

House of Assembly—No 47

As laid on the table and read a first time, 13 May 2020

South Australia

**Planning, Development and Infrastructure
(Restricted Development) Amendment Bill 2020**

A BILL FOR

An Act to amend the *Planning, Development and Infrastructure Act 2016* and to make a related amendment to the *Development Act 1993*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Planning, Development and Infrastructure Act 2016*

- 3 Amendment of section 66—Key provisions about content of code

Schedule 1—Related amendment to *Development Act 1993*

- 1 Amendment of section 23—Development Plans
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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Planning, Development and Infrastructure (Restricted Development) Amendment Act 2020*.

2—Amendment provisions

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

Part 2—Amendment of *Planning, Development and Infrastructure Act 2016*

3—Amendment of section 66—Key provisions about content of code

- (1) Section 66—after subsection (4) insert:

- 15 (4a) If the Planning and Design Code classifies a kind of development within the North Adelaide Historic (Conservation) Zone as restricted development, the Code cannot provide for an exception for the kind of development from that classification on the basis that it is directly associated with or related to a prescribed institution (but the Code may provide for an exception in respect of that kind of development if it is to be situated on the site of a prescribed institution).

- 20 (2) Section 66—after subsection (7) insert:

- (8) In this section—

North Adelaide Historic (Conservation) Zone means the North Adelaide Historic (Conservation) Zone defined in the Development Plan relating to The Corporation of the City of Adelaide as in force on 26 July 2019;

prescribed institution means a hospital, aged care facility, secondary school or college or university college;

site, of a prescribed institution, means the site of the institution as shown by the Development Plan of The Corporation of the City of Adelaide as in force on 26 July 2019.

Schedule 1—Related amendment to *Development Act 1993*

1—Amendment of section 23—Development Plans

(1) Section 23—after subsection (4c) insert:

(4d) If the Development Plan of The Corporation of the City of Adelaide classifies a kind of development within the North Adelaide Historic (Conservation) Zone as *non-complying* development, the Development Plan cannot provide for an exception for the kind of development from that classification on the basis that the development is directly associated with or related to a prescribed institution (but the Development Plan may provide for an exception in respect of that kind of development if it is to be situated on the site of the prescribed institution).

(2) Section 23—after subsection (7) insert:

(8) In this section—

North Adelaide Historic (Conservation) Zone means the North Adelaide Historic (Conservation) Zone defined in the Development Plan relating to The Corporation of the City of Adelaide as in force on 26 July 2019;

prescribed institution means a hospital, aged care facility, secondary school or college or university college;

site, of a prescribed institution, means the site of the institution as shown by the Development Plan of The Corporation of the City of Adelaide as in force on 26 July 2019.