

4—Fees

- (1) The fees set out in Schedule 1 are prescribed for the purposes of section 13(3) of the Act.
- (2) No fee is payable for the issue of a licence to, or for the renewal of a licence by, a Minister of the Crown in right of this State.

Schedule 1—Fees

1	For the issue or renewal of a retail licence—for each premises from which petroleum products are authorised to be sold	\$282
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Made by the Treasurer

Hon Rob Lucas MLC

On 15 April 2021

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

South Australia

Planning, Development and Infrastructure (Fees) Notice 2021

under the *Planning, Development and Infrastructure Act 2016*

1—Short title

This notice may be cited as the *Planning, Development and Infrastructure (Fees) Notice 2021*.

Note—

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

2—Commencement

This notice has effect on 1 July 2021.

3—Interpretation

- (1) In this notice, unless the contrary intention appears—
Act means the *Planning, Development and Infrastructure Act 2016*;
allotment does not include an allotment for road or open space requirements;
development cost does not include any fit-out costs;
regulations means the following:
 - (a) the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*;
 - (b) the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;
 - (c) the *Planning, Development and Infrastructure (General) Regulations 2017*.
- (2) Words and expressions used in the regulations and in this fee notice have the same respective meanings in this notice as they have in the regulations.

- (3) Subclause (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

4—Fees payable

- (1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations and are payable as specified in that Schedule.
- (2) A fee set out in Schedule 1 item 8 is payable to the body specified in relation to the fee.
- (3) Subject to subclauses (4) and (5), if an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.
- (4) If planning consent is sought for development comprising more than 1 element—
- (a) a fee is not payable under Schedule 1 item 6 for each element of the development; and
 - (b) the fee payable under Schedule 1 item 6 is the highest fee applying to a single element of the development; and
 - (c) if the relevant fee is based on the total development cost, the fee payable will be based on the total cost of all elements of the development.
- (5) If an application for planning consent must be referred to the same body under more than 1 item of Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*, then only 1 prescribed fee under Schedule 1 item 8 is payable with respect to the referral of the application to that body.
- (6) A reference in subclause (5) to a prescribed fee extends to a prescribed fee that, although payable, was waived (in whole or in part) by a relevant authority.
- (7) Subject to subclause (8) if a lodgement fee has been paid in respect of an application for planning consent or building consent for a development, no lodgement fee is payable for any other consents related to that application or for the issue of the final development approval in respect of that development.
- (8) If a lodgement fee has been paid in respect of an application under the repealed Act, a lodgement fee under this notice is payable in respect of the first application for consent related to the application under the repealed Act that is lodged electronically via the SA planning portal.

5—Assessment requirements—water and sewerage

- (1) A prescribed fee under Schedule 1 item 27 is payable to the South Australian Water Corporation.
- (2) The prescribed fee is payable by the person who makes the application to divide the land.

6—Applications relating to certain electricity infrastructure—issue of certificate by Technical Regulator

The prescribed fee under Schedule 1 item 32 is payable to the Technical Regulator for the issue of a certificate required by the *Planning, Development and Infrastructure (General) Regulations 2017* to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

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	\$774.00
	(b) in any other case	\$571.00
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	\$275.00
3	Application to the accreditation authority under regulation 19 of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$183.00
4	Late application fee under regulation 19(3) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$61.00

Part 2—Fees relating to development assessment

The following fees are payable in relation to development assessment under the Act (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

5	Application for planning consent or building consent (the <i>base amount</i>)—	
	(a) a lodgement fee; and	\$180.00
	(b) if the application is lodged at the principal office of the relevant authority—a processing fee	\$81.50
6	Application for planning consent—	
	(a) if the proposed development is to be assessed as deemed-to-satisfy development under section 106 of the Act—	
	(i) if the total development cost is no more than \$10 000	\$129.00
	(ii) in any other case	\$214.00
	(b) if the proposed development is to be assessed on its merits under section 107 of the Act	\$255.00 or 0.125% of the total development cost up to a maximum of \$200 000, whichever is the greater
	(c) if the proposed development is restricted development under section 108(1)(a) of the Act	
	(i) if the proposed development is the division of land	\$500.00

	(ii) in any other case	0.25% of the total development cost up to a maximum of \$300 000
	(d) if the applicant applies for a review of the decision under section 110(15) of the Act	\$521.00
	(e) if the proposed development is to be assessed as impact assessed development under section 111 of the Act—	
	(i) if the proposed development is declared as being impact assessed development by the Minister	\$1 783.00 plus 0.25% of the total development cost up to a maximum of \$500 000
	(ii) in any other case	0.25% of the total development cost up to a maximum of \$500 000
7	Application for planning consent that must be notified—	
	(a) if section 107(3)(a) applies	\$255.00
	(b) if section 110(2)(a) applies	\$255.00
8	Application for planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —	
	(a) for referral to the Commissioner of Highways—	
	(i) if the proposed development involves a change in the use of land	\$406.00
	(ii) if the proposed development involves the division of land	\$406.00
	(b) for referral to the Environment Protection Authority	
	(i) non-licensable	\$755.00
	(ii) licensable	\$1,699.00
	(iii) site contamination	\$1,398.00
	(c) for referral to the Minister responsible for the administration of the <i>Heritage Places Act 1993</i>	\$406.00
	(d) for referral to the Minister responsible for the administration of the <i>River Murray Act 2003</i>	\$406.00
	(e) for referral to the Relevant authority under the <i>Landscape South Australia Act 2019</i>	\$406.00
	(f) for referral to the Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i>	\$406.00
	(g) for referral to the Coast Protection Board	\$406.00
	(h) for referral to the Minister responsible for the administration of the <i>Historic Shipwrecks Act 1981</i>	\$406.00
	(i) for referral to the Commonwealth Minister responsible for the administration of the <i>Underwater Cultural Heritage Act 2018</i> of the Commonwealth	\$406.00
	(j) for referral to the Native Vegetation Council	\$651.00
	(k) for referral to the Government Architect or Associate Government Architect	\$496.00

(l)	for referral to Minister responsible for the administration of the <i>South Australian Housing Trust Act 1995</i>	\$245.00 plus \$153.00 per stage
(m)	for referral to the Minister responsible for the administration of the Aquaculture Act 2001	\$421.00
(n)	for referral to the South Australian Country Fire Service	\$303.00
(o)	for referral to Chief Executive of the Department of the Minister responsible for the administration of the <i>Petroleum and Geothermal Energy Act 2000</i>	\$333.00
(p)	for referral to the Minister responsible for the administration of the Mining Acts	\$333.00
(q)	for referral to the Technical Regulator	\$171.00
(r)	for referral to the Airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, Secretary of the Department of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth	\$406.00
9	Application for building consent (a <i>building assessment fee</i>)—	
(a)	for a Class 1 building under the Building Code	\$459.00 or 0.25% of the total development cost, whichever is the greater
(b)	for a Class 10 building under the Building Code	\$132.00 or 0.25% of the total development cost, whichever is the greater
(c)	for any other class of building under the Building Code—	
(i)	if the total development cost is no more than \$20 000	\$683.00
(ii)	if the total development cost is greater than \$20 000 and no more than \$200 000	\$683.00 plus 0.4% of the amount determined by subtracting \$20 000 from the total development cost
(iii)	if the total development cost is greater than \$200 000 and no more than \$1 000 000	\$1 416.00 plus 0.25% of the amount determined by subtracting \$200 000 from the total development cost
(iv)	if the total development cost is greater than \$1 000 000	\$3 454.00 plus 0.15% of the amount determined by subtracting \$1 000 000 from the total development cost
10	Application for building consent (a <i>compliance fee</i>)—	
(a)	for a Class 1 building under the Building Code or a swimming pool or swimming pool safety features	\$245.00
(b)	for a Class 1 building under the Building Code if the building comprises multiple dwellings	\$245.00 for each dwelling
(c)	for a Class 10 building under the Building Code—	
(i)	if the total development cost is no more than \$10 000	no fee
(ii)	if the total development cost is greater than \$10 000	\$81.50

	(d) for any other class of building under the Building Code	\$245.00 or 0.075% of the total development cost up to a maximum of \$2 548.00, whichever is the greater
11	Application for building consent for the demolition of a building	\$148.00
12	Application for the concurrence of the Commission under section 118(2)(a) of the Act	\$352.00
13	Referral of application to the Commission for an opinion under section 118(4) of the Act	\$352.00
14	Application for a development authorisation under section 102(1)(c) or (d) of the Act—	
	(a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments, or creates no more than 4 additional allotments and does not involve the creation of a public road	\$178.00
	(b) if the division creates more than 4 additional allotments	\$178.00 plus \$16.30 for each additional allotment created
	(c) if the division involves the creation of a public road (regardless of the number of additional allotments created)	\$178.00 plus \$16.30 for each additional allotment created
15	Application for final development approval in respect of HomeBuilder development (fee payable to the council for the area in which the proposed development is to be undertaken)	\$120.00
16	Advice of the Commission under regulation 76 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by the applicant at the time of lodgement of the application)	\$204.00
17	A Certificate of Approval Fee for the purposes of section 138 of the Act	\$1 048.00
18	Application under section 130 or 131 of the Act (fee payable to the Commission)	\$180.00 plus 0.25% of the total development cost up to a maximum of \$300 000
19	Amount for public notice under section 131(13)(a) of the Act (amount payable to the Commission)	An amount determined by the Commission as being appropriate to cover its reasonable costs in giving public notice of the application under section 131(13)(a) of the Act
20	Application for a variation of a development authorisation previously given that is minor in nature	\$129.00
21	Application to assessment panel for review of a prescribed matter under section 202(1)(b)(i)(A) of the Act	\$521.00

Part 3—Fees relating to building activity and use

The following fees are payable in relation to building activity and use (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

22	Issue of a certificate relating to essential safety provisions under regulation 94 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$245.00
23	Application for assignment of a classification to a building or a change in the classification of a building under section 151 of the Act	\$173.00
24	Application for a certificate of occupancy under section 152 of the Act	\$51.00

Part 4—Funds and off-set schemes

The following fees are payable in relation to funds and off-set schemes:

25	Rates of contribution under section 198(1)(d), (2)(c) or (8) of the Act—	
	(a) where the land to be divided is within Greater Adelaide	\$7 908.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area
	(b) where the land to be divided is within any other part of South Australia	\$3 175.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area
26	Rates of contribution for the purposes of section 199(1) of the Act—	
	(a) where the prescribed building is within Greater Adelaide	\$7 908.00 for each apartment or allotment delineated by the relevant plan
	(b) where the prescribed building is within any other part of South Australia	\$3 175.00 for each apartment or allotment delineated by the relevant plan

Part 5—Other fees

The following fees are also payable:

27	An assessment, or the update of an assessment, under regulation 79 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —	
	(a) in relation to an original assessment	\$410.00
	(b) in relation to an updating of the original or a subsequent assessment (including where the update is required because of an amended plan of division)	\$118.00
28	Application for design review under section 121 of the Act	\$100.00 plus the reasonable costs of the design panel to provide advice on the application

29	Amount for the purposes of section 127(6) of the Act	\$153.00 for each replacement tree that is not planted
30	Application for the extension of a development authorisation under section 126(3) of the Act—	
	(a) if the development authorisation relates to development assessed as restricted development under section 108(1)(a) of the Act or impact assessed development under section 111 of the Act, or relates to development assessed under section 130 or 131 of the Act	\$129.00
	(b) in any other case	\$109.00
31	Request for initiation of infrastructure scheme under section 163(3)(b) of the Act	\$3 741.00
32	Certificate from Technical Regulator	\$410.00
33	Application to register an agreement under section 192 or 193 of the Act	\$81.50
34	Fee for the purposes of section 192(7) or 193(7) of the Act	\$15.20
35	Fee for approval under section 197(5) of the Act	\$379.00
36	Application for the approval of the Minister under section 235 of the Act	\$162.00
37	Application for approval of building envelope plan under regulation 19A(1) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$178.00 plus \$16.30 for each allotment delineated under the building envelope plan
38	Fee for consideration and publication of building envelope plan under regulation 19A(3) and (4) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by applicant at the time of making application for approval of building envelope plan)	\$204.00
39	Fee for registration as a Local Design Review Administrator under the Minister’s Design Review scheme established under section 121 of the Act	\$550.00
40	Fee for registration an Independent Design Review Administrator under the Minister’s Design Review scheme established under section 121 of the Act	\$320.00

Made by the Minister for Planning and Local Government

On 19 May 2021

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

Amendment to the Planning and Design Code

Preamble

It is necessary to amend the Planning and Design Code (the Code) in operation at 20 May 2021 (Version 2021.6) in order to make changes of form, address inconsistency and correct errors that relate to:

- Correcting typographical errors in the following policies:

Zones	Overlays
<ul style="list-style-type: none"> ◦ Capital City Zone PO 1.2 ◦ City Riverbank Zone 1.2 ◦ Business Neighbourhood Zone PO 1.3 ◦ Strategic Innovation Zone PO 1.7 ◦ Suburban Business Zone PO 1.4 ◦ Urban Renewal Neighbourhood Zone DTS/DPF 10.1(f). 	<ul style="list-style-type: none"> ◦ State Heritage Place Overlay PO 4.1