

South Australia

# Development (Building Rules Consent—Disability Access) Amendment Act 2011

An Act to amend the *Development Act 1993*.

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Development Act 1993*

- 4 Amendment of section 4—Interpretation
  - 5 Amendment of section 53A—Requirement to up-grade building in certain cases
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**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Development (Building Rules Consent—Disability Access) Amendment Act 2011*.

### 2—Commencement

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

### 3—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 *Development Act 1993*

### 4—Amendment of section 4—Interpretation

Section 4(1)—after the definition of *the Advisory Committee* insert:

*affected part* of a building in relation to which building work is to be carried out means any of the following:

- (a) the principal pedestrian entrance of the building;

- (b) any part of the building that is necessary to provide a continuous accessible path of travel from the entrance to the location of the building work;

**5—Amendment of section 53A—Requirement to up-grade building in certain cases**

- (1) Section 53A(1)—delete "prescribed date" and substitute:
  - date prescribed by regulation for the purposes of this subsection
- (2) Section 53A(2)(a)—delete "kind prescribed by the regulations to a building constructed before 1 January 1980" and substitute:
  - class prescribed by the regulations
- (3) Section 53A(2)(b)—delete paragraph (b) and substitute:
  - (b) the relevant authority is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings, and facilities and services within buildings, for people with disabilities,
- (4) Section 53A(2)—delete "reasonably necessary to ensure that the facilities for such access will be adequate" and substitute:
  - necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code
- (5) Section 53A(3)—delete subsection (3) and substitute:
  - (3) However, the regulations may specify circumstances in which a relevant authority may not require building work or other measures, or a specified kind of building work or measure, to be carried out under subsection (2).