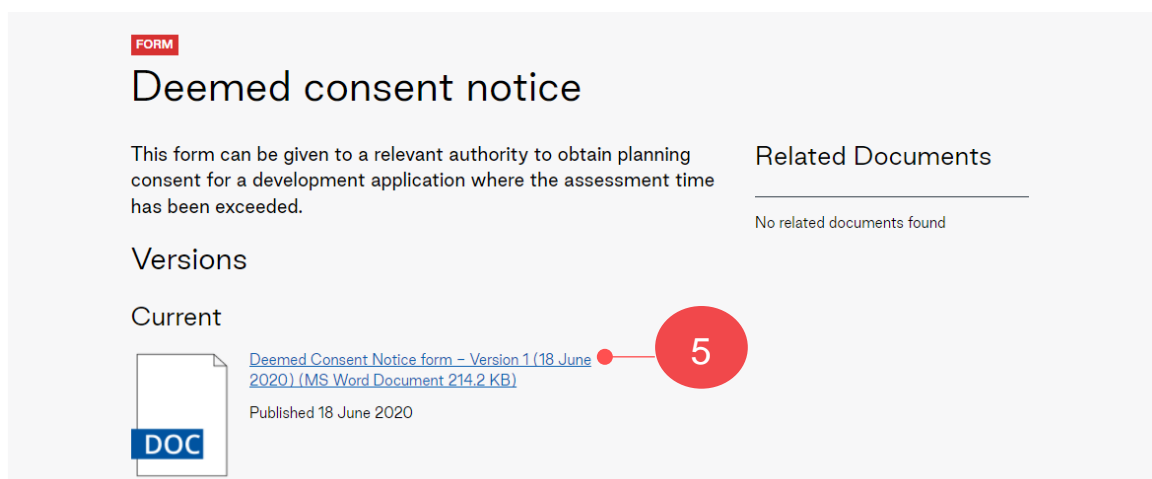
1. Open PlanSA
2. Type 'Deemed Consent' in the **Find something** field and search.



3. Select the top result **Deemed Consent Notice | PlanSA** showing PUBLICATION.



4. The PlanSA **Deemed consent notice** page shows with the current version of the Deemed Consent Notice form.
5. Download the form and then:
 - a. [Complete the Deemed Planning Consent Notice](#) instructions on page 5, and
 - b. [Save Deemed Consent Notice](#) on page 8.



How to... Serve a Deemed Consent Notice



Complete the Deemed Planning Consent Notice

6

1. Click **Enable Editing** to complete the notice.

DEEMED PLANNING CONSENT NOTICE
Issued pursuant to section 125 *Planning, Development and Infrastructure Act 2016*

Date of Notice:	Click here to enter text. [Applicant to insert date]
From:	Click here to enter text. [Applicant name]
To:	Click here to enter text. [Relevant authority name]
By post (registered mail):	Click here to enter text. [Relevant authority postal address] OR
Electronic:	Through the PlanSA website

For Development Application:

Development application number	Development application date	Category/classification of development	Development verification date
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Locate Information to Complete the Development Application Section

Return to **Served Deemed Consent Notice** screen to complete the following fields within the *Deemed Planning Consent Notice* template.

For Development Application:

Development application number	Development application date	Category/classification of development	Development verification date
21001476 a	3 June 2020 b	Deemed to Satisfy c	3 June 2020 d

a. Development application number

The application number is located in the consent screen.

Planning and Land Division Consent for Development Application: 21001476

Summary Documents Fees **Related Actions** **a**

Serve Deemed Consent Notice

Advisory Notes

By submitting the deemed consent notice, the relevant authority associated with the consent will be notified

If a relevant authority considers that the relevant application for planning consent should have been refused the relevant authority may apply to the Environment, quashing the deemed planning consent.

How to...

Serve a Deemed Consent Notice



b. Development application date

The **Development application date** is the date the lodgement fee advice is paid. To source this date, go to the **Fees** screen and the 'paid on date' is visible from the lodgement fee advice record.

Planning and Land Division Consent for Development Application: 21001476

Summary Documents **Fees** Related Actions

< Development application 21001476 [Help for this section](#)

All fees raised on this application

Fees raised for this Consent

Lodgement Fee Advice - Planning and Land Division Consent - 3607 - Paid on 03/06/2020	b
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c. Category/classification of development

The category of development is recorded in the **Summary** screen under the heading **Category of development for this consent**.

Planning Consent for Development Application: 21001476

Summary Documents Fees Information Requests Public Notification Related Actions

< Development application 21001476

Consent status: Under Assessment

Development location(s)
21 WOODRUP RD WUDINNA SA 5652

Title ref CT 6108/237 **Plan parcel** D90948 AL22 **Council** Wudinna District Council

Nature of development
New dwelling and garage

Proposed use

Development cost (excluding fit-out)	\$300,000
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Category of development [edit](#)

- Telecommunications facility
 - Telecommunications facility

Category of development for this consent

<ul style="list-style-type: none">Development categoryReason	Code Assessed - Deemed to Satisfy
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Zoning information

Zones

- Neighbourhood

Overlays

- Hazards (Bushfire - Regional)
- Native Vegetation

Technical Numeric Variations (TNVs)

- Minimum Frontage
- Minimum Site Area

C

How to... Serve a Deemed Consent Notice



d. Development verification date

8

In the **Summary** screen, select the **Development application** link to view the details.

Planning Consent for Development Application: 21001476

Summary Documents Fees Information Requests Public Notification Related Actions

< Development application 21001476

Consent status: Under Assessment

Development location(s)
21 WOODRUP RD WUDINNA SA 5652

Zoning information
Zones

The 'verification date completed' is displayed under the **Status detail** section.

> Zoning information

Your actions

Apply for next consent

Status detail

Planning consent	Assessment in progress	
Verification	Completed 3 Jun 2020	✓
Fee Payable	Payment received 3 Jun 2020	✓

Working Out the Timeframes Answers

Timeframes Applicable to this Development Application

1. As the relevant authority for this application you were required to determine the development application within [Click here to enter text](#). [Applicant to insert number of business days prescribed by the Regulations] days from the date of the application.¹
2. The time to determine the application lapsed on [Click here to enter text](#). [Applicant to insert date]
3. As of the date of this Notice the development application has not yet been decided.

Q 1 Working out the number of business days prescribed

Refer to section **Making the Decision – Assessment Timeframes** with the [Guide to Development Assessment – PDI Act](#) for more information.

When working out the number of business days, remember to deduct the following;

- Public holidays
- Request for information
- Christmas period 3 days between Christmas eve and new year's eve (as per Regulations)

Q 2 Working out the date the determination lapsed on

Using the timeframe calculated above to determine the date lapsed.

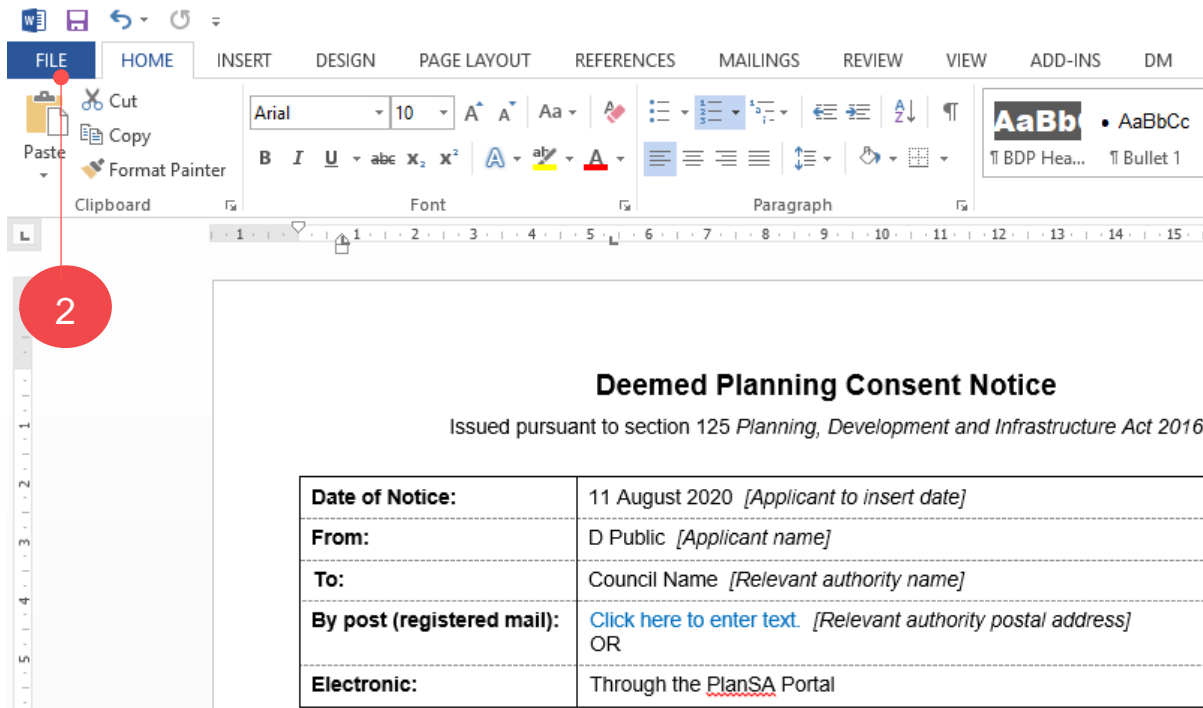
How to...

Serve a Deemed Consent Notice



Save Deemed Consent Notice

2. Click **File** to save the documentation to a folder location on your computer and/or print if sending via registered post.



3. Click **Save As** to choose a specific folder location.
4. Once saved you are returned to the Deemed Planning Consent Notice as required, return to **File** to **Print** the notice.

