

Thursday, 28 February 2019

Communications and Engagement Team
Planning and Development
Development Division
Department of Planning, Transport and Infrastructure
E dpti.planningengagement@sa.gov.au

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Dear Communications and Engagement Team

RE: Response from SSSI-SA Land Surveying Committee to draft Planning, Development and Infrastructure (General) Variation Regulations

Thank you for the opportunity to provide feedback to the documents currently open for consultation. The response to these documents from the Surveying & Spatial Sciences Institute SA Land Surveying Committee is provided below.

Part 2—Variation of Planning, Development and Infrastructure (General) Regulations 2017
4—Variation of regulation 3—Interpretation

(1) Regulation 3—after the definition of Act insert:

designated building means a building, or class of building, designated by the Minister in a notice under Schedule 8, clause 4(1)(j);

designated building product means a building product, or kind of building product, designated by the Minister in a notice under Schedule 8, clause 4(1)(j);

The references to Schedule 8 clause 4(1)(j) do not correspond to Schedule 8 of the draft Regulations. Recommend future regulations include definition to be meaningful.

Metropolitan Adelaide means Metropolitan Adelaide as defined by GRO Plan 639/93;

Recommend plan is made available on SA Planning Portal for easy reference.

(3) Subject to these regulations and the Planning and Design Code, if requirements for minimum finished floor levels expressed by reference to ARI or AHD are set out under the Planning and Design Code in respect of a zone, subzone or overlay, the zone, subzone or overlay will be taken to be a designated flood zone, subzone or overlay for the purposes of these regulations.

Recommend Planning and Design Code deal with flood prone areas as many current Development Plans are out of date and do not prescribe ARI/AHD requirements where they are needed.

3F—Significant trees

Recommend change to “Regulated and Significant trees” for consistency and avoid confusion.

Part 5—Relevant authorities and accredited professionals

22—Prescribed scheme (section 93)

(1) For the purposes of section 93 of the Act—

(a) an assessment manager may act as a relevant authority for the purposes of giving planning consent in relation to—

(i) development that may be assessed as deemed-to-satisfy development under section 106 of the Act (including where there may be 1 or more minor variations under section 106(2) of the Act); and

(ii) development that may be assessed as code assessed development under section 107 of the Act, other than where—

Recommend the term “performance assessed” is used instead of “code assessed” to avoid confusion as “code assessed” means both deemed-to-satisfy development under section 106 and performance assessed development under section 107.

32—Lodging application on SA planning portal on behalf of an applicant

A relevant authority who receives an application under regulation 30(1)(b) or (2) must lodge the application on the SA planning portal within 5 business days after receipt of the application.

Recommend clarifying if lodgement timeframes commence only after fees are paid.

Thank you and we look forward to the continuing conversation to help set out the new framework for planning and development in South Australia.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Nietschke', with a long horizontal flourish extending to the right.

Michael Nietschke
Chair, SSSI-SA Land Surveying Committee