

# Extending a Development Approval

## Who should read this guide?

Anyone who wishes to apply for an extension to their Development Approval.

## How long does a Development Approval last?

When approval is given for a development, work on that development must be substantially commenced within 12 months of the date of the approval and be substantially or fully completed within 3 years<sup>1</sup>.

However, the relevant authority (which is generally the Council) may extend the time period for work to occur.

## How to obtain an extension to your Development Approval

Before an extension can be granted, Council must consider the following:

1. Whether the *Adelaide (City) Development Plan* for the area has changed since the development was approved and, if so, what impact the development would have on achieving the relevant objectives and principles of the revised *Development Plan*.
2. Why the development was not completed within the approved period.
3. The extent of progress made towards completion and the extent of works remaining to be done.
4. Whether anybody will suffer prejudice if the extension is granted.
5. Whether it is in the public interest that the development be completed.

Applicants applying to extend their development approval are asked to address the above points as part of their application in a letter to Council and pay the applicable fee. Please refer to the information guide 'Development Application Fees':

[cityofadelaide.com.au/da](http://cityofadelaide.com.au/da)

If the *Development Plan* for the area has changed (see Point 1 above), please provide a table which describes how the development now responds to each new relevant objective and principle of Development Control.

In the case of more complex or significant applications, it may be in your interest to have these points addressed by a qualified planning or legal advisor.

Applications to extend a development approval can be made during the assessment process or before the development approval is due to lapse (12 months after the date of consent/approval).

Applicants who are aggrieved by a decision to refuse to extend the consent/approval are entitled to appeal to the Environment Resources and Development Court within two months of the date of the refusal. The Court will review the decision of the planning authority.

## Further Information

For further information or to discuss your specific requirements, please contact Council's Development Assessment team on **08 8203 7185** or [d.planner@cityofadelaide.com.au](mailto:d.planner@cityofadelaide.com.au).

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<sup>1</sup> This is a requirement of Regulation 48 in the *Development Regulations 2008*.