



Queensland

State Development and Public Works Organisation Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 79

made under the

State Development and Public Works Organisation Act 1971

General outline

Short title

*State Development and Public Works Organisation Amendment Regulation
(No. 1) 2012.*

Authorising law

Section 134 of the *State Development and Public Works Organisation Act 1971* (SDPWO Act).

Policy objectives and the reasons for them

The policy objective of the legislation is to transfer the ownership of the science and engineering building works constructed pursuant to Part 9 of the *State Development and Public Works Organisation Regulation 2010* from the Coordinator-General to Griffith University.

The regulation will approve the terms of the agreement negotiated between the Coordinator-General and Griffith University, effecting the transfer of the science and engineering building works.

Achievement of policy objectives

Part 9 of the *State Development and Public Works Organisation Regulation 2010* enabled the timely construction of the science and engineering building works at Griffith University's Gold Coast Campus. Now that the construction of the science and engineering building works is complete, the Coordinator-General is required to transfer ownership of the science and engineering building works to Griffith University.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objectives of the SDPWO Act and amends the *State Development and Public Works Organisation Regulation 2010* in relation to Part 9 - Griffith University Facilities Project to allow the transfer of the science and engineering building works to Griffith University in a manner permitted by the SDPWO Act.

Inconsistency with policy objectives of other legislation

The subordinate legislation is not inconsistent with any policy objective of any other legislation.

Alternative ways of achieving policy objectives

The SDPWO Act sets out the framework for the transfer of works such as the science and engineering building works to local bodies, such as Griffith University. There are no alternative means of achieving the policy objectives.

Benefits and costs of implementation

The Science and Engineering Building is an educational facility with funding for its construction provided by Griffith University. The Coordinator-General constructed the Science and Engineering Building on

behalf of Griffith University, with Griffith University now occupying, operating and maintaining the building.

The benefit of the regulation is that it enables the Coordinator-General to comply with the condition in the Contract Administration Deed signed with Griffith University in 23 December 2008.

The costs associated with the amendment regulation include general administration and legal costs concerning the agreements with Griffith University, and any general administration costs involved in the preparation and lodgement of documentation for approval by the Governor in Council.

Consistency with fundamental legislative principles

The regulation is the only option that will enable the transfer of the science and engineering building works to Griffith University that complies with both the Contract Administration Deed and the SDPWO Act.

Consultation

Griffith University is the stakeholder most affected by the transfer of the science and engineering building works. Transfer into Griffith University's ownership was planned following the building's completion with Griffith University being consulted as to the timing and method for the transfer of ownership.

The construction of the science and engineering building works has been undertaken in consultation and agreement between the Coordinator-General and Griffith University.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of State Development, Infrastructure and Planning.