



Queensland

# Transport (South Bank Corporation Area Land) Act 1999

Reprinted as in force on 2 November 2005

Reprint No. 1A

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# Information about this reprint

This Act is reprinted as at 2 November 2005. 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.



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# Transport (South Bank Corporation Area Land) Act 1999

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# **Transport (South Bank Corporation Area Land) Act 1999**

[as amended by all amendments that commenced on or before 2 November 2005]

## **An Act about the acquisition of certain land in South Brisbane**

### **Part 1 Preliminary**

#### **1 Short title**

This Act may be cited as the *Transport (South Bank Corporation Area Land) Act 1999*.

### **Part 2 Provisions for construction of the busway in or about South Bank**

#### **2 Exclusion of land from South Bank Corporation area**

- (1) The land mentioned in schedule 1 is taken to be excluded from the corporation area under the *South Bank Corporation Act 1989*.
- (2) Subsection (1) is taken to have had effect—
  - (a) for schedule 1, items 1, 2, 3, 4, 8 and 9, on 3 February 1998; and
  - (b) for schedule 1, items 5, 6 and 7, on 26 February 1998; and

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- (c) for schedule 1, items 11, 12, 13 and 14, on 25 August 1998; and
- (d) for schedule 1, item 10, on 10 September 1998.

### **3 Validation of certain notices of intention to resume**

The following instruments are taken to be valid notices of intention to resume, and are taken to have been validly given, under the *Acquisition of Land Act 1967*, section 7<sup>1</sup>—

- (a) the notices dated 3 February 1998 for land mentioned in schedule 1, items 1, 2, 3, 4, 8 and 9;
- (b) the notices dated 26 February 1998 for land mentioned in schedule 1, items 5, 6 and 7;
- (c) the notices dated 25 August 1998 for land mentioned in schedule 1, items 11, 12, 13 and 14;
- (d) the notice dated 10 September 1998 for land mentioned in schedule 1, item 10.

### **4 Effect of certain proclamations**

- (1) This section applies to the following proclamations made under the *Acquisition of Land Act 1967*, section 9<sup>2</sup> as they relate to land mentioned in schedule 1—
  - (a) the proclamation gazetted on 15 May 1998 at pages 239 to 242, which included the land mentioned in schedule 1, items 8 and 9;
  - (b) the proclamation gazetted on 29 May 1998 at pages 607 to 610, which included the land mentioned in schedule 1, items 5, 6 and 7;
  - (c) the proclamation gazetted on 12 June 1998 at pages 809 to 812, which included the land mentioned in schedule 1, items 1, 2, 3 and 4;

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1 Section 7 (Notice of intention to take land)

2 Section 9 (Means by which land to be taken other than by Brisbane City Council or an approved local government)

- (d) the proclamation gazetted on 6 November 1998 at pages 847 to 850, which included the land mentioned in schedule 1, item 14;
  - (e) the proclamation gazetted on 27 November 1998 at pages 1103 to 1106, which included the land mentioned in schedule 1, item 10;
  - (f) the proclamation gazetted on 4 December 1998 at pages 1219 to 1221, which included the land mentioned in schedule 1, items 11, 12 and 13.
- (2) Each proclamation mentioned in a paragraph of subsection (1) is taken to have been valid, and effective, for taking the land mentioned in the paragraph.

## **Part 3**                      **Provisions on completion of construction of the busway in or about South Bank**

### **5**            **Purpose of pt 3**

The purpose of this part is to provide for land dealt with in part 2, and other land, after the completion of the construction of the busway in or about South Bank.

### **6**            **Definitions for pt 3**

In this part—

*corporation* means the corporation established by the *South Bank Corporation Act 1989*.

*corporation area* means the corporation area as defined under the *South Bank Corporation Act 1989*.

### **7**            **Inclusion of land in corporation area**

- (1) The land mentioned in schedule 1 is taken to be included in the corporation area.

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- (2) Subsection (1) has effect, or is taken to have had effect—
- (a) for the land mentioned in schedule 1, item 11, on 25 August 1998; and
  - (b) for the land mentioned in schedule 1, item 10, on 10 September 1998; and
  - (c) for the land mentioned in schedule 1, items 17, 18 and 20 to 23, on 22 April 1999; and
  - (d) for the land mentioned in schedule 1, items 1 to 9, 12 to 16 and 19, on the commencement of this section.

## **8 Exclusion of land from corporation area**

- (1) The land mentioned in schedule 2 is taken to be excluded from the corporation area as that area is varied by section 7.
- (2) Subsection (1) has effect, or is taken to have had effect—
- (a) for land mentioned in schedule 2, items 1 to 5, on 15 May 1998; and
  - (b) for land mentioned in schedule 2, item 6, on 25 August 1998; and
  - (c) for land mentioned in schedule 2, item 7, on 10 September 1998; and
  - (d) for land mentioned in schedule 2, items 8 to 11, on 22 April 1999; and
  - (e) for land mentioned in schedule 2, items 12 to 43, on the commencement of this section.

## **9 Ownership of particular land**

- (1) On registration of the following plans the land described by reference to the following lots on the plans is vested in the State in fee simple—
- Lot 111 on SP141936
  - Lot 112 on SP141937



- Lot 116 on SP150310
  - Lot 138 on SP150332.
- (2) Any easement, lease, right, privilege or other interest in relation to the land mentioned in subsection (1) is, on the vesting of the land in the State, extinguished.
- (3) No compensation is payable for the extinguishment of an easement, lease, right, privilege or other interest under subsection (2).

## **10 Registrar may register instruments etc.**

- (1) The registrar of titles may register all plans and other instruments and record the particulars of the lots in the freehold land register to give effect to section 9.
- (2) The registrar of titles may do anything necessary and convenient to give effect to sections 7 to 9.

## **11 Recording of vesting of land**

The registrar of titles or anyone else required or permitted to record particulars necessary to identify interests in land may, on the written request of the chief executive, record the particulars of any interest in land vested in the State under this part.

## **12 State may sign plans and other documents**

- (1) This section applies if, under another Act, another entity is required to give approval to a plan or other instrument that is required to give effect to this part.
- (2) Despite that Act, the entity's approval is not required and it is sufficient for the chief executive to—
- (a) give approval to the plan or other instrument; and
  - (b) sign the plan or other instrument required to give effect to this part.

- (3) Without limiting subsection (2), the *Integrated Planning Act 1997*, chapter 3, part 7, does not apply to a plan that is required to give effect to this part.
- (4) If, under subsection (3), the *Integrated Planning Act 1997*, chapter 3, part 7, does not apply to a plan, the *Land Title Act 1994*, sections 50(g) and (h) and 83(2) do not apply to the registration of the plan.

### **13 Exemption from fees and charges**

No fee or charge, including any duty under the *Duties Act 2001*, is payable by the State, the corporation or Queensland Rail in relation to dealings with land to give effect to this part.

### **14 Management statement terminated**

On registration of the plans mentioned in section 9, a management statement relating to the land (*section 9 land*) described in that section, and in force immediately before the registration—

- (a) is terminated only to the extent it relates to the section 9 land; and
- (b) otherwise continues in force according to its terms to the extent it relates to land other than the section 9 land.

**Schedule 1            Areas excluded from  
corporation area for  
construction of busway in or  
about South Bank**

sections 2 and 7

- 1 Lot 1 on RP116267, area 484m<sup>2</sup>
- 2 Lot 3 on RP43196, area 197m<sup>2</sup>
- 3 Lot 5 on RP43196, area 162m<sup>2</sup>
- 4 Lot 11 on RP43196, area 21m<sup>2</sup>.
- 5 Lot 1 on RP1329, area 301m<sup>2</sup>
- 6 Lot 2 on RP1329, area 39m<sup>2</sup>
- 7 Lot 3 on RP1329, area 340m<sup>2</sup>
- 8 Lot 10 on RP1325, area 340m<sup>2</sup>
- 9 Lot 12 on RP102290, area 113m<sup>2</sup>
- 10 A volume of 6034m<sup>3</sup> over an area of 622m<sup>2</sup>, being part of common property for BUP5633, as shown on plan R13-776B
- 11 A volume of 16095m<sup>3</sup> over an area of about 1270m<sup>2</sup>, being part of lot 2 on RP880680, as shown on plan R13-748B
- 12 Lot 9 on RP43196, area 420m<sup>2</sup>
- 13 Lot 1 on RP175375, area 124m<sup>2</sup>
- 14 Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 and 23 on RP42297, total area 1409m<sup>2</sup>
- 15 Lot 1 on RP41522, area 534m<sup>2</sup>
- 16 Lot 45 on RP183634, area 477m<sup>2</sup>
- 17 Part of lot 3 on SP102571, as shown on plan R13-845, area 831m<sup>2</sup>
- 18 The following parts of lot 102 on RP896476 as shown on plans R13-792, R13-793, R13-840 and R13-841—

Schedule 1 (continued)

- a volume of 55932m<sup>3</sup> over an area of 1968m<sup>2</sup>
  - an area of 327m<sup>2</sup>
  - a volume of 3832m<sup>3</sup> over an area of 382m<sup>2</sup>
- 19 Lot 44 on RP183634, area 658m<sup>2</sup>
- 20 Part of lot 5 on SP102571, as shown on plan R13-845, area 2978m<sup>2</sup>
- 21 The following parts of lot 3 on RP861515, as shown on plan R13-842—
- a volume of 228m<sup>3</sup> over an area of 8m<sup>2</sup>
  - a volume of 8488m<sup>3</sup> over an area of 298m<sup>2</sup>
  - an area of 421m<sup>2</sup>
- 22 A volume of 2420m<sup>3</sup> over an area of 166m<sup>2</sup>, being part of lot 57 on SP106312, as shown on plan R13-844
- 23 A volume of 12115m<sup>3</sup> over an area of 1444m<sup>2</sup>, being part of lot 21 on RP899090, as shown on plan R13-844.

**Additional information about land itemised in this schedule**

- 1 All items of land are located in the County of Stanley, Parish of South Brisbane.
- 2 All plans prefixed R13 are held in the Office of the South East Transit Project, and may be inspected at level 4, 14 Mount Gravatt-Capalaba Road, Mount Gravatt.

**Schedule 2      Areas excluded from  
corporation area on  
completion of construction of  
busway in or about South Bank**

section 8

- 1    Lot 115 on SP150309
- 2    Lot 117 on SP150311
- 3    Lot 139 on SP150333
- 4    Lot 140 on SP150334
- 5    Lot 70 on SP149284
- 6    Lot 4 on SP121757
- 7    Lot 5 on SP121758
- 8    Lot 111 on SP141936
- 9    Lot 112 on SP141937
- 10   Lot 116 on SP150310
- 11   Lot 138 on SP150332
- 12   Lot 118 on SP150312
- 13   Lot 119 on SP150313
- 14   Lot 120 on SP150314
- 15   Lot 121 on SP150315
- 16   Lot 122 on SP150316
- 17   Lot 123 on SP150317
- 18   Lot 124 on SP150318
- 19   Lot 125 on SP150319
- 20   Lot 126 on SP150320
- 21   Lot 127 on SP150321
- 22   Lot 128 on SP150322

**Schedule 2 (continued)**

- 23 Lot 129 on SP150323
- 24 Lot 130 on SP150324
- 25 Lot 131 on SP150325
- 26 Lot 132 on SP150326
- 27 Lot 133 on SP150327
- 28 Lot 134 on SP150328
- 29 Lot 135 on SP150329
- 30 Lot 136 on SP150330
- 31 Lot 137 on SP150331
- 32 Lot 141 on SP150335
- 33 Lot 241 on SP157139
- 34 Lot 142 on SP150336
- 35 Lot 242 on SP157140
- 36 Lot 143 on SP150337
- 37 Lot 243 on SP157141
- 38 Lot 144 on SP150338
- 39 Lot 244 on SP157142
- 40 Lot 145 on SP150339
- 41 Lot 245 on SP157143
- 42 Lot 146 on SP150340
- 43 Lot 246 on SP157144

## Endnotes

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### 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 2 November 2005. Future amendments of the Transport (South Bank Corporation Area Land) Act 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

## 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.

Reprint No.	Amendments to	Effective	Reprint date
1	none	22 April 1999	4 May 1999

Reprint No.	Amendments included	Effective	Notes
1A	2005 Act No. 49	2 November 2005	

## 5 List of legislation

### **Transport (South Bank Corporation Area Land) Act 1999 No. 14**

date of assent 22 April 1999  
commenced on date of assent  
amending legislation—

### **Transport Legislation Amendment Act 2005 No. 49 s 1, pt 8**

date of assent 2 November 2005  
commenced on date of assent

## 6 List of annotations

### **PART 1—PRELIMINARY**

**pt hdg** ins 2005 No. 49 s 81

### **PART 2—PROVISIONS FOR CONSTRUCTION OF THE BUSWAY IN OR ABOUT SOUTH BANK**

**pt hdg** ins 2005 No. 49 s 82

#### **Exclusion of land from South Bank Corporation area**

**s 2** amd 2005 No. 49 s 83

#### **Validation of certain notices of intention to resume**

**s 3** amd 2005 No. 49 s 84

#### **Effect of certain proclamations**

**s 4** amd 2005 No. 49 s 85

### **PART 3—PROVISIONS ON COMPLETION OF CONSTRUCTION OF THE BUSWAY IN OR ABOUT SOUTH BANK**

**pt 3 (ss 5–14)** ins 2005 No. 49 s 86



**SCHEDULE 1—AREAS EXCLUDED FROM CORPORATION AREA FOR  
CONSTRUCTION OF BUSWAY IN OR ABOUT SOUTH BANK**

**sch hdg** sub 2005 No. 49 s 87

**SCHEDULE 2—AREAS EXCLUDED FROM CORPORATION AREA ON  
COMPLETION OF CONSTRUCTION OF BUSWAY IN OR ABOUT  
SOUTH BANK**

ins 2005 No. 49 s 88