

South Australia

Development (Renewal of Social Housing) Variation Regulations 2015

under the *Development Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Renewal of Social Housing) Variation Regulations 2015*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Development Regulations 2008*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(6), definition of *Affordable Housing Stimulus Package*—delete the definition
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- (2) Regulation 3(6)—after the definition of *private bushfire shelter* insert:

Renewing our Streets and Suburbs Stimulus Program means the *Renewing our Streets and Suburbs Stimulus Program* established by the State Government and published in the Gazette on 3 September 2015;

- (3) Regulation 3(6), definition of ***State Coordinator-General***—delete the definition and substitute:

State Coordinator-General means the person appointed by the Governor to be the State's Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program and to perform any other functions, or exercise any other powers, conferred on the State Coordinator-General under these regulations, and includes a person from time to time acting as the State Coordinator-General.

- (4) Regulation 3(8)—delete subregulation (8) and substitute:

- (8) An Assistant State Coordinator-General may—

- (a) act as the State Coordinator-General when the State Coordinator-General is absent or unable to act or when the office of State Coordinator-General is vacant (and in the event that the Governor has appointed more than 1 Assistant State Coordinators-General then the Minister will determine which Assistant State Coordinator-General will act under this paragraph as the occasion arises); and
- (b) when not so acting, perform functions or exercise powers of the State Coordinator-General delegated by the State Coordinator-General.

- (9) A delegation for the purposes of subregulation (8)(b)—

- (a) must be by instrument in writing; and
- (b) may be absolute or conditional; and
- (c) does not derogate from the power of the State Coordinator-General to act in a matter; and
- (d) may not be further delegated; and
- (e) is revocable at will.

5—Variation of regulation 6A—Regulated and significant trees

- (1) Regulation 6A(5)—after paragraph (e) insert:

or

- (f) a tree if the tree is located at a site where it is proposed to undertake development that has been approved by the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program, other than where the site is a site where a State heritage place is situated.

- (2) Regulation 6A(6)—delete subregulation (6)

6—Variation of regulation 15—Application to relevant authority

Regulation 15(3)(b)(iv)—delete "Affordable Housing Stimulus Package" and substitute:

Renewing our Streets and Suburbs Stimulus Program

7—Variation of regulation 24—Referrals

Regulation 24(5)—delete "Affordable Housing Stimulus Package" and substitute:

Renewing our Streets and Suburbs Stimulus Program

8—Variation of regulation 38—Determination of Commission as relevant authority

Regulation 38(5)—delete "Affordable Housing Stimulus Package" and substitute:

Renewing our Streets and Suburbs Stimulus Program

9—Variation of regulation 92—Provision of information

- (1) Regulation 92(2b)—delete "AHSP development" and substitute:

ROSASSP development

- (2) Regulation 92(7), definition of *AHSP development*—delete the definition and substitute:

ROSASSP development means development that has been approved by the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program.

10—Variation of Schedule 1A—Development that does not require development plan consent

Schedule 1A—after clause 12 insert:

13—Renewing our Streets and Suburbs Stimulus Program

- (1) Any development that has been approved by the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program.
- (2) Subclause (1) does not apply if the development is in relation to a site where a State heritage place is situated.

11—Variation of Schedule 10—Decisions by Development Assessment Commission

- (1) Schedule 10, clause 1(1)(b)(iii) and (iv)—delete subparagraphs (iii) and (iv)
- (2) Schedule 10—after clause 16 insert:

17—Renewing our Streets and Suburbs Stimulus Program

- (1) Any development that has been approved by the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program.

- (2) Subclause (1) does not apply to development—
- (a) if the development is in relation to a site where a State heritage place is situated; or
 - (b) involving a building in relation to which a certificate of occupancy has been issued.

12—Variation of Schedule 14—State agency development exempt from approval

After clause 4 insert:

- 5 The following forms of development are excluded from the provisions of section 49 of the Act, namely any development that has been approved by the State Coordinator-General for the purposes of the Renewing our Streets and Suburbs Stimulus Program.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 3 September 2015

No 205 of 2015

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