

**House of Assembly—No 9**

As laid on the table and read a first time, 4 March 2020

South Australia

**Planning, Development and Infrastructure  
(Carparking Requirements) Amendment Bill 2020**

A BILL FOR

An Act to amend 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 *Planning, Development and Infrastructure (Carparking Requirements) 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 94—Relevant authority—Commission

Section 94(1)(b)—after "by" insert:

this Act or

#### 4—Amendment of section 108—Categorisation

- 15 (1) Section 108(1)(a)—after "classified by" insert:

this Act or

- (2) Section 108—after subsection (1) insert:

(1a) In accordance with subsection (1)(a), if a proposed development on a site involving the construction of a new dwelling does not—

- 20 (a) in the case of a 1 bedroom dwelling—provide for at least 1 carpark on the site or on a site within 100 metres of the dwelling; or

- (b) in the case of a dwelling with 2 or more bedrooms—provide for at least 2 carpark on the site or on a site within 100 metres of the dwelling (or a combination of both),

the development is classified as restricted development.

5 **5—Amendment of section 110—Restricted development**

Section 110(10)—delete subsection (10) and substitute:

- (10) If the Commission makes an assessment under this section in relation to restricted development, the Commission must—

- 10 (a) in the case of a proposed development on a site involving the construction of a new dwelling classified as restricted development under section 108(1a), ensure that—
  - (i) in the case of a 1 bedroom dwelling—provision is made for at least 1 carpark on the site or on a site within 100 metres of the dwelling; or
  - 15 (ii) in the case of a dwelling with 2 or more bedrooms—provision is made for at least 2 carpark on the site or on a site within 100 metres of the dwelling (or a combination of both); and
- 20 (b) in any case—take into account the relevant provisions of the Planning and Design Code (but is not bound by those provisions).

**6—Amendment of section 128—Variation of authorisation**

Section 128(2)(c)—after "classified by" insert:

this Act or

25 **7—Amendment of section 202—Rights of review and appeal**

Section 202(1)(d)—after "by" insert:

this Act or