

Sustainable Planning and Other Legislation Amendment Bill 2011

Amendments agreed to during Consideration

1 **Clause 2 (Commencement)**

Page 12, lines 7 to 10—

omit, insert—

‘(1) Part 3, other than sections 5 to 9, 16, 17, and 19(2) and (3), and part 6 commence on—

(a) 1 November 2012; or

(b) if a day before 1 November 2012 is fixed by proclamation—that day.

‘(2) Part 4A is taken to have commenced on 15 February 2012.’.

2 **After clause 22**

Page 23, after line 23—

insert—

‘Part 4A Amendment of Land Sales Act 1984

‘22A Act amended

This part amends the *Land Sales Act 1984*.

‘22B Amendment of s 27 (Purchaser’s rights if not given a registrable instrument of transfer within a certain period)

Section 27(1)(b), after ‘made’—

insert—

‘, other than as a result of the purchaser’s default’.

‘22C Insertion of new s 37

After section 36—

insert—

‘37 Transitional provision for Sustainable Planning and Other Legislation Amendment Act 2012

‘(1) Section 27 as amended by the *Sustainable Planning and Other Legislation Amendment Act 2012*, section 22B applies to an instrument relating to the sale of a proposed lot if—

- (a) the instrument is in force, and settlement has not been effected, immediately before commencement; or
- (b) the instrument is made on or after commencement.

‘(2) Subsection (1)(a) applies—

- (a) regardless of whether the sunset period ended or ends before, on or after commencement; and
- (b) even if an action for specific performance of the purchaser’s obligations under the instrument has been started by the vendor, but not completed, before commencement.

‘(3) Subsections (1)(a) and (2) apply despite the *Acts Interpretation Act 1954*, section 20.

‘(4) In this section—

commencement means the commencement of the *Sustainable Planning and Other Legislation Amendment Act 2012*, section 22B.

sunset period means the 3¹/₂ year period mentioned in section 27(1)(b) or, if that period is extended by a regulation made under section 28, the extended period.’.

3 After clause 29

Page 27, after line 21—

insert—

‘Part 5A Amendment of Local Government Electoral Act 2011

‘29A Act amended

This part amends the *Local Government Electoral Act 2011*.

‘29B Insertion of new s 210

Part 11—

insert—

‘210 Cut-off day for compiling voters roll for quadrennial election for 2012

‘Despite section 18(1), a voters roll for the quadrennial election for 2012 must be compiled at 25 February 2012.’.

4 Clause 94 (Insertion of new ch 8A)

Page 67, line 4—

omit, insert—

- ‘(j) any supporting information the approved form states is mandatory supporting information for the application;
- (k) the fee prescribed under a regulation.’.

5 Clause 94 (Insertion of new ch 8A)

Page 70, after line 25—

insert—

- ‘(4) If the Minister decides a term of registration for the premises of more than 10 years, the notice must state the term.

Note—

Under section 680W(1), the Minister may decide a term of registration for particular premises of at least 10 years, but not more than 25 years.’.

6 Clause 94 (Insertion of new ch 8A)

Page 74, line 8—

omit, insert—

‘for a term of—

- (a) 10 years; or
- (b) if, having regard to the application for registration of particular premises, the Minister considers a longer term is appropriate for the premises—at least 10 years, but not more than 25 years, decided by the Minister.’.

7 Clause 111 (Amendment of s 38 (Division 1 process applies))

Page 98, lines 5 to 8—

omit, insert—

- ‘(e) a reference in section 31(1) or (5) to 45 business days were a reference to 20 business days; and
- (f) a reference in section 31(6) to 20 business days were a reference to 10 business days.’.

8 Clause 129 (Insertion of new pt 6A)

Page 110, line 2—

omit, insert—

‘development area.

‘136E Consultation with public sector entities before entering into particular infrastructure agreements

- ‘(1) This section applies if a proposed infrastructure agreement would, if entered into, likely continue to apply to land after the land ceases to be in an urban development area.
- ‘(2) Before entering into the proposed infrastructure agreement, the authority must consult about the terms of the agreement

with the entities the authority considers will be superseding public sector entities for the land.

‘(3) In this section—

public sector entity means a public sector entity under the Sustainable Planning Act, schedule 3.

superseding public sector entity, for land, means the public sector entity that will have responsibility for the infrastructure on the land after the land ceases to be in an urban development area.’.

9 Schedule (Acts amended)

Page 116, after line 20—

insert—

‘City of Brisbane Act 2010

‘1 Section 121(1)(d), ‘was carried out under’—

omit, insert—

‘is the subject of, or was carried out under,’.

10 Long title

Long title, from ‘the *Coastal*’ to ‘the *Plumbing*’—

omit, insert—

‘the *City of Brisbane Act 2010*, the *Coastal Protection and Management Act 1995*, the *Land Sales Act 1984*, the *Local Government Act 2009*, the *Local Government Electoral Act 2011*, the *Plumbing*’.