

# Lodging a Representation



## How to lodge a representation for a development application on public notification

Under the Development Act, 1993 there are two (2) categories of public notification.

Notification of **Category 2** Developments: Where adjacent land owners only are notified.

Notification of **Category 3** Developments: Where adjacent land owners are notified and a public notice is also published in the local Messenger.

With both categories of development, third parties can lodge representations for a development application that is on public notification. However, for Category 2 developments, only those persons who were officially notified are eligible to lodge a representation.

If you wish to lodge a representation in relation to the development, you **must** do so within the prescribed 10 working day period as indicated in the notice.

Representors are encouraged to use the standard **Statement of Representation** form. Any additional information/correspondence relevant to your representation may also be attached. No further documents will be accepted after the closing date of the public notification period.

As a minimum you are required to reference the following in your representation:

- ❖ Development Application reference number;
- ❖ Your name, address and telephone contact (optional) details;
- ❖ Reason for making the representation – reason must be on valid planning grounds;
- ❖ Indicate whether you wish to be heard further in support of your submission.

## Appeal Rights

1. For notification of **Category 2** development – third parties (that is Representors) have **NO** appeal rights to a decision made by the Development Assessment Panel on a development.
2. For notification of **Category 3** development – third parties (that is Representors) **HAVE** appeal rights should the third party be aggrieved by the Development Assessment Panel's decision made on a development. Any appeal must be lodged with the Environment Resources & Development (ERD) Court within fifteen (15) days after the date of the decision.

Please be aware that any representation will become a public document as prescribed in the Freedom of Information Act 1991; will be available to the applicant, agencies and other bodies pursuant to the Development Act 1993; and may be uploaded onto the Council's website as an attachment to the report item in the Agenda of Council's Development Assessment Panel.

Council is required by the Development Regulations 1993 to put on public display all documents and information forming part of the assessment of an application for Category 2 or 3 Developments that are to be determined by Council's Development Assessment Panel. You should assume any documents or information you lodge as part of your representation may be categorised in that way, will become public for all purposes. If you have any concerns over the confidentiality or security content of such documents or information, you should discuss these with a member of Council's planning staff **prior to lodging your representation**.

Documents are available for viewing online via Council's website at [www.portenf.sa.gov.au/planningandbuilding](http://www.portenf.sa.gov.au/planningandbuilding) and click on *Public Notifications* under the heading Related Links and at Council offices for the duration of the notification period.