

Legislative Council—No 47A

As reported with amendments, report adopted, Standing Orders suspended and passed remaining stages, 3 November 2022

South Australia

Private Parking Areas (Shopping Centre Parking Areas) Amendment Bill 2022

A BILL FOR

An Act to amend the *Private Parking Areas Act 1986*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Private Parking Areas Act 1986*

- 3 Amendment of section 4—Interpretation
 - 4 Insertion of section 13
 - 13 Regulated shopping centre parking areas
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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 *Private Parking Areas (Shopping Centre Parking Areas) Amendment Act 2022*.

2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

Part 2—Amendment of *Private Parking Areas Act 1986*

3—Amendment of section 4—Interpretation

- 10 (1) Section 4(1)—before the definition of *authorised officer* insert:

Adelaide CBD means the area of the City of Adelaide bounded—

- 15 (a) on the north by the northern bank of the River Torrens; and
- (b) on the south by the northern alignment of South Terrace; and
- (c) on the east by the western alignment of East Terrace and its prolongation north to the northern bank of the River Torrens; and
- (d) on the west by the eastern alignment of West Terrace and its prolongation north to the northern bank of the River Torrens;

- (3) Section 4(1)—after the definition of *exempt vehicle* insert:

20 *lease* has the same meaning as in the *Retail and Commercial Leases Act 1995*;

- (4) Section 4(1)—after the definition of *loading area* insert:

25 *major retail shopping centre* means a retail shopping centre where the total of the lettable areas of all the retail shops (whether leased or available for lease) in the retail shopping centre is 34 000 m² or more, but does not include a retail shopping centre within the Adelaide CBD;

- (5) Section 4(1), definition of "**owner**, in relation to land"—delete "or private parking area" and substitute:

, private parking area or regulated shopping centre parking area

- (6) Section 4(1), definition of **private parking area**—after "areas" insert:

5 or the whole or part of the area is also a regulated shopping centre parking area

- (7) Section 4(1)—after the definition of **private walkway** insert:

10 **regulated shopping centre parking area** means an area provided on land by the owner for the parking of vehicles used by persons frequenting a major retail shopping centre;

- (8) Section 4(1)—after the definition of **restricted parking area** insert:

retail shop and **retail shopping centre** have the same respective meanings as they do in the *Retail and Commercial Leases Act 1995*;

4—Insertion of section 13

15 After section 12 insert:

13—Regulated shopping centre parking areas

- 20 (1) The owner of a regulated shopping centre parking area must not, without the approval of the Minister, charge a person a fee for the parking of a vehicle in the regulated shopping centre parking area.
Maximum penalty: \$5 000.
- (2) An approval under subsection (1) may be granted subject to such conditions as the Minister thinks fit.
- 25 (3) The Minister may add a condition to, or vary or revoke a condition of, an approval under subsection (1) by notice in writing to the owner of the regulated shopping centre parking area to which the approval relates.