

# Public notification: Understanding your right to comment on development

The public notification process informs neighbours and other interested parties about developments that may affect them. It provides an opportunity to comment on relevant issues.

By formally supporting or opposing a development, you can influence decision-making on certain types of developments at the application assessment stage.

## How the public notification process works

A relevant authority may be required to undertake a public consultation on an application for development before making its decision.

The *Planning, Development and Infrastructure Act 2016* (PDI Act) generally requires notification for development applications classified as **performance assessed, restricted, impact assessed, or Crown assessed developments**.

Public notification methods and your opportunity to provide feedback vary depending on the type of development proposed.

## Who can have a say and how notification occurs for various development types

Public notification of a development application depends on its category, classification, and exclusions in the Planning and Design Code (the Code).

The South Australian planning system categorises developments, and each category has specific rules for how the public is informed, and how you can have your say.

### Development types

The following development categories typically require public notification:

- Performance assessed developments
- Impact assessed developments
- Crown developments
- Restricted developments.

## How you are notified for each type of development

### Performance assessed developments (including outline consent applications)

Developments that are classified as performance assessed (including outline consent applications) are assessed against the performance outcome policies within the Code. These developments may require public notification.

#### *How notification occurs:*

- **Published notification online**  
Information about the development is published on the PlanSA website to notify the public.
- **Sign notice**  
The public are notified about the development by means of a sign posted at the proposed development site.
- **Direct mail**  
Neighbours who live within 60 metres of the site of the development are notified in writing by letter or registered mail.

#### *Community involvement:*

- **Who can have a say**  
Any interested person can have a say on the development within 15 business days after the notice is first made.
- **Meeting attendance**  
The planning authority may, at its discretion, invite individuals who have submitted a representation and requested to be heard to attend the meeting where the development decision is made. These meetings are referred to as a Council Assessment Panel (CAP) meeting.
- **PlanSA subscription**  
Anyone can subscribe to be notified of development applications that have commenced notification near you. This subscription can be undertaken via the PlanSA website at: [www.plan.sa.gov.au/have\\_your\\_say/notified\\_developments](http://www.plan.sa.gov.au/have_your_say/notified_developments).

### Restricted development

For a restricted development, the State Planning Commission is the relevant authority and will determine whether the restricted development will be assessed. All restricted development applications require public notification in the same manner as a performance assessed application.

#### *How notification occurs:*

- **Published notification online**  
Information about the development is published on the PlanSA website to notify the public.
- **Sign notice**  
The public are notified about the development by means of a sign posted at the proposed development site.

- **Direct mail**

Neighbours who live within 60 metres of the proposed development are notified in writing by letter or registered mail.

***Community involvement:***

- **Who can have a say**

Any interested person can have a say on the development within 20 business days after the notice is first made.

- **Meeting attendance**

Anyone who has submitted a representation and indicated a desire to be heard in support of their representation can attend the State Commission Assessment Panel (SCAP) meeting where the development decision will be made.

## **Crown developments – more than \$10 million**

Crown developments are significant projects lodged by a South Australian state agency with a value exceeding \$10 million. Due to their scale and public interest, the public notification process is an important aspect to such developments.

***How notification occurs:***

- **Published notification**

Information about the development is published on the PlanSA website and in newspaper advertisement to notify the public.

- **Sign notice**

In some cases, a sign may also be posted the proposed development site.

***Community involvement:***

- **Who can have a say**

Any interested person can have a say on a notified Crown development within 15 days (unless longer period is specified) after the notice is first made, or as specified in notification.

- **Meeting attendance**

Anyone who has submitted a representation can attend the meeting where the development decision is made.

- **Request to speak**

They may also request to speak at the meeting and must be heard by the panel.

## **Impact assessed developments**

Developments designated as impact assessed in regulations, or declared as such by the Minister, are classified as impact assessed developments. In these cases, the Minister for Planning serves as the relevant authority.

***How notification occurs:***

- **Published notification**

Information about the development is published on the PlanSA website and in newspaper advertisement to notify the public.

**Community involvement:**

- **Who can have a say**  
Any interested person can have a say on a notified impact assessed development during the specified notification period.
- **Meeting attendance**  
Any interested person can attend a public information session about the development which must be held during the public notification period.

**How a notification may occur**

Assessment category	Notification type
<b>Performance assessed</b>	<ul style="list-style-type: none"> <li>• People living on adjacent land (within 60 metres)</li> <li>• Notice placed on the land</li> <li>• Via the PlanSA portal</li> </ul> <p>The Code may specify certain developments that do not require notification.</p>
<b>Restricted</b>	<ul style="list-style-type: none"> <li>• People living on adjacent land (within 60 metres)</li> <li>• Any others affected</li> <li>• Via the PlanSA portal</li> <li>• Notice placed on the land</li> </ul>
<b>Impact assessed</b>	<ul style="list-style-type: none"> <li>• Public notice in newspapers</li> <li>• On the PlanSA portal</li> <li>• Any other public consultation steps required by the Minister and the Community Engagement Charter</li> </ul>
<b>Crown assessed developments</b>	<ul style="list-style-type: none"> <li>• Any interested stakeholder</li> </ul>

**Timeframes and methods**

Category	Sub-category	Notification required	Notification timeframe	Method of notification
<b>Code assessed development</b>	Performance assessed (not minor)		15 business days	<ul style="list-style-type: none"> <li>• Letter/email to adjacent land</li> <li>• Site notice</li> <li>• Published on portal</li> </ul>
<b>Impact assessed development</b>	Restricted		20 business days	<ul style="list-style-type: none"> <li>• Letter/email to adjacent land</li> <li>• Letter/email to other significantly affected</li> <li>• Site notice</li> <li>• Published on portal</li> </ul>

Category	Sub-category	Notification required	Notification timeframe	Method of notification
	Impact assessed by Minister		30 business days	<ul style="list-style-type: none"> <li>Published on portal</li> <li>Published in local newspaper</li> <li>Published in statewide newspaper</li> <li>Methods determined by Minister (regard to Community Engagement Charter)</li> </ul>
<b>Crown assessed development</b>	Impact assessed by Minister		15 business days (minimum)	<ul style="list-style-type: none"> <li>Public notice in newspapers</li> <li>On the PlanSA portal</li> <li>Notice placed on the land (if required)</li> </ul>

## Submitting a representation: How to have your say

### What is a valid representation

Submitting your thoughts about a development application is called 'submitting a representation'. A representation must be submitted during the public notification period.

Representations **must be submitted in writing, via email or online before the closing date of the public notification period.**

Use of the approved representation form online or hard copy version is encouraged for your submission. A representation form is available on the 'How to have your say' page of the PlanSA portal. Representations can be completed digitally and emailed or printed and submitted as a paper copy. The use of the online representation form is the easiest way to submit a valid representation.

After completing your representation form in hard copy or via email, you will need to provide it to the relevant authority for consideration. The relevant authority is noted on the representation form and may be either:

- a council assessment manager
- an assessment panel (regional or council)
- the State Commission Assessment Panel (SCAP).

If you'd prefer to make an online submission, follow these steps:

- go to the 'Current notified developments' page on PlanSA
- select relevant development application (by clicking on its Application ID)
- accept the terms of use
- go to 'Related Actions'

- select 'Have your say on this application'
- fill in the submission form.

Online submissions are generally the preferred and most used option for making a submission, and often quickest. The electronic submission will automatically be sent to the relevant authority by the PlanSA portal.

### **Required information for a written representation**

For your representation to be valid, you should clearly outline your specific concerns or support for the development in consideration of the relevant Planning and Design Code policies. Comments should be relevant to the proposed development.

Your comments should relate to planning matters only (such as noise, overlooking or safety, for example). Be sure to read through all documentation provided with the application to fully understand potential planning impacts.

A representation must include the following information:

- Your name and contact details
- Affected property address (if applicable)
- The reasons for your representation (matters of particular concern or interest)
- An indication of whether you wish to speak at the hearing where a decision will be made about the development. If you are unsure if you wish to attend, then we recommend you say yes to retain the opportunity.

## **Who are the decision-makers on notified developments?**

### **The relevant authority**

After the public notification period closes and submissions are considered, a 'relevant authority' makes the final decision on the development application. The type of relevant authority depends on the complexity and category of the proposed development.

Generally, for developments that have undertaken public notification, the decision will be made by one of the following:

- **Your local council**

Many notified developments are decided by your council's assessment panel, which reviews planning merits and public submissions. For some applications, especially those without submissions requiring a hearing, council staff may make the decision under delegation.

- **The State Commission Assessment Panel (SCAP)**

This panel is the decision-making body for larger or more complex developments of state significance, including restricted developments.

- **The Minister for Planning**

The Minister is the ultimate decision-maker for Crown projects. For these types of proposals, public representations are often heard by the SCAP, who then provide a recommendation to the Minister for the final decision.

## **Other tools and resources**

### **The notified developments map viewer**

This interactive mapping tool lets you view all current notified developments across the state (including Crown developments and major projects). It includes links to the relevant PlanSA webpages, where you can view the related plans and details.

You can explore a map of notified developments on the PlanSA [‘Current notified developments’ webpage](#).

### **The PlanSA website**

For more information on how to submit a representation, explore the PlanSA [‘Have your say’ webpage](#).