

South Australia

Linear Parks (Coast Parks) Amendment Bill 2022

A BILL FOR

An Act to amend the *Linear Parks Act 2006*.

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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 *Linear Parks (Coast Parks) Amendment Act 2022*.

5 **2—Commencement**

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

Part 2—Amendment of *Linear Parks Act 2006*

3—Amendment of section 2—Objects and purposes of Act

Section 2(c)—after "use of" insert:

10 , and access to,

4—Amendment of section 3—Interpretation

- (1) Section 3—before the definition of *council* insert:

Coast Park (Semaphore to West Lakes Shore) Linear Park means the area specified (from time to time) on the Coast Park (Semaphore to West Lakes Shore) Linear Park Plan as "linear park";

Coast Park (Semaphore to West Lakes Shore) Linear Park Plan means Plan No 49 of 2022 deposited in the GRO on 21 October 2022, as varied or substituted from time to time under this Act;

Coast Park (Tennyson to Grange) Linear Park means the area specified (from time to time) on the Coast Park (Tennyson) Linear Park Plan as "linear park";

Coast Park (Tennyson to Grange) Linear Park Plan means Plan No 02 of 2022 deposited in the GRO on 1 February 2022, as varied or substituted from time to time under this Act;

- (2) Section 3, definition of *linear park*—after paragraph (a) insert:

- (ab) the Coast Park (Semaphore to West Lakes Shore) Linear Park; or
(ac) the Coast Park (Tennyson to Grange) Linear Park; or

- (3) Section 3, definition of *plan*—after paragraph (a) insert:

- (ab) the Coast Park (Semaphore to West Lakes Shore) Linear Park Plan;
or
(ac) the Coast Park (Tennyson to Grange) Linear Park Plan; or

5—Amendment of section 4—Linear parks

- (1) Section 4—before subsection (1) insert:

- (a1) The Coast Park (Semaphore to West Lakes Shore) Linear Park and the Coast Park (Tennyson to Grange) Linear Park are established.

- (2) Section 4(2)—after "established" insert:

under subsection (1)

- (3) Section 4(3)—after "Act" insert:

(including the Coast Park (Semaphore to West Lakes Shore) Linear Park Plan, the Coast Park (Tennyson to Grange) Linear Park Plan and the River Torrens Linear Park Public Lands Plan)

6—Amendment of section 6—Special provisions relating to roads

Section 6—after subsection (1b) insert:

- (1ba) The regulations may, in relation to the exercise of a power by a council under an Act or law in respect of an area specified as a road area on a plan defining a linear park, modify or exclude the application of a provision of the Act or law.

Schedule 1—Transitional provision

1—Abolition of certain linear parks

- (1) The following linear parks are, on the commencement of this clause, abolished:
- 5 (a) the Coast Park (Semaphore to West Lakes Shore) Linear Park established by the Minister under section 4 of the *Linear Parks Act 2006* (*Gazette 3.11.2022 p6580*);
- (b) the Coast Park (Tennyson to Grange) Linear Park established by the Minister under section 4 of the *Linear Parks Act 2006* (*Gazette 10.2.2022 p348*).
- (2) The abolition of a linear park under this clause (and the establishment of a linear park in place of that park under section 4(a1) of the *Linear Parks Act 2006* (as enacted by this Act)) does not affect any act done in relation to or for the purposes of the abolished park or the park established in its place.
- (3) An act referred to in subclause (2) will be taken to have been (and to always have been) validly and lawfully done.
- 15 (4) Subclauses (2) and (3) apply regardless of whether or not a park abolished under this clause was validly and lawfully established under this Act.
- (5) In this clause, a reference to ***acts done*** in relation to or for the purposes of a linear park includes a reference to—
- 20 (a) contracts entered into; and
- (b) approvals, authorisations or licences granted; and
- (c) notices given; and
- (d) works undertaken,
- for the purposes of the linear park.