

House of Assembly—No 36

As received from the Legislative Council and read a first time, 20 October 2022

South Australia

Heritage Places (Adelaide Park Lands) Amendment Bill 2022

A BILL FOR

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

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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 *Heritage Places (Adelaide Park Lands) Amendment Act 2022*.

Part 2—Amendment of *Heritage Places Act 1993*

2—Amendment of section 3—Interpretation

- (1) Section 3(1)—before the definition of *archaeological artefact* insert:

- 10 *Adelaide Park Lands* means the Adelaide Park Lands and City Layout described in the Schedule to the notice published in the Commonwealth of Australia Gazette under the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth for the purposes of including the Adelaide Park Lands and City Layout in the National Heritage List (see Commonwealth of Australia Gazette No. S238, Friday 7 November 2008);
15 *Adelaide Park Lands State Heritage Area* means the Adelaide Park Lands State Heritage Area established under Part 4A;

- (2) Section 3(1), definition of *State Heritage Area*—after "means" insert:
the Adelaide Park Lands State Heritage Area or

3—Amendment of section 14—Content of Register

- (1) Section 14(4)(a)—after "or (b)" insert:
or relating to the Adelaide Park Lands State Heritage Area
- (2) Section 14(4)(b)—after "or (e)" insert:
(other than in relation to the Adelaide Park Lands State Heritage Area)

4—Amendment of section 24—Alteration of Register if place to be designated as place of local heritage value

Section 24—after subsection (4) insert:

- (5) To avoid doubt, this section does not apply in relation to the Adelaide Park Lands State Heritage Area.

5—Insertion of Part 4A

After Part 4 insert:

Part 4A—Adelaide Park Lands State Heritage Area

24A—Adelaide Park Lands State Heritage Area

The Adelaide Park Lands is established as a State Heritage Area.

Schedule 1—Related amendment and transitional provision

Part 1—Related amendment to *Planning, Development and Infrastructure Act 2016*

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

Section 66(2)—after paragraph (c) insert:

- (ca) be taken to include the Adelaide Park Lands State Heritage Area established under the *Heritage Places Act 1993* (and the State Heritage Area Overlay applying under the Code will be taken to apply to the Adelaide Park Lands State Heritage Area); and

Part 2—Transitional provision

2—Transitional provision

On the commencement of this Act, the South Australian Heritage Council must alter the State Heritage Register maintained under the *Heritage Places Act 1993* to reflect the establishment of the Adelaide Park Lands State Heritage Area under Part 4A of that Act (as inserted by section 5 of this Act) and include (as the Council sees fit) in the entry on the Register with respect to that Area any relevant description, notes or other content in accordance with section 14 of the *Heritage Places Act 1993*.