

Legislative Council—No 73

As introduced and read a first time, 23 September 2020

South Australia

**Planning, Development and Infrastructure
(Regulated Trees) 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 Commencement
- 3 Amendment provisions

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

- 4 Insertion of section 102A
102A Assessment requirements—regulated trees

Schedule 1—Related amendment to *Development Act 1993*

- 1 Insertion of section 33A
33A Assessment requirements—regulated trees
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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 (Regulated Trees) Amendment Act 2020*.

2—Commencement

This Act comes into operation 1 month after the day on which it is assented to by the Governor.

3—Amendment provisions

10 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*

4—Insertion of section 102A

15 After section 102 insert:

102A—Assessment requirements—regulated trees

20 (1) If a proposed development involves a component that provides for an activity that constitutes a tree-damaging activity (in relation to a regulated tree) at a site, a development authorisation cannot be granted in relation to the tree-damaging activity unless all components of the proposed development at the site that cannot be undertaken unless the tree-damaging activity occurs are authorised by a development authorisation.

- (2) Subsection (1) does not apply to a tree-damaging activity that must be undertaken in relation to a regulated tree to protect any person or building.

Schedule 1—Related amendment to *Development Act 1993*

5 **1—Insertion of section 33A**

After section 33 insert:

33A—Assessment requirements—regulated trees

- 10 (1) If a proposed development involves a component that provides for an activity that constitutes a tree-damaging activity (in relation to a regulated tree) at a site, a development authorisation cannot be granted in relation to the tree-damaging activity unless all components of the proposed development at the site that cannot be undertaken unless the tree-damaging activity occurs are authorised by a development authorisation.
- 15 (2) Subsection (1) does not apply to a tree-damaging activity that must be undertaken in relation to a regulated tree to protect any person or building.