

South Australia

# **Planning, Development and Infrastructure (Accredited Professionals) (Miscellaneous) Amendment Regulations 2026**

under the *Planning, Development and Infrastructure Act 2016*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

### **Part 2—Amendment of *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019***

- 3 Substitution of regulation 6
    - 6 Accredited professional—planning level 1
  - 4 Amendment of regulation 16—Consideration of application
  - 5 Amendment of regulation 17—Conditions
  - 6 Amendment of regulation 19—Continuation of accreditation
  - 7 Amendment of regulation 23—Effect or period of cancellation or suspension
  - 8 Amendment of regulation 24—Register
  - 9 Amendment of regulation 25—CPD scheme
  - 10 Amendment of regulation 28—Complaints
  - 11 Amendment of regulation 30—Circumstances in which an accredited professional may not act
  - 12 Amendment of regulation 31—Acting without accreditation
  - 13 Amendment of regulation 33—Identity cards
  - 14 Amendment of regulation 34—Delegation
  - 15 Insertion of regulation 35
    - 35 Issue of expiation notices
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Planning, Development and Infrastructure (Accredited Professionals) (Miscellaneous) Amendment Regulations 2026*.

### **2—Commencement**

These regulations come into operation on .

**Part 2—Amendment of *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*****3—Substitution of regulation 6**

Regulation 6—delete the regulation and substitute:

**6—Accredited professional—planning level 1**

- (1) An Accredited professional—planning level 1 is authorised to perform, exercise or discharge the following functions, powers or duties:
  - (a) if appointed as an assessment manager under section 87 of the Act—
    - (i) acting as a relevant authority—
      - (A) in cases contemplated by the Act; or
      - (B) in cases contemplated by the *Planning, Development and Infrastructure (General) Regulations 2017*; and
    - (ii) other functions, powers or duties specified in the *Planning, Development and Infrastructure (General) Regulations 2017* as being capable of being performed, exercised or discharged by an assessment manager;
  - (b) in any case—any functions, powers or duties that an Accredited professional—planning level 2, Accredited professional—planning level 3 or Accredited professional—planning level 4 is authorised to perform, exercise or discharge.

**4—Amendment of regulation 16—Consideration of application**

Regulation 16(3)—after "event" insert:

or is or has been a director of a company that has been involved in a disqualifying event

**5—Amendment of regulation 17—Conditions**

- (1) Regulation 17(1)—after paragraph (a) insert:
  - (ab) that the accredited professional may only perform, exercise or discharge a function, power or duty referred to in Part 2 Division 2 if that Division authorises the accredited professional to perform, exercise or discharge the function, power or duty;
- (2) Regulation 17(2)—after paragraph (b) insert:
  - (ba) an Accredited professional—building level 4;

- (3) Regulation 17(6)—after the penalty provision insert:

Expiation fee: \$500.

## **6—Amendment of regulation 19—Continuation of accreditation**

- (1) Regulation 19—after subregulation (5) insert:

(5aaa) In considering an application for the continuation of an accreditation, the accreditation authority must be satisfied that the accredited professional is a fit and proper person to be an accredited professional under the Act.

(5aa) Without limiting subregulation (5aaa), in making an assessment under that subregulation the accreditation authority may take into account whether the accredited professional has been involved in a disqualifying event or is or has been a director of a company that has been involved in a disqualifying event.

- (2) Regulation 19(5b) to (6)—delete subregulations (5b) to (6) (inclusive) and substitute:

(6) Without limiting the circumstances in which the accreditation authority may refuse an application under this regulation, the accreditation authority may refuse an application under this regulation if—

(a) the accredited professional has not completed the prescribed amount of CPD within the relevant CPD period as required under Part 4; and

(b) the accreditation authority has not taken action under regulation 25(3) so as to continue the accreditation despite the failure on the part of the accredited professional.

(7) If the accreditation authority approves an application, it must give notice of the decision to the applicant as soon as practicable after making the decision.

(8) Despite subregulation (5a)(b), before the accreditation authority refuses an application, it must give the applicant notice of its proposal to refuse the application and its reasons for the proposal.

(9) The notice referred to in subregulation (8) must state that within a specified period after the notice is given, the applicant may make written representations to the accreditation authority concerning the proposal.

(10) If the accreditation authority proposes to refuse an application, the applicant's accreditation continues in force until the application is decided.

(11) The accreditation authority must not give effect to the proposal without considering any representations received from the applicant within the specified period.

**Planning, Development and Infrastructure (Accredited Professionals) (Miscellaneous) Amendment Regulations 2026**

Part 2—Amendment of *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

---

- (12) If, after considering any representations received within the specified period, the accreditation authority refuses the application, it must give notice of the decision to the applicant as soon as practicable after making the decision.
- (13) If the accreditation authority refuses an application, it must include in the notice of the decision—
  - (a) the reasons for the refusal; and
  - (b) the rights of review that the applicant has under these regulations.
- (14) An accreditation will cease by force of this regulation (and without the need to comply with Division 2) if an application is not made or determined in accordance with this regulation.

**7—Amendment of regulation 23—Effect or period of cancellation or suspension**

- (1) Regulation 23, heading—delete "cancellation or"
- (2) Regulation 23(1)—delete subregulation (1)

**8—Amendment of regulation 24—Register**

Regulation 24(2)(a)—delete "address" and substitute:  
details

**9—Amendment of regulation 25—CPD scheme**

- (1) Regulation 25(6)—delete "be by way of statutory declaration lodged with the accreditation authority which"
- (2) Regulation 25(6)—before paragraph (a) insert:
  - (aa) be in writing; and
- (3) Regulation 25(6)(a)—delete "sets" and substitute:  
set
- (4) Regulation 25(6)(b)—delete "sets" and substitute:  
set
- (5) Regulation 25—after subregulation (6) insert:
  - (7) The accreditation authority may require an accredited professional to verify matters set out in an application by the accredited professional under subregulation (3) by statutory declaration.
  - (8) The accreditation authority may require the accredited professional to provide such additional documents or information as may be reasonably required to assess an application under subregulation (3) (verified, if the accreditation authority so requires, by statutory declaration).

# Draft

## Planning, Development and Infrastructure (Accredited Professionals) (Miscellaneous) Amendment Regulations 2026

Amendment of *Planning, Development and Infrastructure (Accredited Professionals)*  
*Regulations 2019*—Part 2

---

### 10—Amendment of regulation 28—Complaints

- (1) Regulation 28(3)(c)—delete paragraph (c)
- (2) Regulation 28—after subregulation (3) insert:
  - (3a) The accreditation authority may require the complainant to verify the particulars of the allegation on which the complaint is based by statutory declaration.
- (3) Regulation 28(4)—delete "12 months" and substitute:

6 months
- (4) Regulation 28(8)—after "may" insert:

, after having accepted a complaint for investigation,

### 11—Amendment of regulation 30—Circumstances in which an accredited professional may not act

Regulation 30(3)—after the penalty provision insert:  
Expiation fee: \$500.

### 12—Amendment of regulation 31—Acting without accreditation

Regulation 31—after the penalty provision insert:  
Expiation fee: \$500.

### 13—Amendment of regulation 33—Identity cards

Regulation 33(2)—after the penalty provision insert:  
Expiation fee: \$100.

### 14—Amendment of regulation 34—Delegation

Regulation 34(1)—after "regulations" insert:  
or a related set of regulations

### 15—Insertion of regulation 35

After regulation 34 insert:

#### 35—Issue of expiation notices

The accreditation authority is a designated person who may give expiation notices under these regulations.

#### 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

No            of 2026