

Chief Executive Schemes and Requirements as to the Payment and Distribution of Fees under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019

The following schemes and requirements relate to the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* and are required to be followed in relation to all fees payable and made under those regulations.

Definitions

Accredited professional means an accredited professional authorised under the *Planning, Development and Infrastructure (General) Regulations 2017* to act as a relevant authority in relation to a particular development.

Act means the *Planning, Development and Infrastructure Act 2016*.

Chief Executive means the Chief Executive of the Attorney-General's Department.

Commission means the State Planning Commission

Relevant authority means the relevant authority determined under Part 6 Division 5 of the Act.

State Commission Assessment Panel means the Commission assessment panel established under section 29(1)(a) of the Act.

Requirement relating to Regulation 13

For the purposes of regulation 13 of the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* the base amount (item 5), the compliance fee (item 10) and item 14A (HomeBuilder development fee) paid for an application must be forwarded to the Chief Executive through the SA Planning Portal within 5 business days of its receipt by an accredited professional.

Scheme relevant to Regulation 18

For the purposes of Regulation 18 of the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* fees must be distributed to entities designated as follows.

Fees relating to development assessment

All fees relating to development assessment will be distributed between the Chief Executive and entities as set out in table one and two of this scheme within 5 business days of receipt via the SA planning portal.

Table 1 - Distribution of fees between the Chief Executive and entities

Fee under Schedule 1 of the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i>	Entity paid the fee
Item 5(a) – lodgement fee	Chief Executive
Item 5(b) – processing fee	Relevant authority
Item 6 – planning consent fees	Relevant authority
Item 7 – planning consent notification fees	Relevant authority
Item 8 – referral to prescribed bodies fees	Relevant Agency – for specific fee amounts see Table 2
Item 9 – building consent fees	Relevant authority
Item 10 – building consent (compliance fee)	Relevant council or for Out of Council Areas - Chief Executive
Item 11 – building consent (demolition)	Relevant authority
Item 12 – Commission concurrence	Chief Executive
Item 13 – Commission opinion	Chief Executive
Item 14 – land division consent	Relevant authority
Item 14A – final development approval HomeBuilder development	Council for the area in which the proposed development is undertaken
Item 15 – Commission advice	Relevant authority
Item 16 – Certificate of approval	Chief Executive
Item 17 – Crown / Essential infrastructure applications	Chief Executive
Item 18 – minor variation	Relevant authority
Item 19 – assessment panel review	Relevant authority
Item 21 – essential safety provisions certificate	Relevant authority
Item 22 – change in classification	Relevant authority
Item 23 – certificate of occupancy	Relevant authority

Fee under Schedule 1 of the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i>	Entity paid the fee
Item 24 – open space contribution scheme	Chief Executive for division up to and including 20 allotments, and division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 as per section 198(2) of the Act Council for divisions greater than 20 allotments
Item 25 – multi unit buildings	Chief Executive
Item 26 – water/ sewer requirements	SA Water
Item 27 – tree replacement	Relevant authority
Item 28 – variation of authorisation	Relevant authority
Item 28A – initiation of infrastructure scheme	Chief Executive
Item 29 – certificate from technical regulator	Technical Regulator
Item 30 – LMA registration	Chief Executive
Item 31 – copy of LMA	Chief Executive
Item 31A – off set scheme approval	Chief Executive
Item 32 – approval of prescribed qualifications	Chief Executive
Item 33 – approval of building envelope plan	Relevant authority
Item 34 – consideration and publication of building envelope plan	Chief Executive

Table 2 - Distribution of fees between the Chief Executive and prescribed bodies under Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*

Fees payable for referrals under section 122 of the Act		
Agency	Referral Type	Fee to be distributed to the agency
Highways - Department of Planning, Transport and Infrastructure	Land Use (Standard)	\$398
	Land Use (Crown)	\$398
	Land Division (0-6)	\$398
	Land Division (7-50)	\$398
	Land Division (51+)	\$398

Fees payable for referrals under section 122 of the Act		
Agency	Referral Type	Fee to be distributed to the agency
Environment Protection Authority	Non licensable	\$741
	Licensable	\$1,667
	Site Contamination	\$1,372
Heritage – Department of Environment and Water	Standard	\$398
River Murray - Department of Environment and Water	Standard	\$398
Water management authorisation - Department of Environment and Water	Standard	\$398
Coast Protection Board – Department of Environment and Water	Standard	\$398
Shipwrecks - Department of Environment and Water	Standard	\$398
Native Vegetation - Department of Environment and Water	Standard	\$639
Government Architect - Department of Planning, Transport and Infrastructure	Standard	\$487
SA Housing Authority	Standard	\$240 plus \$150 per stage
Primary Industries and Resources	Standard	\$413
Country Fire Service	Standard	\$297
Mining - Department for Energy and Mining	Standard	\$327
Technical Regulator – Department for Energy and Mining	Standard	\$168

For any fee payable that is not made directly via the SA planning portal the following applies:

Fees received by an assessment panel or assessment manager

Fees received by an assessment panel or assessment manager other than via the SA planning portal must be paid into the SA planning portal within 5 business days of being received by the Council.

Fees received by the State Commission Assessment Panel

Fees received by the State Commission Assessment Panel other than via the SA planning portal must be paid into the SA planning portal within 5 business days of being received by the State Commission Assessment Panel.

Scheme relevant to Regulation 19

For the purposes of regulation 19 of the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* all fees received by a payment via the SA planning portal must be paid to specified entities in accordance with the scheme established under regulation 18.

For fees not made by payment directly to the SA planning portal all fees received by a relevant authority must be paid to specified entities under the scheme established under regulation 18 within 10 business days after the end of each quarter in which the amount was received.