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# ELIZABETHAE II REGINAE

A.D. 1980

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## No. 95 of 1980

An Act to amend the Planning and Development Act, 1966-1980.

[Assented to 11 December 1980]

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. 4), 1980".

(2) The Planning and Development Act, 1966-1980, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Planning and Development Act, 1966-1980".

Amendment of  
s. 36—  
Planning  
regulations.

2. Section 36 of the principal Act is amended by inserting after subsection (7) the following subsection:

(7a) Where—

(a) a person or body has, by virtue of planning regulations, a discretionary power to grant or refuse its consent, permission or approval;

and

(b) the provisions of an authorized development plan may have some bearing upon the question of how the discretion is to be exercised,

the person or body invested with the power shall, in deciding how its discretion is to be exercised, have regard both to the provisions of the authorized development plan and to the matters to which the person or body is required, by the regulations, to have regard.

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

K. D. SEAMAN, Governor