

Queensland



ANNO DECIMO

ELIZABETHAE SECUNDAE REGINAE

No. 52

An Act to Amend "The Crown Land Development Act of 1959," in certain particulars

[ASSENTED TO 19TH DECEMBER, 1961]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as "*The Crown Land Development Act Amendment Act of 1961.*" Short title

(2) "*The Crown Land Development Act of 1959*" Principal Act is in this Act referred to as the Principal Act.

(3) The Principal Act and this Act may be collectively cited as "*The Crown Land Development Acts, 1959 to 1961.*" Collective title

Amendment
of s. 4

2. Section four of the Principal Act is amended by repealing subsection (5) and inserting the following subsection :—

“(5.) (a) If the Minister is of the opinion that the plan of subdivision is satisfactory and that every requisition made by him pursuant to subsection (2) of this section has been carried out he shall forward two copies of the plan to the Local Authority for its consideration of the subdivisational design as set out in the plan.

The Local Authority shall, after consideration of the subdivisational design notify the Minister—

- (i) that it has no objection to the subdivisational design as set out in the plan ; or
- (ii) as to any objection it has thereto, or any amendment it desires to have made thereto.

(b) Upon notification from the Local Authority that such Local Authority has no objection to the subdivisational design as set out in the plan or, where the Local Authority has notified the Minister as to any objection it has thereto, or any amendment it desires to have made thereto, after consideration by the Minister of such objection or desired amendment, and determination by the Minister thereof, the Minister shall grant permission for subdivision in accordance with the original plan or, as the case may be, plan determined by him after such consideration.

(c) Upon granting such permission the Minister shall cause—

- (i) the plan in accordance with which permission for subdivision has been granted by him (hereinafter in this subsection referred to as the “ approved plan ”) to be deposited and registered in the office of the Surveyor-General and thereupon and thereafter, whilst comprised in the Development Lease, the land shall not be dealt with under “ *The Land Acts, 1910 to 1961,*” and this Act otherwise than in accordance with the approved plan.

- (ii) a copy of the approved plan to be forwarded to the Local Authority who shall notify the lessee of its decision as to the type, standard and specifications of the works required to be performed by the lessee to give effect to the approved plan other than the type, standard and specifications of any works required to be performed by the lessee in accordance with the conditions attaching to the Development Lease.

(d) The lessee may appeal to the Minister for Public Works and Local Government (or other Minister of the Crown for the time being charged with the administration of "*The Local Government Acts, 1936 to 1960,*")—

- (i) against any decision of the Local Authority as to the type, standard or specifications of any works to be performed by the lessee ; or
- (ii) in any case where the Local Authority fails to notify the lessee within forty days, or such further time as the said Minister for Public Works and Local Government (or other Minister of the Crown for the time being charged with the administration of "*The Local Government Acts, 1936 to 1960,*") may allow, after the receipt by the Local Authority from the Minister of the approved plan, of the decision of the Local Authority as to the type, standard and specifications of works to be performed by the lessee.

For the purposes of any such appeal the provisions of subsection (15) of section thirty-four of "*The Local Government Acts, 1936 to 1960,*" (or, as the case requires, section thirteen of "*The City of Brisbane (Town Plan) Act of 1959*") shall, with and subject to all necessary modifications and adaptations, extend and apply accordingly.

(e) For the purposes of this subsection the term "Local Authority" includes Brisbane City Council as constituted under "*The City of Brisbane Acts, 1924 to 1960.*"

(f) The provisions of this subsection shall extend and apply to all Development Leases granted since the passing of "*The Crown Land Development Act of 1959*"."
