

Queensland



# LAND AMENDMENT BILL 1996

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**1996**

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**A BILL**

**FOR**

**An Act to amend the *Land Act 1994***

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**The Parliament of Queensland enacts—**

1

**Short title**

2

Clause      **1.** This Act may be cited as the *Land Amendment Act 1996*.

3

**Act amended**

4

Clause      **2.** This Act amends the *Land Act 1994*.

5

**Amendment of s 183 (Rent payable)**

6

Clause      **3.(1)** Section 183, heading—

7

*omit, insert—*

8

**‘Rent payable generally’.**

9

**(2)** Section 183(2)—

10

*omit, insert—*

11

**‘(2)** Subsection (1) does not apply to—

12

(a) a freeholding lease; or

13

(b) a lease, licence or permit for which the rent is set under section 183A.’.

14

15

**(3)** Section 183(5)—

16

*omit.*

17

**Insertion of new s 183A**

18

Clause      **4.** After section 183—

19

*insert—*

20

**‘Rent payable in special cases**

21

**‘183A.(1)** If the Minister considers the rent for a lease, licence or permit calculated using the most recently made valuation for rental purposes would

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result in an undue increase in the rent for a rental period, the Minister may set the rent at an amount equal to the rent for the previous rental period.

‘(2) The Minister may set the rent under subsection (1) based on—

- (a) the category of the lease, licence or permit; or
- (b) the local government area in which the land covered by the lease, licence or permit is situated; or
- (c) the class of land use of the land covered by the lease, licence or permit; or
- (d) a combination of all or any of the matters mentioned in paragraphs (a) to (c).

‘(3) The Minister may also set the rent (a “**set rent**”) for the following—

- (a) a term lease for a significant development;
- (b) a licence or permit for which a valuation for rental purposes has not been made;
- (c) a lease, licence or permit given or issued to the State or a government owned corporation.’.

#### **Amendment of s 262 (Issues chief executive must consider)**

Clause 5. Section 262(2)(m) and (n)—

*omit, insert—*

- ‘(m) any relevant local guidelines for broadscale tree clearing;
- (n) if there are no relevant local guidelines for broadscale tree clearing—the contents of any broadscale tree clearing policy document;
- (o) other issues the chief executive considers relevant.’.

#### **Amendment of s 392 (Delegation by Minister)**

Clause 6. Section 392(4)—

*insert—*

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‘(d) setting the rent of a lease, licence or permit under section 183A(1).<sup>1</sup>’.

**Amendment of s 521 (Continuation of certain provisions of repealed Act about Land Court and Land Appeal Court)**

Clause     **7.** Section 521(4)—  
               *omit.*

**Amendment of sch 6 (Dictionary)**

Clause     **8.** Schedule 6, definition “**set rent**”—  
               *omit, insert—*  
               ‘ “**set rent**” see section 183A(3).’.

<sup>1</sup> Section 183A (Rent payable in special cases)