



ANNO VICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1975

No. 74 of 1975

**An Act to amend the Planning and Development Act,
1966-1975.**

[Assented to 16th October, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Planning and Development Act Amendment Act (No. 3), 1975".

(2) The Planning and Development Act, 1966-1975, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Planning and Development Act, 1966-1975".

**Amendment of
principal Act,
s. 36—
Planning
regulations.**

2. Section 36 of the principal Act is amended by inserting after subsection (16) the following subsections:—

(17) Where the Governor has, before the commencement of the Planning and Development Act Amendment Act (No. 3), 1975, made or purported to make planning regulations under this section—

(a) those regulations shall not be regarded as invalid by reason only of any difference or discrepancy between those regulations and a recommendation of the Authority or a council;

and

(b) no suspension in the operation of the regulations shall be held to have taken place by virtue of the operation of Part V or Part VA of this Act, and the regulations shall be deemed capable of operating in relation to the same land concurrently with any of the provisions of those Parts.

(18) Subsection (17) of this section does not affect any right or interest of the plaintiffs or their assigns arising under or by virtue of the judgment given in Actions No. 1017 of 1973, and No. 1963 of 1973, in the Supreme Court.

(19) When a council has, before the commencement of the Planning and Development Act Amendment Act (No. 3), 1975, acted on the assumption that planning regulations to which subsection (17) of this section applies are invalid, or suspended, any consent given by the council under Part V of this Act is, for the purposes of this Act, sufficient authority for the person who has the benefit of the consent to do anything for which the consent was sought and granted, and no further consent or authorization is required under the planning regulations by reason of the provisions of subsection (17) of this section.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor