

LOCAL GOVERNMENT (CAPALABA CENTRAL SHOPPING CENTRE ZONING) BILL 1994

EXPLANATORY NOTES

Clause 1 sets out the short title of the Act.

Clause 2 sets out definitions of the terms “Capalaba Central Shopping Centre land”, “consent”, “Council”, “major shopping development” and “Redland Town Planning Scheme” to be used in the Act.

Clause 3 provides that the Capalaba Central Shopping Centre land is taken to have been included in the Special Facilities Zone of the Redland Town Planning Scheme since 20 February, 1988.

Provides that the land may be used for the purposes of:—

- a major shopping development (including shops, commercial premises, health care institutions, refreshment establishments, showrooms and recreation centres);
- a transport interchange;
- a purpose stated in a Deed mentioned in Section 5;
- any ancillary or incidental purpose;
- the coming from or the going to adjoining land.

Clause 4 provides that the Capalaba Central Shopping Centre land may, with the Council’s consent, be used for another purpose in conjunction with the major shopping development provided that this is allied to and compatible with the major shopping development or the other purposes mentioned in Clause 3.

Clause 5 provides that the development of the Capalaba Central Shopping Centre land for the purposes of a major shopping development must be in accordance with Deeds which have already been entered into between the developer and the Council or a subsequent deed approved by regulation under Section 9.

Provides that the Council must keep copies of all deeds entered into between the developer and the Council available for public inspection.

Clause 6 validates anything done under the Deeds on the Capalaba Central Shopping Centre land since 20 February, 1988.

Clause 7 provides that anything which can now be lawfully done on the Capalaba Central Shopping Centre land is not affected by the operations of this Act.

Clause 8 provides that compensation is not payable by the State or the Council because of the enactment or operation of this Act or anything done to carry out or give effect to this Act.

Clause 9 provides that within six (6) months of the commencement of this Act, the Governor in Council may make a regulation approving any further Deeds between the development company and the Council.

Provides that the Minister must table any deed approved by regulation in the Legislative Assembly.

Provides that this section expires six (6) months after the commencement of this Act.

Clause 10 provides that nothing in this Act prevents the Capalaba Central Shopping Centre land from being dealt with under the Local Government (Planning and Environment) Act in the same way as any other land.

Clause 11 provides that a reference in this Act to Babtapp Pty. Ltd. includes a reference to its successors and assigns.

Clause 12 provides that the effect of this Act continues after it expires in one (1) year.

Clause 13 expires this Act one (1) year after its commencement.

Schedule describes the Capalaba Central Shopping Centre land to which this Act applies.