

South Australia

# **Planning, Development and Infrastructure (General) (Fee Notices) Variation Regulations 2021**

under the *Planning, Development and Infrastructure Act 2016*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Fee Notices) Variation Regulations 2021*.

### **2—Commencement**

These regulations come into operation on 1 July 2021.

### **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 *Planning, Development and Infrastructure (General) Regulations 2017***

### **4—Variation of regulation 3—Interpretation**

- (1) Regulation 3(1)—after the definition of *outbuilding* insert:

*prescribed fee* means a fee prescribed for the purposes of the Act, these regulations or a related set of regulations;

- (2) Regulation 3(1)—after the definition of *private bushfire shelter* insert:

*related set of regulations* means—

- (a) the *Planning, Development and Infrastructure (Accredited Professional) Regulations 2019*; or
- (b) the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;

### **5—Variation of regulation 31—Verification of application**

Regulation 31(1)(d)(ii)—delete subparagraph (ii) and substitute:

- (ii) confirm the prescribed fees required to be paid at that point; and

### **6—Variation of regulation 46—Preliminary advice and agreement (section 123)**

- (1) Regulation 46(4)—delete "fee that would be payable under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*" and substitute:

prescribed fee

- (2) Regulation 46(6)(d)—delete "fee under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*" and substitute:

prescribed fee

### **7—Variation of regulation 67—Lapse of consents or approvals (section 126(2))**

Regulation 67(1)(b)(ii)—delete subparagraph (ii) and substitute:

- (ii) the relevant development involves the division of land and an application for a certificate under section 138 of the Act has been lodged with the Commission, accompanied by the prescribed fee, within 2 years from the operative date of the relevant consent—3 years from the operative date of the consent.

### **8—Variation of regulation 68—Procedural matters (section 111(2))**

Regulation 68(2)—delete "fees that have been paid by the proponent under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*" and substitute:

prescribed fees that have been paid by the proponent

**9—Variation of regulation 79—Assessment requirements—water and sewerage**

Regulation 79(5)—delete "fees specified for the purposes of this regulation by the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*" and substitute:

prescribed fees specified for the purposes of this regulation

**10—Variation of regulation 94—Essential safety provisions**

Regulation 94(4)(c)—delete paragraph (c) and substitute:

- (c) on application by the owner of a building to which this regulation applies and payment of the prescribed fee; or

**11—Variation of regulation 102—Classification of buildings**

Regulation 102(3)(b)(ii)—delete subparagraph (ii) and substitute:

- (ii) the prescribed fee.

**12—Variation of regulation 120—Record of applications**

Regulation 120(1)(e)—delete paragraph (e) and substitute:

- (e) the date (or dates) on which the prescribed fees relating to the application were paid;

**13—Variation of Schedule 9—Referrals**

Schedule 9, clause 1(2)—delete "fee with respect to the referral of the application under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*" and substitute:

prescribed fee with respect to the referral of the application

**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 June 2021

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