

South Australia

# **Planning, Development and Infrastructure (General) (Outline Consent) Amendment Regulations 2024**

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) (Outline Consent) Amendment Regulations 2024*.

### **2—Commencement**

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

## **Part 2—Amendment of *Planning, Development and Infrastructure (General) Regulations 2017***

### **3—Amendment of regulation 31—Verification of application**

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

(iii) —

- (A) in the case of an application for outline consent—provide notice of the determination under paragraph (c) in writing to the applicant; or

- (B) in any other case—provide an appropriate notice via the SA planning portal; and
- (2) Regulation 31(1)(e)(ii)—delete subparagraph (ii) and substitute:
  - (ii) —
    - (A) in the case of an application for outline consent—provide notice of the determination under paragraph (c) in writing to the applicant and the entity that it considers to be the correct relevant authority; or
    - (B) in any other case—provide an appropriate notice via the SA planning portal.
- (3) Regulation 31(2)(b)—delete "under subregulation (1)(e) (or a notice provided via the SA planning portal)" and substitute:
  - or notice under subregulation (1)(e)

#### **4—Amendment of regulation 33—Application and further information**

Regulation 33—after subregulation (2) insert:

- (2a) Development the subject of an application for outline consent does not constitute development of a class prescribed by subregulation (1) or (2).

#### **5—Amendment of regulation 41—Referrals**

- (1) Regulation 41(1a)—after "planning consent" wherever occurring insert:
  - or outline consent
- (2) Regulation 41(1b)—delete "extend to an application which is relevant to a matter that has been reserved for further consideration by the prescribed body." and substitute:
  - - (a) extend to an application which is relevant to a matter that has been reserved for further consideration by the prescribed body; or
    - (b) limit any further notification and consultation required in accordance with section 120(4)(c) of the Act.
- (3) Regulation 41(2)—delete subregulation (2) and substitute:
  - (2) A prescribed body must, immediately after making a request under section 122(3) of the Act—
    - (a) in the case of an application for outline consent—notify the relevant authority of the request in writing; or
    - (b) in any other case—notify the relevant authority of the request via the SA planning portal,(and, in doing so, provide reasonable information about what is requested).

**6—Amendment of regulation 53—Time within which decision must be made (section 125(1))**

- (1) Regulation 53(1)—after paragraph (c) insert:
  - (ca) if the application seeks outline consent—**20 business days**;
- (2) Regulation 53(1)(f)—after "paragraph (b)" insert:
  - or (ca)
- (3) Regulation 53(1)(f)—delete "that paragraph" and substitute:

paragraph (b) or (ca)
- (4) Regulation 53(1)(g) and (h)—delete "or (c)" wherever occurring and substitute in each case:

, (c) or (ca)
- (5) Regulation 53(1)(j) and (ja)—after "(c)," wherever occurring insert:

(ca),

**7—Amendment of regulation 57—Notice of decision (section 126(1))**

- (1) Regulation 57(2)—delete subregulation (2) and substitute:
  - (2) A notice under subregulation (1) must be given—
    - (a) within 2 business days after the decision is made on the application; and
    - (b) except in the case of a notice in relation to an application for outline consent—by providing notice via the SA planning portal (and, if it appears necessary, by giving notice to the applicant in some other way determined to be appropriate by the relevant authority).
- (2) Regulation 57(3)—delete "or building consent" and substitute:

, building consent or outline consent
- (3) Regulation 57(4)(b)—delete "via the SA planning portal under subregulation (2)" and substitute:

under this regulation

**8—Amendment of regulation 103G—Other matters**

- Regulation 103G(2)—delete "regulation 31(1)(d)(iii)" and substitute:

regulation 31(1)(d)(iii)(B)

**9—Amendment of regulation 120—Record of applications**

- Regulation 120(1)—after "section 102 of the Act" insert:

and each application for outline consent under section 120 of the Act

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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 22 February 2024

No 6 of 2024