

Queensland



State Development and Public Works Organisation Act 1971

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION REGULATION 1999

**Reprinted as in force on 30 May 2003
(includes commenced amendments up to 2003 SL No. 105)**

Reprint No. 2B

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 30 May 2003. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Queensland



STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION REGULATION 1999

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	3
PART 2—GOODWILL BRIDGE		
2	Definitions for pt 2	3
3	Authorised works	4
4	Restriction on entry to bridge	4
4A	Prohibition on certain activities relating to bridge	5
4B	Closure or partial closure of bridge	5
4C	Prohibition on entering or remaining in closed area	6
4D	Vehicle speed limit for bridge	6
PART 3—GLADSTONE—FITZROY RIVER BARRAGE WATER PIPELINE		
6	Definition for pt 3	7
7	Approval	7
8	Expiry of pt 3	7
PART 4—LANG PARK STADIUM PROJECT		
10	Definitions for pt 4	7
11	Approval	8
12	Expiry of pt 4	8
PART 5—ENVIRONMENTAL COORDINATION		
13	Definitions for pt 5	8
14	Application of pt 5	9

*State Development and Public Works Organisation
Regulation 1999*

15	Coordinator-General’s public notification about terms of reference and EIS	10
16	Other matters about EIS	11
17	Coordinator-General’s report.	11

PART 6—MISCELLANEOUS PROVISIONS

18	Approval of terms of agreement to transfer works	12
----	--	----

	SCHEDULE 1	13
--	-----------------------------	----

MATTERS TO BE ADDRESSED BY ASSESSMENT

1	General information	13
2	Description	13
3	Relevant impacts	14
4	Proposed safeguards and mitigation measures	15
5	Other approvals and conditions.	15
6	Proponent’s environmental record.	16
7	Information sources.	16

	SCHEDULE 2	17
--	-----------------------------	----

**TERMS OF AGREEMENT NEGOTIATED BETWEEN
COORDINATOR-GENERAL AND STADIUM REDEVELOPMENT
AUTHORITY**

ENDNOTES

1	Index to endnotes.	29
2	Date to which amendments incorporated.	29
3	Key	29
4	Table of reprints	30
5	List of legislation	30
6	List of annotations	31

*State Development and Public Works Organisation
Regulation 1999*

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION REGULATION 1999

[as amended by all amendments that commenced on or before 30 May 2003]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *State Development and Public Works Organisation Regulation 1999*.

PART 2—GOODWILL BRIDGE

2 Definitions for pt 2

In this part—

“**bridge**” means the South Bank Pedestrian and Cycle Bridge, described in the bridge plan.¹

“**bridge plan**” means plan number A-1-901 dated July 1999, held by the department.²

“**closed area**” see section 4B(1).

“**wheeled recreational device**” means a wheeled device, built to transport a person and ordinarily used for recreation or play—

- (a) propelled by human power or gravity; or

1 The bridge is known as the Goodwill Bridge.

2 The bridge plan may be inspected at the department’s office at 100 George Street, Brisbane.

*State Development and Public Works Organisation
Regulation 1999*

- (b) to which a motor with a power output of 200 W or less is attached.

Examples of a wheeled recreational device—

- rollerblades
- rollerskates
- a skateboard
- a scooter propelled by human power or gravity or to which a motor with a power output of 200 W or less is attached.

3 Authorised works

The works called the ‘South Bank Pedestrian and Cycle Bridge’ are works undertaken by the Coordinator-General as authorised works.

4 Restriction on entry to bridge

(1) A person must not enter the bridge unless—

- (a) the person enters the bridge—
- (i) as a pedestrian; or
 - (ii) as the rider of a bicycle; or
 - (iii) in a motorised wheelchair that can not travel over 10 km/h on level ground; or
 - (iv) in a non-motorised wheelchair; or
 - (v) pushing a bicycle or motorised or non-motorised wheelchair; or
 - (vi) in or on a wheeled recreational device or wheeled toy; or
 - (vii) in a pram or stroller; or
- (b) the person is—
- (i) the driver of, or a passenger in, an emergency or a police, maintenance or security vehicle; and
 - (ii) performing functions under the Act or another Act in relation to the bridge; or
- (c) the entry is made with the Coordinator-General’s written approval.

*State Development and Public Works Organisation
Regulation 1999*

Maximum penalty—20 penalty units.

(2) In this section—

“**wheelchair**” means a chair on wheels that is built to transport a person who is unable to walk or has difficulty in walking.

“**wheeled toy**” means a child’s pedal car, scooter or tricycle or a similar toy.

4A Prohibition on certain activities relating to bridge

A person must not, unless the person has the Coordinator-General’s written approval or a reasonable excuse—

- (a) drop, release or throw an object from the bridge; or
- (b) take, or attempt to take, fish from the bridge; or
- (c) moor a vessel on or to the bridge.

Maximum penalty—20 penalty units.

4B Closure or partial closure of bridge

(1) The Coordinator-General may close all or part of the bridge (a “**closed area**”)—

- (a) for public safety; or
- (b) to take action for an emergency; or
- (c) if a situation exists that endangers the life or safety of the users of the bridge or the general public; or
- (d) to carry out maintenance; or
- (e) for an event or performance.

(2) While the closure is in force, the Coordinator-General must place, and keep placed, notices of the closure at each entrance to the closed area so as to be visible to persons in, or who propose to enter, the area.

(3) However, the Coordinator-General may delay the placing of the notices if, because of a matter mentioned in subsection (1)(a) to (c), it is impractical to do so immediately.

(4) The delay may be only for so long as is reasonable in the circumstances.

*State Development and Public Works Organisation
Regulation 1999*

4C Prohibition on entering or remaining in closed area

(1) A person must not, unless the person has the Coordinator-General's written approval or a reasonable excuse, enter or remain in a closed area if—

- (a) notices of the closure are placed under section 4B(2); or
- (b) the person has been told by a person performing functions under the Act or another Act in relation to the bridge that the area is a closed area.

Maximum penalty—20 penalty units.

(2) For subsection (1), it is a reasonable excuse if the person entering or remaining in the closed area is—

- (a) the driver of, or a passenger in, an emergency or a police, maintenance or security vehicle; and
- (b) performing functions under the Act or another Act in relation to the bridge.

4D Vehicle speed limit for bridge

(1) The Coordinator-General may fix a speed limit for vehicles, or a type of vehicle, using the bridge by notices that—

- (a) state the speed limit and, if the speed limit is only for a type of vehicle, the vehicle type; and
- (b) are placed at each entrance to the bridge so as to be visible to users of the bridge.

(2) A person driving or riding a vehicle to which the speed limit applies must comply with the speed limit, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) In this section—

“**vehicle**” includes bicycle and wheeled recreational device.

PART 3—GLADSTONE—FITZROY RIVER BARRAGE WATER PIPELINE

6 Definition for pt 3

In this part—

“report” means the document called ‘Construction of Certain Works by the Coordinator-General Under the Provisions of the *State Development and Public Works Organisation Act 1971*’ prepared for the Coordinator-General dated 29 November 2002.

7 Approval

The Coordinator-General may undertake—

- (a) the works mentioned in the report as works proposed to be constructed by the Coordinator-General and shown on SunWater map number 219231, sheets 1 to 3, for the works;³ and
- (b) incidental or temporary works necessary for the works mentioned in paragraph (a).

8 Expiry of pt 3

This part expires on 30 June 2004.

PART 4—LANG PARK STADIUM PROJECT

10 Definitions for pt 4

In this part—

³ A copy of the report and the map may be inspected, free of charge, at the department’s office at 100 George Street, Brisbane.

*State Development and Public Works Organisation
Regulation 1999*

“project” means the Lang Park Stadium Project declared under section 29B⁴ of the Act to be a significant project by declaration gazetted on 17 December 1999 at page 1575.

“report” means the document called ‘Construction of Certain Works by the Coordinator-General Under the provisions of the *State Development and Public Works Organisation Act 1971*’ prepared on behalf of the Coordinator-General dated 6 November 2000.

11 Approval

The Coordinator-General may undertake the following—

- (a) the works mentioned in the report as works proposed to be constructed by the Coordinator-General and shown on the authorised works drawings, plans 1 to 21, for the project;⁵
- (b) incidental or temporary works necessary for the works mentioned in paragraph (a).

12 Expiry of pt 4

This part expires on 29 September 2004.

PART 5—ENVIRONMENTAL COORDINATION

13 Definitions for pt 5

In this part—

“Commonwealth Environment Act” means the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth).

4 Section 29B was renumbered as section 26 (Declaration of significant project) of the Act under the *State Development and Public Works Organisation Act 1971*, section 122A.

5 A copy of the report and the authorised works drawings may be inspected, free of charge, at the department’s office at 100 George Street, Brisbane.

“Commonwealth Minister” means the Minister of the Commonwealth responsible for administering the Commonwealth Environment Act.

“controlling provision”, for a project, means a provision of the Commonwealth Environment Act, chapter 2, part 3, decided by the Commonwealth Minister as a controlling provision for the project under that Act, chapter 4, part 7, division 2.

“designated proponent”, for a project, means the person designated as a proponent for the action the subject of the project under the Commonwealth Environment Act, section 75(3).

“EIS process” means the process in part 4, division 3 of the Act.

“relevant impacts” has the meaning given by the Commonwealth Environment Act, section 82.

14 Application of pt 5

(1) This part applies to a project only if—

- (a) the project is a significant project under part 4 of the Act; and
- (b) before or after it becomes a significant project, either of the following apply—
 - (i) the Commonwealth Minister has, under the Commonwealth Environment Act⁶—
 - (A) decided the approach for assessing the relevant impacts of the project is assessment by an accredited assessment process; and
 - (B) given notice of the decision;
 - (ii) the relevant impacts of the project are to be assessed under a bilateral agreement.

(2) Any steps or actions taken in the EIS process after the project becomes a significant project and before the action mentioned in subsection (1)(b)(i) happens are taken to have complied with this part.

(3) In this section—

⁶ See the Commonwealth Environment Act, chapter 4, part 8, division 3 (Decision on assessment approach)

“**bilateral agreement**” has the meaning given by the Commonwealth Environment Act, section 45(2).⁷

15 Coordinator-General’s public notification about terms of reference and EIS

(1) A public notification under section 29(b) or 33(1)⁸ of the Act must state each of the following—

- (a) the project’s title;
- (b) the proponent’s name;
- (c) the name of the entity intending to take the action the subject of the project;
- (d) if the proponent and designated proponent are not the same entity—the designated proponent’s name;
- (e) a brief description of the project;
- (f) the location of the project;
- (g) the protected matters for the project.

(2) A notification mentioned in subsection (1) must be published—

- (a) in a newspaper circulating throughout Australia; or

7 Commonwealth Environment Act, section 45(2)—

(2) A *bilateral agreement* is a written agreement between the Commonwealth and a State or a self-governing Territory that:

- (a) provides for one or more of the following:
 - (i) protecting the environment;
 - (ii) promoting the conservation and ecologically sustainable use of natural resources;
 - (iii) ensuring an efficient, timely and effective process for environmental assessment and approval of actions;
 - (iv) minimising duplication in the environmental assessment and approval process through Commonwealth accreditation of the processes of the State or Territory (or vice versa); and
- (b) is expressed to be a bilateral agreement.

8 Section 29 (Notice of requirement for EIS and of draft terms of reference) or 33 (Public notification of EIS) of the Act

*State Development and Public Works Organisation
Regulation 1999*

- (b) in each State or Territory in a newspaper circulating generally in the State or Territory.

(3) In this section—

“protected matter” means a matter protected by a provision of the Commonwealth Act, part 3, mentioned in section 34⁹ of that Act.

16 Other matters about EIS

(1) An EIS must address the matters mentioned in schedule 1.

(2) The submission period set under section 33(1)(d) of the Act must be at least 28 days starting on the day after the date of the notification under the section.

17 Coordinator-General’s report

(1) A report under section 35(3)¹⁰ of the Act must contain the following matters—

- (a) a description of the following—
- (i) the project;
 - (ii) the places affected by the project;
 - (iii) the controlling provisions for the project;
- (b) a summary of the project’s relevant impacts;
- (c) a description of feasible mitigation measures, changes to the project or procedures, to prevent or minimise the project’s relevant impacts, proposed by the proponent or suggested in relevant submissions;
- (d) to the extent practicable, a description of feasible alternatives to the project identified in the EIS process, and the likely impact of the alternatives on matters of national environmental significance;

9 Commonwealth Environment Act, section 34 (What is *matter protected* by a provision of Part 3?)

10 Section 35 (Coordinator-General evaluates EIS, submissions, other material and prepares report) of the Act

*State Development and Public Works Organisation
Regulation 1999*

- (e) a statement of conditions of approval for the project that may be imposed to address impacts, identified in the EIS process, on matters of national environmental significance;
- (f) a statement of requirements for, and conditions of, approval applying, or proposed to apply, to the project when the report is prepared, including a description of the monitoring, enforcement and review procedures applying, or proposed to apply, to the project.

(2) After completing the report, the Coordinator-General must give a copy of it to the Commonwealth Minister.

(3) In this section—

“matters of national environmental significance” means matters of national environmental significance mentioned in the Commonwealth Environment Act, chapter 2, part 3, division 1.¹¹

“relevant submissions” means properly made submissions, or other submissions accepted by the Coordinator-General under section 34¹² of the Act.

PART 6—MISCELLANEOUS PROVISIONS

18 Approval of terms of agreement to transfer works

The terms of the agreement negotiated between the Coordinator-General and the Stadium Redevelopment Authority, as set out in schedule 2, are approved under section 134(2)¹³ of the Act.

11 Commonwealth Environment Act, chapter 2, part 3, division 1 (Requirements relating to matters of national environmental significance)

12 Section 34 (Making submissions on EIS) of the Act

13 Section 134 (Power of Coordinator-General to negotiate transfer of works undertaken by the Coordinator-General) of the Act

SCHEDULE 1

MATTERS TO BE ADDRESSED BY ASSESSMENT

section 16(1)

1 General information

The background of the project including the following—

- (a) the project's title;
- (b) the designated proponent's full name and postal address;
- (c) a clear outline of the project's objective;
- (d) the project's location;
- (e) the background to the project's development;
- (f) how the project relates to any other actions, of which the proponent should reasonably be aware, that have been, or are being, taken or that have been approved in the area affected by the project;
- (g) the project's current status;
- (h) the consequences of not proceeding with the project.

2 Description

A description of the project, including the following information—

- (a) the project's components;
- (b) the precise location of works to be undertaken, structures to be built or components of the project that may have relevant impacts;
- (c) how the works are to be undertaken and design parameters for aspects of the structures or components of the project that may have relevant impacts;
- (d) the project's relevant impacts;

SCHEDULE 1 (continued)

- (e) proposed safeguards and mitigation measures for dealing with the project's relevant impacts;
- (f) any other requirements for, or conditions of, approval applying, or that the proponent reasonably believes are likely to apply, to the project;
- (g) to the extent reasonably practicable, any feasible alternatives to the project, including the following—
 - (i) if relevant, the alternative of taking no action;
 - (ii) a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the project;
 - (iii) sufficient detail to clarify why any alternative is preferred to another;
- (h) any consultation about the project, including the following—
 - (i) consultation taken and any documented response to, or result of, the consultation;
 - (ii) proposed consultation about the project's relevant impacts;
- (i) an identification of affected persons, including a statement mentioning any communities that may be affected and describing the communities' views.

3 Relevant impacts

Information given under section 2(d) must include the following—

- (a) a description of the project's relevant impacts;
- (b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;
- (c) a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- (d) an analysis of the significance of the relevant impacts;
- (e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

SCHEDULE 1 (continued)

4 Proposed safeguards and mitigation measures

Information given under section 2(e) must include the following—

- (a) a description, and an assessment of the expected or predicted effectiveness, of the mitigation measures for dealing with the project's relevant impacts;
- (b) any statutory or policy basis for the mitigation measures;
- (c) the cost of the mitigation measures;
- (d) an outline of an environmental management plan setting out the framework for continuing management, mitigation and monitoring programs for the project's relevant impacts, including any provision for independent environmental auditing;
- (e) the name of the entity responsible for endorsing or approving each mitigation measure or monitoring program;
- (f) a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the project's relevant impacts, including mitigation measures proposed to be taken by the State, a local government or the proponent.

5 Other approvals and conditions

(1) Information given under section 2(f) must include the following—

- (a) details of any planning instrument under the *Integrated Planning Act 1997*¹⁴ dealing with the project including the following—
 - (i) what environmental assessment of the project has been, or is being, carried out under the planning instrument;
 - (ii) how the planning instrument provides for preventing, minimising and managing the project's relevant impacts;
- (b) a description of any approval, other than the Commonwealth approval, obtained from a State or Commonwealth entity, including any approval conditions applying to the project;

14 *Integrated Planning Act 1997*, schedule 10 (Dictionary)—

“**planning instrument**” means a State planning policy, planning scheme, temporary local planning instrument or planning scheme policy.

SCHEDULE 1 (continued)

- (c) a statement identifying any other required approval, other than the Commonwealth approval;
- (d) a description of the monitoring, enforcement and review procedures applying, or proposed to apply, to the project.

(2) In this section—

“Commonwealth approval” means the Commonwealth Minister’s approval of the action the subject of the project under the Commonwealth Act, chapter, 4, part 9.

6 Proponent’s environmental record

(1) Details of any proceedings under a law of the Commonwealth or a State for the protection of the environment or the conservation and sustainable use of natural resources (an **“environmental law”**) against—

- (a) the proponent; and
- (b) the applicant for any permit under an environmental law for the project.

(2) If the proponent is a corporation, details of the corporation’s environmental policy and planning framework.

7 Information sources

The EIS must state the following about information given in the EIS—

- (a) the source of the information;
- (b) how recent the information is;
- (c) how the reliability of the information was tested;
- (d) any uncertainties in the information.

SCHEDULE 2

TERMS OF AGREEMENT NEGOTIATED BETWEEN COORDINATOR-GENERAL AND STADIUM REDEVELOPMENT AUTHORITY

section 18

THIS AGREEMENT is made this day of 2003.

BETWEEN: **The Coordinator-General**, a corporation sole constituted under section 8 of the *State Development and Public Works Organisation Act 1971* (“SDPWO Act”) of 100 George St, Brisbane in the State of Queensland.
(“the COG”)

AND: **Stadium Redevelopment Authority**, a body corporate established under section 34 of the *Major Sports Facilities Act 2001* of 411 Vulture Street, Woolloongabba in the State of Queensland.
(“SRA”)

RECITALS

- A. The COG has caused works to be undertaken for the redevelopment of the Suncorp Stadium.
- B. Some of those works are complete or practically complete and are available for use as part of or for use with the Suncorp Stadium.
- C. The parties acknowledge that the SRA has paid for those works and will continue to complete the works which are practically complete.
- D. The COG wishes to transfer and the SRA wishes to accept the transfer, management, operation and control of the Stadium Works pursuant to section 134 of the SDPWO Act.

SCHEDULE 2 (continued)

- E. The COG is the registered owner of or entitled to be the registered owner of that land specified in Schedule 1 (“the COG Land”).
- F. The COG wishes to transfer and the SRA agrees to accept a transfer of the COG Land.
- G. The parties wish to record the terms of their Agreement.

NOW THE PARTIES AGREE AS FOLLOWS -

1. Interpretation

- 1.1 In this Agreement unless the context otherwise requires or the contrary intention appears, the following terms shall have the meanings assigned to them -

“**Agreement**” means this document and all schedules to this document.

“**COG**” means the Coordinator-General.

“**COG Land**” means that land specified in Schedule 1.

“**External Works**” means those works located on the area shaded blue on the plan in Schedule 2 and do not include the Stadium Works.

“**GST**” has the same meaning as in GST Law.

“**GST Law**” includes *A New Tax System (Goods and Services Tax) Act 1999* (Cth) order, ruling or regulation which imposes or purports to impose or otherwise deals with the administration or imposition of GST on a supply of goods or services in Australia.

“**SDPWO Act**” means the *State Development and Public Works Organisation Act 1971*.

“**Settlement Date**” means 8.30am on 30 May 2003.

“**SRA**” means the Stadium Redevelopment Authority.

“**Stadium Works**” means those works constructed on lot 41 on RP904552 and lot 42 on SP161089 (but do not include any part of the Milton Road pedestrian bridge) together with the plaza constructed over Chippendall Street and the plaza constructed over Hale Street but do not include the land over which those plazas are constructed.

SCHEDULE 2 (continued)

“Supply” has the same meaning as in GST Law.

“Tax Invoice” has the same meaning as in GST Law.

“Transfer Documents” means –

- (a) a transfer under the Land Title Act 1994 capable of immediate registration (after stamping), transferring the title in the COG Land to SRA, free from encumbrances; and
- (b) any other document to be signed by the parties necessary for stamping and/or registering the transfer.

- 1.2 A reference to a person includes a reference to corporations and other entities recognised by law.
- 1.3 In this Agreement the Table of Contents has been inserted for convenience of reference only and is not intended to be part of or to affect the meaning or interpretation of any of the terms and conditions of this Agreement.
- 1.4 A reference to a statute, regulation, ordinance or local law shall be deemed to extend to all statutes, regulations, ordinances or local laws amending, consolidating or replacing them.
- 1.5 In this Agreement the headings to the clauses have been inserted for convenience of reference only and are not intended to be part of or to affect the meaning or interpretation of any of the terms and conditions of this Agreement.
- 1.6 The singular includes the plural and vice versa.
- 1.7 Words importing one gender shall include a reference to all other genders.
- 1.8 In the case of any inconsistency between the Schedule and a clause contained in this Agreement, the provisions of the clause shall prevail to the extent of any inconsistency.

2. Regulation

The parties acknowledge that this Agreement will only come into effect upon approval of the terms of this Agreement by a regulation made under section 134(2) of the SDPWO Act.

SCHEDULE 2 (continued)

3. Transfer of Stadium Works

- 3.1 The COG agrees to transfer the Stadium Works together with the management, operation and control of the Stadium Works to the SRA for \$1.00 and the SRA accepts the transfer of the Stadium Works together with the management, operation and control of the Stadium Works.
- 3.2 The transfer shall take effect on the Settlement Date.

4. Use of External Works

- 4.1 The COG authorises the SRA to occupy and use the External Works and to complete the construction of the External Works, where necessary.
- 4.2 The SRA shall ensure that a public liability insurance policy relating to its use and occupation of the External Works is taken out and maintained. That policy shall be in accordance with the COG's reasonable requirements.
- 4.3 The rights granted to the SRA under clause 4.1 shall take effect from the Settlement Date and shall continue until terminated by written notice from the COG.
- 4.4 Upon completion of the External Works, the SRA shall negotiate with the COG for the transfer of those works to a third party.

5. Transfer of COG Land

- 5.1 The COG agrees to transfer the COG Land to the SRA for \$1.00 and the SRA accepts the transfer of the COG Land in accordance with the terms of this Agreement.
- 5.2 The transfer of the COG Land shall be effective on the Settlement Date.

6. Risk

The COG Land shall be at the risk of SRA on and from the Settlement Date.

SCHEDULE 2 (continued)

7. Transfer Document

SRA shall prepare the Transfer Documents and deliver them to the COG within a reasonable time before the Settlement Date.

8. Settlement

- 8.1 On the Settlement Date, the COG shall deliver the executed Transfer Documents to SRA.
- 8.2 Settlement shall be effected at the Titles Office on the Settlement Date.

9. GST

- 9.1 The parties acknowledge that GST may be payable on the Supply of goods and/or services under this Agreement.
- 9.2 Where GST is payable on a Supply, the consideration payable by the recipient shall be adjusted in accordance with clauses 9.3 and 9.4.
- 9.3 Subject to the supplier issuing a Tax Invoice, the consideration payable by the recipient to the supplier for the Supply shall be increased by the amount equal to that which the supplier is obliged to remit as GST on the Supply.
- 9.4 If it is determined that the amount of GST collected from the recipient differs for any reason from the amount of GST paid or payable by the supplier, including by reason of –
- (a) any amendment to the GST Law;
 - (b) the issue of a ruling or advice by the Commissioner of Taxation; or
 - (c) a refund to the supplier in respect of a Supply made under this Agreement,

the recipient shall be entitled to a refund of the additional consideration collected from the recipient.

SCHEDULE 2 (continued)

10. Indemnity

10.1 On and from the Settlement Date, the SRA –

- (a) indemnifies; and
- (b) releases and discharges,

the COG from and against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the COG, or which the COG may pay, sustain or be put to by reason of, or in consequence of or in connection with the Stadium Works (including the construction of or the use of the Stadium Works) or the External Works (including the construction of or the use and occupation of the External Works), other than as a result of the negligent act or omission of the COG, its servants or agents.

10.2 Despite the transfer of the Stadium Works and the COG Land under the terms of this Agreement, the indemnity contained in clause 10.1 shall remain in full force and effect.

11. Governing Law

This Agreement will be governed by and construed according to the law of the State of Queensland and the parties agree to submit to the jurisdiction of the Courts of the State of Queensland.

12. Costs

12.1 Each party shall pay its own costs of and incidental to the negotiation, preparation and execution of this Agreement.

12.2 SRA shall pay any stamp duty payable on this Agreement.

13. Notices

13.1 Notices under this Agreement may be delivered by hand, by registered mail, or by facsimile to the addresses specified in clause 13.3 or any substitute address as may have been notified in writing by the relevant addressee from time to time.

SCHEDULE 2 (continued)

13.2 Notice will be deemed to be given –

- (a) 2 Business Days after deposit in the mail with postage prepaid;
- (b) when delivered by hand; or
- (c) if sent by facsimile transmission, upon an apparently successful transmission being noted by the sender's facsimile machine prior to close of business at 5.00pm. Facsimile transmissions received after 5.00pm will be deemed to be received at the start of the next working day,

as the case may be.

13.3 The address for each party is -

COG

Address: Director
Infrastructure Projects & Land Management
Department of State Development
100 George Street
BRISBANE QLD 4000

Postal Address: PO Box 168 Albert Street
BRISBANE QLD 4002

Attention: Claire Single
Telephone: (07) 3225 8322
Facsimile: (07) 3229 7315

SRA

Address: Chief Executive Officer
Stadium Redevelopment Authority
Level 11 Gabba Towers
411 Vulture Street
WOOLLOONGABBA QLD 4102

Postal Address: Level 11, Gabba Towers
411 Vulture Street
WOOLLOONGABBA QLD 4102

SCHEDULE 2 (continued)

Attention:	Kevin Yearbury
Telephone:	(07) 3008 6110
Facsimile:	(07) 3008 6161

SCHEDULE 2 (continued)

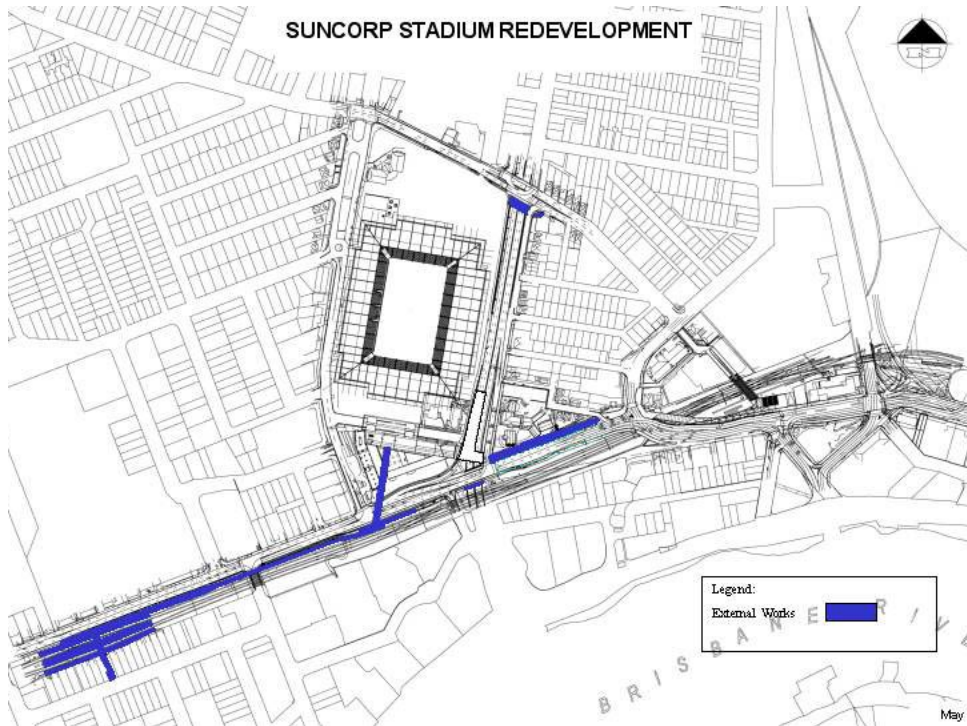
SCHEDULE 1**COG Land**

Lot	County	Parish	Title Reference
471 on SP 144611	Stanley	North Brisbane	50400268
41 on RP 904552	Stanley	North Brisbane	50170425
42 on SP 161089	Stanley	North Brisbane	yet to issue

SCHEDULE 2 (continued)

SCHEDULE 2

Plan showing External Works



*State Development and Public Works Organisation
Regulation 1999*

SCHEDULE 2 (continued)

by)
 (full name)) (signature)
)
.)
 (designation))
)
who is a duly authorised officer)
)
in the presence of:)
)
.)
 (signature))
)
.)
 (full name of witness))

ENDNOTES

1 Index to endnotes

		Page
2	Date to which amendments incorporated	29
3	Key	29
4	Table of reprints	30
5	List of legislation	30
6	List of annotations	31

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 30 May 2003. Future amendments of the State Development and Public Works Organisation Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

*State Development and Public Works Organisation
Regulation 1999*

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	13 August 1999	18 August 1999
1A	to 1999 SL No. 340	17 December 1999	23 December 1999
1B	to 2000 SL No. 300	24 November 2000	30 November 2000
1C	to 2001 SL No. 137	10 August 2001	14 August 2001
1D	to 2001 SL No. 180	5 October 2001	12 October 2001
			(Column discontinued) Notes
1E	to 2002 SL No. 362	20 December 2002	
1F	to 2002 SL No. 362	1 January 2003	provs exp 31 December 2002 R1F withdrawn, see R2
2	to 2002 SL No. 362	1 January 2003	
2A	to 2003 SL No. 75	2 May 2003	
2B	to 2003 SL No. 105	30 May 2003	

5 List of legislation

State Development and Public Works Organisation Regulation 1999 SL No. 188 (prev State Development (South Bank Pedestrian and Cycle Bridge) Regulation 1999)

made by the Governor in Council on 12 August 1999

notfd gaz 13 August 1999 pp 2052–3

commenced on date of notification

exp 1 September 2009 (see SIA s 54)

amending legislation—

State Development (South Bank Pedestrian and Cycle Bridge) Amendment Regulation 1999 SL No. 340

notf gaz 17 December 1999 pp 1586–9

commenced on date of notification

State Development and Public Works Organisation Amendment Regulation (No. 1) 2000 SL No. 300

notfd gaz 24 November 2000 pp 1188–89

commenced on date of notification

*State Development and Public Works Organisation
Regulation 1999*

**State Development and Public Works Organisation Amendment Regulation (No. 1)
2001 SL No. 137**

notfd gaz 10 August 2001 pp 1390–1
commenced on date of notification

**State Development and Public Works Organisation Amendment Regulation (No. 2)
2001 SL No. 180**

notfd gaz 5 October 2001 pp 411–2
commenced on date of notification

**State Development and Public Works Organisation Amendment Regulation (No. 1)
2002 SL No. 362**

notfd gaz 20 December 2002 pp 1359–63
commenced on date of notification

**State Development and Public Works Organisation Amendment Regulation (No. 1)
2003 SL No. 75**

notfd gaz 2 May 2003 pp 57–8
commenced on date of notification

**State Development and Public Works Organisation Amendment Regulation (No. 2)
2003 SL No. 105**

notfd gaz 30 May 2003 pp 371–6
commenced on date of notification

6 List of annotations

PART 1—PRELIMINARY

pt hdg ins 1999 SL No. 340 s 3

Short title

s 1 amd 1999 SL No. 340 s 4

PART 2—GOODWILL BRIDGE

pt hdg prev pt hdg ins 1999 SL No. 340 s 5
exp 31 December 2002 (see s 5)
pres pt hdg ins 2003 SL No. 75 s 3
sub 2003 SL No. 105 s 3

Definitions for pt 2

prov hdg prov hdg sub 1999 SL No. 340 s 6
s 2 prev s 2 amd 1999 SL No. 340 s 6
exp 31 December 2002 (see s 5)
pres s 2 ins 2003 SL No. 75 s 3
def “**bridge**” ins 2001 SL No. 180 s 3
exp 31 December 2002 (see s 5)
ins 2003 SL No. 75 s 3
def “**bridge plan**” ins 2003 SL No. 75 s 3

*State Development and Public Works Organisation
Regulation 1999*

def “**closed area**” ins 2001 SL No. 180 s 3

exp 31 December 2002 (see s 5)

ins 2003 SL No. 75 s 3

def “**wheeled recreational device**” ins 2001 SL No. 180 s 3

exp 31 December 2002 (see s 5)

ins 2003 SL No. 75 s 3

Authorised works

s 3 prev s 3 exp 31 December 2002 (see s 5)

pres s 3 ins 2003 SL No. 75 s 3

Restriction on entry to bridge

s 4 prev s 4 exp 31 December 2002 (see s 5)

pres s 4 ins 2003 SL No. 75 s 3

Prohibition on certain activities relating to bridge

s 4A prev s 4A ins 2001 SL No. 180 s 4

exp 31 December 2002 (see s 5)

pres s 4A ins 2003 SL No. 75 s 3

Closure or partial closure of bridge

s 4B prev s 4B ins 2001 SL No. 180 s 4

exp 31 December 2002 (see s 5)

pres s 4B ins 2003 SL No. 75 s 3

Prohibition on entering or remaining in closed area

s 4C prev s 4C ins 2001 SL No. 180 s 4

exp 31 December 2002 (see s 5)

pres s 4C ins 2003 SL No. 75 s 3

Vehicle speed limit for bridge

s 4D prev s 4D ins 2001 SL No. 180 s 4

exp 31 December 2002 (see s 5)

pres s 4D ins 2003 SL No. 75 s 3

Vehicle speed limit for bridge

s 4E ins 2001 SL No. 180 s 4

exp 31 December 2002 (see s 5)

Expiry of pt 2

prov hdg amd 1999 SL No. 340 s 7(1)

s 5 amd 1999 SL No. 340 s 7(2); 2001 SL No. 180 s 5

exp 31 December 2002 (see s 5)

PART 3—GLADSTONE—FITZROY RIVER BARRAGE WATER PIPELINE

pt hdg prev pt hdg ins 1999 SL No. 340 s 8

exp 31 December 2001 (see s 9)

pres pt hdg ins 2002 SL No. 362 s 3

exp 30 June 2004 (see s 8)

Definition for pt 3

s 6 prev s 6 ins 1999 SL No. 340 s 8

exp 31 December 2001 (see s 9)

*State Development and Public Works Organisation
Regulation 1999*

pres s 6 ins 2002 SL No. 362 s 3
exp 30 June 2004 (see s 8)

Approval

s 7 prev s 7 ins 1999 SL No. 340 s 8
exp 31 December 2001 (see s 9)
pres s 7 ins 2002 SL No. 362 s 3
exp 30 June 2004 (see s 8)

Expiry of pt 3

s 8 prev s 8 ins 1999 SL No. 340 s 8
exp 31 December 2001 (see s 9)
pres s 8 ins 2002 SL No. 362 s 3
exp 30 June 2004 (see s 8)

Expiry of pt 3

s 9 ins 1999 SL No. 340 s 8
exp 31 December 2001 (see s 9)

PART 4—LANG PARK STADIUM PROJECT

pt 4 (ss 10–12) ins 2000 SL No. 300 s 3
exp 29 September 2004 (see s 12)

PART 5—ENVIRONMENTAL COORDINATION

pt hdg ins 2001 SL No. 137 s 3

Definitions for pt 5

s 13 ins 2001 SL No. 137 s 3

Application of pt 5

s 14 ins 2001 SL No. 137 s 3

Coordinator-General's public notification about terms of reference and EIS

s 15 ins 2001 SL No. 137 s 3

Other matters about EIS

s 16 ins 2001 SL No. 137 s 3
amd 2003 SL No. 105 s 4

Coordinator-General's report

s 17 ins 2001 SL No. 137 s 3

PART 6—MISCELLANEOUS PROVISIONS

pt hdg ins 2003 SL No. 105 s 5

Approval of terms of agreement to transfer works

s 18 ins 2003 SL No. 105 s 5

SCHEDULE 1—MATTERS TO BE ADDRESSED BY ASSESSMENT

sch hdg amd 2003 SL No. 105 s 6
ins 2001 SL No. 137 s 4

**SCHEDULE 2—TERMS OF AGREEMENT NEGOTIATED BETWEEN
COORDINATOR-GENERAL AND STADIUM REDEVELOPMENT
AUTHORITY**

ins 2003 SL No. 105 s 7