

Queensland



**INTEGRATED RESORT
DEVELOPMENT
AMENDMENT BILL 2002**



INTEGRATED RESORT DEVELOPMENT AMENDMENT BILL 2002

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2002

A BILL

FOR

An Act to amend the Integrated Resort Development Act 1987

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Integrated Resort Development Amendment Act 2002</i> .	3 4
Clause 2	Act amended	5
	This Act amends the <i>Integrated Resort Development Act 1987</i> .	6
Clause 3	Amendment of s 2 (Interpretation)	7
	Section 2—	8
	<i>insert—</i>	9
	‘ “replacement schedule” , for part 5, division 4, subdivision E, see section 79B.’.	10 11
Clause 4	Amendment of s 59 (Subdivision of secondary lots within residential precincts)	12 13
	(1) Section 59(1), ‘and (3)’—	14
	<i>omit, insert—</i>	15
	‘to (3D)’.	16
	(2) Section 59(2), from ‘which may’—	17
	<i>omit, insert—</i>	18
	‘creating—	19
	(a) 1 or more secondary lots; or	20
	(b) 1 or more secondary lots and a lot or lots constituting a secondary thoroughfare.’.	21 22
	(3) Section 59(3), from ‘and each lot,’—	23
	<i>omit.</i>	24
	(4) Section 59—	25

insert—

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‘(3A) However, the aggregate of the maximum numbers of lots stated in the schedule accompanying the plan of subdivision must be the same as the maximum number of lots into which the secondary lot may be subdivided.

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‘(3B) The plan of subdivision may also include a lot or lots constituting a primary thoroughfare.

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‘(3C) The local government must not approve a plan of subdivision mentioned in subsection (3B) unless the primary thoroughfare body corporate has given written consent to the creation of the primary thoroughfare.

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‘(3D) Section 33 applies to the primary thoroughfare as if it had been created on a plan mentioned in the section.’

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Clause 5 Insertion of new pt 5, div 4, sdiv E

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After section 79—

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insert—

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‘Subdivision E—Replacement schedules accompanying particular plans of subdivision

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‘79A Application of sdiv E

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‘This subdivision applies to a schedule stating the maximum number of lots into which a lot may be subdivided if the schedule accompanies a registered plan of subdivision creating an initial lot or secondary lot in a residential precinct.

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‘79B Application to replace schedule

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‘The proprietor of the initial lot or secondary lot may apply to the local government for approval to replace the schedule with another schedule (the “**replacement schedule**”) that changes the number of lots into which the initial lot or secondary lot may be subdivided.

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‘79C Approval of replacement schedule

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‘(1) The local government may approve the replacement schedule only if—

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- (a) each proprietor and mortgagee of a lot for which the maximum number of lots is to be changed has given written consent to the change; and 1
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- (b) because of the change, the aggregate number of residential lots into which the residential precincts may be subdivided is the same; and 4
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- (c) an amendment of the scheme for the replacement schedule has been approved by the Governor in Council under section 13 after the commencement of this section; and 7
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- (d) the replacement schedule is consistent with the scheme as amended. 10
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- ‘(2) If, for complying with subsection (1)(b) and (c), more than 1 replacement schedule needs to be given to the local government, the replacement schedules must be given to the local government at the same time. 12
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- ‘(3) The local government must approve the replacement schedule by endorsing it under the local government’s seal. 16
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- ‘79D Registration of replacement schedule 18**
- ‘(1) The registrar of titles must not register the replacement schedule unless the local government has approved it. 19
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- ‘(2) The registrar of titles does not have to be satisfied about the matters mentioned in section 79C(1) but may rely on the local government’s approval of the replacement schedule.’. 21
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