

South Australia

Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

under the *Planning, Development and Infrastructure Act 2016*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Fees

- 4 Fees payable

Part 3—General

- 5 Calculation or assessment of fees
- 6 Time period suspended if fee not paid
- 7 Waiver or refund of fee

Schedule 1—Fees

Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

Legislative history

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*.

2—Commencement

These regulations come into operation on the day on which section 88 of the *Planning, Development and Infrastructure Act 2016* comes into operation.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—
Act means the *Planning, Development and Infrastructure Act 2016*;

authority means a person or body performing, exercising or discharging a function, power or duty under the Act or a related set of regulations;

fee includes a charge or contribution;

related set of regulations means—

- (a) the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*; or
 - (b) the *Planning, Development and Infrastructure (General) Regulations 2017*.
- (2) Words and expressions used in a related set of regulations and in these regulations have the same respective meanings in these regulations as they have in the related set of regulations.
 - (3) Subregulation (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

Part 2—Fees

4—Fees payable

The fees set out in Schedule 1 are payable as specified in that Schedule.

Part 3—General

5—Calculation or assessment of fees

- (1) An authority with which an application is duly lodged under a related set of regulations (including via the SA planning portal)—
 - (a) may require the applicant to provide such information as the authority may reasonably require to calculate any fee payable under these regulations or a related set of regulations; and
 - (b) may make any other determination for the purposes of these regulations or a related set of regulations (even if it is not a relevant authority).
- (2) If an authority acting under subregulation (1), or a relevant authority in any event, believes that any information provided by an applicant is incomplete or inaccurate, the authority (or relevant authority) may calculate any fee on the basis of estimates made by it.
- (3) An authority may, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under these regulations or a related set of regulations.
- (4) On a reassessment under subregulation (3)—
 - (a) if it appears that an overpayment has occurred, a refund is due in accordance with the reassessment; and
 - (b) if it appears that an underpayment has occurred, a further amount becomes payable under these regulations.

6—Time period suspended if fee not paid

If a fee is not paid in accordance with the Act, these regulations or a related set of regulations, any period between the date of a request for payment of the fee by an authority entitled to receive payment of the fee and the date of actual payment of the fee will not be taken into account for the purposes of any time limit or period prescribed by a related set of regulations (as relevant).

7—Waiver or refund of fee

An authority to which a fee is payable under these regulations or a related set of regulations may, as it considers appropriate to do so—

- (a) waive the payment of the fee, or the payment of part of the fee; or
- (b) refund the whole or a part of the fee.

Schedule 1—Fees

Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

The following fees are payable for the purposes of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*:

1	Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> , other than where item 2 applies—	
	(a) in the case of an application for accreditation as an accredited professional—planning level 1; and	\$760
	(b) in any other case	\$560
2	Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> where the person is a member of a professional association or body recognised by the Chief Executive for the purposes of regulation 16(2)(a) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> and the person is applying as a member of that association or body for a corresponding level of accreditation under regulation 16(2)(a)(ii) of those regulations	\$270
3	Application to the accreditation authority under regulation 19 of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$180
4	Late application fee under regulation 19(3) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$60

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations

Year	No	Reference	Commencement
2019	12	<i>Gazette 7.2.2019 p441</i>	1.4.2019: r 2