

Queensland



**BEACH PROTECTION
LEGISLATION AMENDMENT
ACT 2003**

Act No. 65 of 2003

Queensland



**BEACH PROTECTION LEGISLATION
AMENDMENT ACT 2003**

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	4
PART 2— AMENDMENT OF BEACH PROTECTION ACT 1968		
2	Act amended in pt 2.	4
3	Insertion of new ss 61 to 63.	4
61	Particular plan of subdivision may be registered.	4
62	Validation of particular plans of subdivision	4
63	Protection of erosion prone area	5
PART 3— AMENDMENT OF COASTAL PROTECTION AND MANAGEMENT AND OTHER LEGISLATION AMENDMENT ACT 2001		
4	Act amended in pt 3.	5
5	Insertion of new s 19A	5
19A	Insertion of new ch 6, pt 3	6
PART 3—TRANSITIONAL PROVISIONS FOR BEACH PROTECTION LEGISLATION AMENDMENT ACT 2003		
122	Protection of erosion prone area	6

Queensland



**Beach Protection Legislation Amendment
Act 2003**

Act No. 65 of 2003

An Act to amend the *Beach Protection Act 1968* and the *Coastal Protection and Management and Other Legislation Amendment Act 2001*

[Assented to 17 October 2003]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the *Beach Protection Legislation Amendment Act 2003*.

PART 2— AMENDMENT OF BEACH PROTECTION ACT 1968

2 Act amended in pt 2

This part amends the *Beach Protection Act 1968*.

3 Insertion of new ss 61 to 63

After section 60—

insert—

‘61 Particular plan of subdivision may be registered

‘Despite section 45, the registrar of titles may register, under the *Land Title Act 1994*, plan of subdivision SP 143333.

‘62 Validation of particular plans of subdivision

‘(1) Subsection (2) applies if—

- (a) a plan of subdivision has been registered under the *Land Title Act 1994*; and
- (b) section 45 of this Act applied for any part of the land in the plan.

‘(2) It is declared that all indefeasible titles created under the *Land Title Act 1994* following the registration of the plan are, and remain, lawfully created titles.

‘63 Protection of erosion prone area

‘(1) After the registration of plan of subdivision SP 143333, the area of land comprising lot 100 on the plan may not be further subdivided under the *Land Title Act 1994* until the erosion prone area is surrendered to the State as a reserve for ‘Beach Protection and Coastal Management’ purposes.

‘(2) Subsection (1) applies despite section 45.

‘(3) In this section—

“**erosion prone area**” means the strip of land along Saltwater Creek—

- (a) designated as riparian buffer and landscape zone on plan Nos MK-16-18-RCP-01 to 06;¹ and
- (b) mentioned in the consent of the Governor in Council given on 19 September 2002 under section 45 in relation to those plans.’.

PART 3— AMENDMENT OF COASTAL PROTECTION AND MANAGEMENT AND OTHER LEGISLATION AMENDMENT ACT 2001

4 Act amended in pt 3

This part amends the *Coastal Protection and Management and Other Legislation Amendment Act 2001*.

5 Insertion of new s 19A

Part 2, after section 19—

insert—

¹ A copy of the plans may be inspected at the offices of the Gold Coast City Council and the Environmental Protection Agency during normal business hours.

‘19A Insertion of new ch 6, pt 3

‘After chapter 6, part 2—

insert—

‘PART 3—TRANSITIONAL PROVISIONS FOR BEACH PROTECTION LEGISLATION AMENDMENT ACT 2003**‘122 Protection of erosion prone area**

‘(1) After the registration of plan of subdivision SP 143333, the area of land comprising lot 100 on the plan may not be further subdivided under the *Land Title Act 1994* until the erosion prone area is surrendered to the State as a reserve for ‘Beach Protection and Coastal Management’ purposes.

‘(2) In this section—

“erosion prone area” means the strip of land along Saltwater Creek—

- (a) designated as riparian buffer and landscape zone on plan Nos MK-16-18-RCP-01 to 06;² and
- (b) mentioned in the consent of the Governor in Council given on 19 September 2002 under the repealed *Beach Protection Act 1968*, section 45 in relation to those plans.’.

2 A copy of the plans may be inspected at the offices of the Gold Coast City Council and the Environmental Protection Agency during normal business hours.