



Transport (South Bank Corporation Area Land) Act 1999

Current as at 3 May 2013



Queensland

Transport (South Bank Corporation Area Land) Act 1999

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Transport (South Bank Corporation Area Land) Act 1999

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
 - (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—

- (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 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;
 - (d) the proclamation gazetted on 6 November 1998 at pages 847 to 850, which included the land mentioned in schedule 1, item 14;

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- (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.

[s 13]

- (3) Without limiting subsection (2), a plan that is required to give effect to this part is not subject to compliance assessment under the *Sustainable Planning Act 2009*.
- (4) If, under subsection (3), a plan is not subject to compliance assessment under the *Sustainable Planning Act 2009*, the *Land Title Act 1994*, sections 50(1)(h) and (i) and 83(2) do not apply to the registration of the plan.

13 Exemption from fees and charges

- (1) No fee or charge, including any duty under the *Duties Act 2001*, is payable by any of the following in relation to dealings with land to give effect to this part—
 - (a) the State;
 - (b) the corporation;
 - (c) a rail government entity;
 - (d) QR Limited ACN 124 649 967;
 - (e) a related body corporate of an entity mentioned in paragraph (d).
- (2) In this section—

rail government entity see the *Transport Infrastructure Act 1994*, schedule 6.

related body corporate has the meaning given in the Corporations Act.

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 484m²
- 2 Lot 3 on RP43196, area 197m²
- 3 Lot 5 on RP43196, area 162m²
- 4 Lot 11 on RP43196, area 21m².
- 5 Lot 1 on RP1329, area 301m²
- 6 Lot 2 on RP1329, area 39m²
- 7 Lot 3 on RP1329, area 340m²
- 8 Lot 10 on RP1325, area 340m²
- 9 Lot 12 on RP102290, area 113m²
- 10 A volume of 6034m³ over an area of 622m², being part of common property for BUP5633, as shown on plan R13-776B
- 11 A volume of 16095m³ over an area of about 1270m², being part of lot 2 on RP880680, as shown on plan R13-748B
- 12 Lot 9 on RP43196, area 420m²
- 13 Lot 1 on RP175375, area 124m²
- 14 Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 and 23 on RP42297, total area 1409m²
- 15 Lot 1 on RP41522, area 534m²
- 16 Lot 45 on RP183634, area 477m²
- 17 Part of lot 3 on SP102571, as shown on plan R13-845, area 831m²
- 18 The following parts of lot 102 on RP896476 as shown on plans R13-792, R13-793, R13-840 and R13-841—

- a volume of 55932m³ over an area of 1968m²
 - an area of 327m²
 - a volume of 3832m³ over an area of 382m²
- 19 Lot 44 on RP183634, area 658m²
- 20 Part of lot 5 on SP102571, as shown on plan R13-845, area 2978m²
- 21 The following parts of lot 3 on RP861515, as shown on plan R13-842—
- a volume of 228m³ over an area of 8m²
 - a volume of 8488m³ over an area of 298m²
 - an area of 421m²
- 22 A volume of 2420m³ over an area of 166m², being part of lot 57 on SP106312, as shown on plan R13-844
- 23 A volume of 12115m³ over an area of 1444m², 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
- 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

1 Index to 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 3 May 2013. 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
amd	= 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

Key	Explanation	Key	Explanation
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section
o in	= order in council	sch	= schedule
c			
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	
prev	= previous		

4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by

Endnotes

contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

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

Reprint No.	Amendments included	Effective	Notes
1A	2005 Act No. 49	2 November 2005	
1B	2008 Act No. 67	1 December 2008	
1C	2009 Act No. 36	18 December 2009	
1D	2010 Act No. 19	23 May 2010	

Current as at	Amendments included	Notes
3 May 2013	2013 Act No. 19	

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

Transport and Other Legislation Amendment Act 2008 No. 67 s 1, pt 3 div 14

date of assent 1 December 2008
 commenced on date of assent

Sustainable Planning Act 2009 No. 36 ss 1–2, 872 sch 2

date of assent 22 September 2009
 ss 1–2 commenced on date of assent

remaining provisions commenced 18 December 2009 (2009 SL No. 281)

Transport and Other Legislation Amendment Act (No. 2) 2010 No. 19 s 1, ch 2 pt 28

date of assent 23 May 2010

commenced on date of assent

Queensland Rail Transit Authority Act 2013 No. 19 ss 1, 120 sch 1

date of assent 3 May 2013

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 hdg ins 2005 No. 49 s 86

Purpose of pt 3

s 5 ins 2005 No. 49 s 86

Definitions for pt 3

s 6 ins 2005 No. 49 s 86

Inclusion of land in corporation area

s 7 ins 2005 No. 49 s 86

Exclusion of land from corporation area

s 8 ins 2005 No. 49 s 86

Ownership of particular land

s 9 ins 2005 No. 49 s 86

Registrar may register instruments etc.

s 10 ins 2005 No. 49 s 86

Recording of vesting of land

s 11 ins 2005 No. 49 s 86

State may sign plans and other documents

s 12 ins 2005 No. 49 s 86
amd 2009 No. 36 s 872 sch 2

Exemption from fees and charges

s 13 ins 2005 No. 49 s 86
amd 2008 No. 67 s 151
sub 2010 No. 19 s 158
amd 2013 No. 19 s 120 sch 1

Management statement terminated

s 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

7 Forms notified or published in the gazette

Lists of forms are no longer included in reprints. Now see the separate forms document published on the website of the Office of the Queensland Parliamentary Counsel at <www.legislation.qld.gov.au> under Information—Current annotations. This document is updated weekly and the most recent changes are marked with a change bar.