

**House of Assembly—No 161**

As received from the Legislative Council and read a first time, 3 July 2013

South Australia

**Development (Development Plan Amendments)  
(Notification) Amendment Bill 2013**

A BILL FOR

An Act to amend the *Development Act 1993*.

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

This Act may be cited as the *Development (Development Plan Amendments) (Notification) Amendment Act 2013*.

### **5 2—Commencement**

This Act will come into operation 3 months after assent.

### **3—Amendment provisions**

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## **10 Part 2—Amendment of *Development Act 1993***

### **4—Amendment of section 25—Amendments by a council**

(1) Section 25(9)(c)—delete paragraph (c)

(2) Section 25—after subsection (9) insert:

15 (9a) The council must, at the time that the DPA is released for public consultation in accordance with process A, B or C, take reasonable steps to give—

(a) an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and

20 (b) an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment,

a notice in accordance with the regulations informing the relevant owner or occupier of his or her rights to make representations in relation to the matter in writing and at a public meeting under subsection (11).

- 5 (9ab) An amendment to a Development Plan under this section is not invalid by reason only of a failure to notify a person under subsection (9a).

## 5—Amendment of section 26—Amendments by the Minister

(1) Section 26(5b)(c)—delete paragraph (c)

10 (2) Section 26—after subsection (5b) insert:

(5ba) Subject to subsection (5bb), the Minister will, at the time that the DPA is released for public consultation in accordance with process A, B or C, take reasonable steps to give—

- 15 (a) an owner or occupier of any land that is directly within the ambit of operation of the proposed amendment; and  
(b) an owner or occupier of each piece of adjacent land to land that is directly within the ambit of operation of the proposed amendment,

20 a notice in accordance with the regulations informing the relevant owner or occupier of his or her rights to make representations in relation to the matter in writing and at a public meeting under subsection (5c).

(5bb) Subsection (5ba) does not apply to a DPA of a kind that is expressed to be a *Statewide* DPA.

- 25 (5bc) An amendment to a Development Plan under this section is not invalid by reason only of a failure to notify a person under subsection (5ba).

## Schedule 1—Transitional provision

### 1—Transitional provision

30 The amendments made to the *Development Act 1993* by this Act do not apply in relation to a DPA that has been released for public consultation under section 25(7)(d), (8)(b)(ii) or (9)(b), or section 26(5)(d)(ii), (5a)(b) or (5b)(b), of that Act before the commencement of this Act.