

LOCAL GOVERNMENT (ROBINA TOWN CENTRE PLANNING AGREEMENT) BILL 1992

EXPLANATORY NOTES

The Bill is for an Act to provide for the approval of an Agreement relating to the planning and development of certain land at Robina, in the Shire of Albert, and for other purposes.

Clause 1 sets out the short title of the Act.

Clause 2 sets out definitions with the existing planning scheme being the planning scheme for the Shire of Albert, immediately before the commencement of the Act with the Planning Agreement being the Robina Town Centre Planning Agreement made between the parties to the Agreement on 18 September 1992, a copy of which is in the Schedule held for inspection at the office of the Council along with any Agreements approved by the Governor-in-Council by regulation.

"site" means the land referred to in Parts One and Two of the First Schedule of the Planning Agreement.

Clause 3 provides for the re-zoning of land from Future Urban, Rural B and Residential A to Special Facilities (Robina Town Centre Core) zone and Special Business zone as set out in the First Schedule to the Planning Agreement.

Clause 4 provides that the parties are authorised to enter into the Planning Agreement and to do anything authorised within the Planning Agreement or required by the Planning Agreement.

Clause 5(1) provides that the Planning Agreement applies only to the site and has the force of law over the site.

Clause 5(2) provides that both the Planning Agreement and the Planning Scheme for the Shire of Albert apply to the site.

Clause 5(3) provides that where there is an inconsistency between the Planning Agreement and the existing planning scheme, a by-law made by the Council of the Shire of Albert, the *Local Government (Planning and Environment) Act, or the Building Act 1975*, the Planning Agreement prevails to the extent of the inconsistency.

Clause 5(4) provides that if the existing planning scheme is amended or superseded, such amended or superseded scheme, does not apply to this site.

Clause 6(1) provides that further agreement means any amendment to the Planning Agreement approved by the Governor-in-Council by regulation.

Clause 6(2) provides that in the making of such further agreement the requirements of the *Local Government (Planning and Environment) Act 1990* for amendment of a planning scheme apply up to, but not including, the giving of approval by the Governor in Council.

Clause 7(1) provides that a person who purchases land within the site becomes bound by the Planning Agreement.

Clause 7(2) provides that other provisions within the Planning Agreement that apply to subsequent purchasers continue to apply.

Clause 8 provides that nothing in the Act or the Planning Agreement binds the Crown.

Clause 9 provides for the making of regulations for the purposes of the Act.