

South Australia

# Private Parking Areas (Shopping Centre Parking Areas) Amendment Act 2022

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

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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 *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

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

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

- (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;
- (2) Section 4(1)—after the definition of *exempt vehicle* insert:  
*lease* has the same meaning as in the *Retail and Commercial Leases Act 1995*;
- (3) Section 4(1)—after the definition of *loading area* insert:  
*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 m<sup>2</sup> or more, but does not include a retail shopping centre within the Adelaide CBD;
- (4) 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
- (5) Section 4(1), definition of *private parking area*—after "areas" insert:  
or the whole or part of the area is also a regulated shopping centre parking area
- (6) Section 4(1)—after the definition of *private walkway* insert:  
*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;
- (7) 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

After section 12 insert:

##### 13—Regulated shopping centre parking areas

- (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.
- (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.