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EXTRAORDINARY

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MONDAY 25 OCTOBER 2010

[No. 56

**Department of Justice and Attorney-General
Brisbane, 9 September 2010**

The following directive is issued under section 54(1) of the *Public Service Act 2008*.

CAMERON DICK
Attorney-General and Minister for Industrial Relations

22/10

In accordance with section 52(3) of the *Public Service Act 2008* and section 687(3) of the *Industrial Relations Act 1999*, this Directive prevails over an industrial instrument to the extent of any inconsistency except in circumstances where the industrial instrument provides for conditions in excess of this Directive. Industrial instrument means an award, certified agreement or decision of the Queensland Industrial Relations Commission. This Directive prevails over other Ministerial Directives to the extent of any inconsistency.

- | | |
|----------------------------------|---|
| 1. TITLE: | Senior Officers – Employment Conditions |
| 2. PURPOSE: | To declare employment conditions for officers appointed as senior officers. |
| 3. LEGISLATIVE PROVISION: | Sections 54(1), 116, 119 and 121 of the <i>Public Service Act 2008</i> . |
| 4. APPLICATION: | This directive applies to senior officers. |
| 5. STANDARD: | The conditions and entitlements prescribed in the Schedules apply. |
| 6. EFFECTIVE DATE: | This directive is effective from 1 August 2010 . |
| 7. VARIATION: | This Directive can be varied by: <ul style="list-style-type: none">• The Minister responsible for industrial relations; or• Legislation. |

8. PREVIOUS REFERENCES:

Directive No. 6/09 "Senior Officers – Employment Conditions"
 Directive No. 7/06 "Senior Executives and Senior Officers – Employment Conditions".
 Directive No. 3/06 "Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions"
 Directive No. 6/00 "Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions"
 Directive No. 1/00 "Amendment of Directive – Senior Executives and Senior Officers – Employment Conditions"
 Directive No. 29/99 "Senior Executives and Senior Officers – Employment Conditions"
 Directive No. 2/99 "Senior Officers – Employment Conditions"
 Directive No. 1/99 "Senior Executives – Employment Conditions"
 Directive No. 9/98 "Senior Executives – Employment Conditions"
 Directive No. 15/97 Senior Executives – Employment Conditions"
 Directive No. 2/97 "Who are Senior Officers?"
 Directive No. 2/96 "Who are Senior Officers?"

SCHEDULE A

EMPLOYMENT OF SENIOR OFFICERS

1. Classification and work value range

Unless otherwise determined by the chief executive of the employing authority (the 'chief executive'), the classification and work value range of a senior officer role will be assessed according to the work value of the role by using the Queensland Public Sector Job Evaluation Management System (JEMS). A senior officer role is one with an assessed work value above 719 points but below that required for inclusion in the Senior Executive Service. A senior officer is an officer appointed on tenure unless the chief executive determines the appointment is on contract.

From 1 August 2010, a new classification structure of a single SO classification level with three (3) paypoints will be progressively introduced for senior officers whereby the current classification level of SO2 will be phased out over the 12 month period up to 1 August 2011. Transitional arrangements for implementing the new structure are outlined in section 5 below. Schedule B(i) (with variations approved by the chief executive of the agency responsible for industrial relations from time to time) indicates the classification level work value range and remuneration amounts for all senior officers. Schedule B(ii) indicates the new classification level work value range and remuneration amounts which take effect from 1 August 2010.

2. Recruitment and selection

The recruitment and selection of senior officers must be performed in accordance with the relevant directive issued by the Public Service Commission Chief Executive.

3. Redeployment of a senior executive

In the event of the redeployment of a senior executive to senior officer level, the remuneration package may allow for the private use of a government motor vehicle at the SES1 level.

4. Salary rates, employment conditions and entitlements of senior officers

The applicable salary rates for senior officers are set out in Schedule B. The employment conditions and entitlements of senior officers are set out in Schedule C.

5. New classification structure – transitional arrangements

- (a) There will be a transition period of 12 months from 1 August 2010. At the completion of the transition period, all senior officers will have been transitioned to the new classification structure.
- (b) The current classification structure outlined at Schedule B(i) will be retained during the transition period to facilitate the transition to the new classification structure.
- (c) Existing SO2(1) officers who have been at that classification level for 12 months or more as at 1 August 2010 will transition to SO(1) as from 1 August 2010.
- (d) Existing SO2(1) officers with less than 12 months service at that classification level as at 1 August 2010 will transition to SO(1) upon achieving 12 months service at SO2(1).
- (e) A summary of transitional arrangements for existing SO2(1) officers is outlined in Schedule D.
- (f) Newly-appointed senior officers in roles assessed at the work value equivalent to the existing SO2 level during the 12 month period commencing 1 August 2010 will be appointed to the existing SO2(1) pay point with transition to the new SO(1) to occur on 1 August 2011 or when 12 months "recognised service" is achieved, whichever is the earlier.

- (g) Newly-appointed senior officers in roles assessed at the work value equivalent to the existing SO2 level during the 12 month period commencing from 1 August 2010 who already have achieved more than 12 months "recognised service" will be appointed at new SO(1) classification level.
- (h) Officers relieving at existing SO2(1) level as at 1 August 2010 or officers who commence relieving in a role assessed at the work value equivalent to the existing SO2 level during the 12 month transition period shall transition to the new SO(1) level on 1 August 2011 or when 12 months "recognised service" is achieved, whichever is the earlier.
- (i) Officers relieving at existing SO2(2) level as at 1 August 2010 and who have been relieving at that level for less than 12 months, will continue to be paid at the new SO(1) classification level until the higher duties period expires. If such an employee is subsequently permanently appointed to the role assessed at the work value equivalent to the existing SO2 level immediately after relieving in that position at the SO(1) level with less than 12 months "recognised service", the permanent appointment will be at the SO(1) level.
- (j) A summary of transitional arrangements for newly appointed senior officers is outlined in Schedule E.
- (k) For the purposes of (f), (g) and (h) above, "recognised service":
- for existing SO2(1) officers or officers relieving at SO2(1) as at 1 August 2010, shall mean continuous service (including relieving) at level SO2 or higher which either concluded in the 12 month period prior to 1 August 2010 or occurred immediately prior to 1 August 2010; or
 - for newly-appointed senior officers or officers commencing relieving during the transition period in roles assessed as the work value equivalent to existing SO2 level, shall mean continuous service (including relieving) at level SO2 or higher which concluded in the 12 month period immediately prior to such new appointment or commencement of relieving.
- (l) A general principle of "no disadvantage" will apply during the period of the transitional arrangements. Subject to endorsement by the Executive Director, Public Sector Industrial and Employee Relations, Department of Justice and Attorney-General, a chief executive can approve arrangements in excess of those prescribed in this Directive in order to ensure an officer suffers no disadvantage.

SCHEDULE B
SENIOR OFFICERS REMUNERATION RATES

(i) Effective from 1 July 2010

LEVEL	Package Point	Assessed Work Value	Annual Salary \$ per annum	Superannuation 12.75% \$ per annum	Fortnights =		Fortnightly Salary \$ per F/N
					Leave Loading \$ per annum	Total Employment Cost \$ per annum	
SO1	2		120,324	15,341	1,614	137,279	4,612.00
	1	770 - 819	114,996	14,662	1,543	131,201	4,407.80
SO2	2		109,674	13,983	1,471	125,128	4,203.80
	1	720 - 769	105,239	13,418	1,412	120,069	4,033.80

(ii) Effective from 1 August 2010

LEVEL	Pay Point	Assessed Work Value	Annual Salary \$ per annum	Superannuation 12.75% \$ per annum	Fortnights =		Fortnightly Salary \$ per F/N
					Leave Loading \$ per annum	Total Employment Cost \$ per annum	
SO	3		120,324	15,341	1,614	137,279	4,612.00
	2	720 - 819	114,996	14,662	1,543	131,201	4,407.80
	1		109,674	13,983	1,471	125,128	4,203.80

SCHEDULE C

EMPLOYMENT CONDITIONS AND ENTITLEMENTS OF SENIOR OFFICERS

6. Transfer

In accordance with section 133 of the *Public Service Act 2008*, an officer appointed as a senior officer accepts that he/she may be transferred or seconded within the department at the discretion of the chief executive, or to another department by agreement between the chief executives of the officer's department and the other department.

However, the provisions of section 134 of the *Public Service Act 2008* are to be complied with in the event that a senior officer does not wish to be transferred or seconded.

7. Hours of duty

The ordinary hours of duty shall be those hours of duty determined by the chief executive ensuring the good health and well-being of the senior officer and appropriate work-life balance.

8. Part-time employment

The chief executive has the discretion to implement part-time work arrangements for senior officer roles in the agency.

Officers working part-time have the same benefits and entitlements as other officers, including a proportionate entitlement to remuneration and leave.

9. Compensation for duty outside ordinary hours

Senior officers are not entitled to be paid for work performed outside ordinary hours. However, a meal allowance may be paid for performing authorised duties outside ordinary hours of duty in accordance with the provisions contained in the Schedule of a Directive relating to overtime meal allowances issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule.

10. Reporting absences from duty

Senior officers shall, as soon as practicable, report to their employing authority any inability to perform their duties, and the reason for that inability.

11. Determination of paypoint

The chief executive will determine the paypoint of the remuneration package amount to be paid to a senior officer within the work value range appropriate to the assessed work value of the position. While movement within a work value range is not incremental, the chief executive is able to review the paypoint to take account of changed circumstances, responsibilities and/or duties.

12. Remuneration package benefits

The following are the remuneration package benefits that senior officers may elect to access via in-house salary packaging arrangements at no cost to the officer:

- (a) the payment of employee superannuation contributions
- (b) the payment of subscriptions in respect to membership of professional or occupational bodies
- (c) any other benefit of a kind approved by the chief executive of the agency responsible for industrial relations.

The remuneration benefits selected by a senior officer from the above options are to be specified in a signed agreement, and must not exceed the percentage of the superannuable salary that would apply if the senior officer was to access the agency's fee-for-service salary packaging scheme.

In addition, senior officers are able to access a wider menu of items for salary packaging purposes by using the services of the agency's salary packaging bureau service provider and complying with the rules and charges associated with using that service as if senior officers were covered by the relevant circular issued by the agency responsible for industrial relations and the relevant departmental certified agreement pertaining to salary packaging.

13. Remuneration package benefits for temporary placements

The remuneration packaging benefits in clauses 12(a), (b) and (c) above are available to officers who temporarily perform the duties of a senior officer provided the initial placement exceeds 12 months and the officer was selected for the placement through a merit selection process under this Directive and any Directive dealing with recruitment and selection current at the time the appointment is made.

14. Telephone and/or other technology

Where the chief executive considers it necessary for a senior officer to be contactable out of hours or to conduct official business from home and the officer is not provided with an official mobile telephone, the officer is entitled to be reimbursed for the cost of the standard base rental on one nominated telephone line in the officer's residence, and at the discretion of the chief executive, up to 50% of local calls on that line.

All official STD and ISD calls made from the home telephones of senior officers are to be reimbursed on production of a receipt and certification by the officer that the call was work related.

In addition and only if the chief executive considers it warranted, other communications technology may be installed in the homes of senior officers. This equipment remains the property of the department and must be accounted for during annual equipment audits.

If the chief executive considers that the above arrangements are insufficient to meet the away-from-work communication needs of some or all of the senior officers in the agency, that chief executive may make alternative arrangements that suit the business needs of the agency. Any such arrangement should be approved only in the context of prudent and responsible financial management and be clearly documented.

Unless the chief executive otherwise determines, home telephone cost reimbursement arrangements for individual officers in place before the publication of this directive should not be varied.

15. Higher duties in senior officer roles

Payment of a higher duties allowance shall be in accordance with the provisions contained in the Schedule of a Directive relating to higher duties issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule, except that:

- the minimum period shall mean "more than 3 days";
- the relevant percentage will be 100% only;
- the sections dealing with "Payment of increments during relieving period" and "Recognition of higher duties upon appointment" do not apply to employees relieving in senior officer roles; and
- while the calculation of the higher duties allowance should generally be based on the minimum of the range, payment above the minimum paypoint may be authorised if considered warranted by the chief executive. A decision to pay above the minimum should be documented.

16. Leave

Senior officers have the leave arrangements that apply generally in the public service, including purchased leave arrangements. Leave is granted in accordance with the provisions contained in the Schedules of Directives issued by the Minister responsible for industrial relations and the provisions (except clauses 1.6, 3.4 and 3.5) of the *Family Leave (Queensland Public Sector) Award – State 2004*, as if senior officers were covered by those arrangements. References to time off in lieu and/or accrued hours do not apply to senior officers.

17. Public holidays

The employing authority may require the attendance of a senior officer to undertake official duties for the whole or part of a public holiday as warranted by the circumstances.

18. Transfer and appointment expenses

Reimbursement of transfer and appointment expenses shall be made either:

- (a) in accordance with the provisions contained in the Schedule of a Directive relating to transfer and appointment expenses issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* as if senior officers were covered by such Schedule, or
- (b) in accordance with another proposal, approved by the relevant Minister and supported by documentary evidence approved by the chief executive that the total quantum of appointment expenses under the proposal will be no greater than the expenses that would be paid if reimbursement had been in accordance with the Directive.

19. Applicable Ministerial Directives

The following Directives (including wherever replaced or amended from time to time) issued by the Minister responsible for industrial relations under section 54 of the *Public Service Act 2008* will apply to senior officers as if senior officers were covered by such Directive:

- Recognition of previous service and employment;
- Leave without salary credited as service;
- Court attendance and jury service;
- Domestic travelling and relieving expenses;
- International travelling and relieving expenses;
- Locality allowances;
- Critical incident entitlements and conditions – Schedules A (except for clauses 5.4, 5.5, 5.8, 5.9 and 5.12), C and D only;
- Leave and travel concessions – isolated centres;
- Engaging officers on fixed term contracts of employment;
- Superannuation entitlements for certain employees;
- Rewards for creating commercially valuable intellectual property;
- Voluntary early retirement; and
- Retrenchment.

SCHEDULE D

EXISTING SENIOR OFFICERS AS AT 31 JULY 2010

	Would transition to	When
Existing SO2(1) officers with \geq 12 months service at SO2(1)	New SO(1)	1 August 2010
Existing SO2(1) officers with <12 months service at SO2(1)	New SO(1)	Upon achieving 12 months service at existing SO2(1)
Existing SO2(2) officers	New SO(1)	1 August 2010
Existing SO1(1) officers	New SO(2)	1 August 2010
Existing SO1(2) officers	New SO(3)	1 August 2010

SCHEDULE E

NEWLY APPOINTED SENIOR OFFICERS APPOINTED ON OR AFTER 1 AUGUST 2010

	Would be appointed to	On completion of 12 month period after 1 August 2010
<p>Newly-appointed officers in SO roles valued in assessed Work Value Range of 720 – 769 (former SO2 range)</p> <ul style="list-style-type: none"> - with \geq12 months recognised service at SO2 or higher - with <12 months recognised service at SO2 or higher 	<p>New SO(1)</p> <p>Former SO2(1) rate, with transition to new SO(1) upon 12 months recognised service or on completion of the 12 month after 1 August 2010 whichever is earlier</p>	All SO roles filled in accordance with new structure. *
Newly-appointed officers in SO roles valued in assessed Work Value Range of 770 – 819 (former SO1 range)	New SO structure in accordance with this Directive.*	

* - Clause 11 in Schedule C states that "The chief executive will determine the paypoint of the remuneration package amount to be paid to a senior officer within the work value range appropriate to the assessed work value of the position. While movement within a work value range is not incremental, the chief executive is able to review the paypoint to take account of changed circumstances, responsibilities and/or duties."



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[No. 57

NOTICE

Premier's Office
Brisbane, 27 October 2010

Her Excellency the Governor directs it to be notified that, acting under the provisions of the *Constitution of Queensland 2001*, she has appointed the Honourable Geoffrey James Wilson MP, Minister for Education and Training to act as Minister for Natural Resources, Mines and Energy and Minister for Trade, to perform the functions and exercise the powers relating to the Minister's responsibilities for Mines, Energy and Trade as listed in the Administrative Arrangements Order (No. 1) 2010 under the heading "Principal Ministerial Responsibilities" from "Access to Natural Gas Pipelines" to "Royalties" inclusive and "Trade Development" from 27 October 2010 until the Honourable Stephen Robertson MP returns to Queensland.

ANNA BLIGH MP
PREMIER AND MINISTER FOR THE ARTS

NOTICE

Premier's Office
Brisbane, 27 October 2010

Her Excellency the Governor directs it to be notified that, acting under the provisions of the *Constitution of Queensland 2001*, she has appointed the Honourable Kate Jennifer Jones MP, Minister for Climate Change and Sustainability to act as Minister for Natural Resources, Mines and Energy and Minister for Trade, to perform the functions and exercise the powers relating to the Minister's responsibilities for Natural Resources as listed in the Administrative Arrangements Order (No. 1) 2010 under the heading "Principal Ministerial Responsibilities" from "Aboriginal and Torres Strait Islander matters including-" to "Water Recycling Strategy" inclusive from 27 October 2010 until the Honourable Stephen Robertson MP returns to Queensland.

ANNA BLIGH MP
PREMIER AND MINISTER FOR THE ARTS



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ENVIRONMENT AND RESOURCE MANAGEMENT

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[No. 58

*Water Act 2000***APPROVAL OF AN AMENDMENT OF A RESOURCE OPERATIONS PLAN NOTICE (No 04) 2010****Short title**

1. This notice may be cited as the *Approval of an amendment of a Resource Operations Plan Notice (No 04) 2010*.

Notice of document [s.105 of the Act]

2. Notice is given that the Governor in Council on 28 October 2010 approved amendment of a resource operations plan titled "*Gold Coast Resource Operations Plan (December) 2009*".

The amended "*Gold Coast Resource Operations Plan (December) 2009*" takes effect from the day of publication of the notice.

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Environment and Resource Management.

*Acquisition of Land Act 1967***TAKING OF LAND NOTICE (No 63) 2010****Short title**

1. This notice may be cited as the *Taking of Land Notice (No 63) 2010*.

Land taken [s.9(7) and 9(8) of the Act]

2. The land described in the Schedule is taken by Brisbane City Council for Park and Recreation Ground purposes and vests in Brisbane City Council for an estate in fee simple on and from 29 October 2010.

SCHEDULE**South East Region, Brisbane Office****Land Taken**

Lot 87 on SP172127, area 6100 m², the whole of Title Reference 50518165, parish of Yeerongpilly.

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Environment and Resource Management.
5. File Reference - LAB 12221

*Acquisition of Land Act 1967**Native Title Act 1993 (Commonwealth)*
*Native Title (Queensland) Act 1993***TAKING OF NATIVE TITLE RIGHTS AND INTERESTS NOTICE (No 14) 2010****Short title**

1. This notice may be cited as the *Taking of Native Title Rights and Interests Notice (No 14) 2010*.

Native Title Rights and Interests taken [s.9(7) of the Acquisition of Land Act 1967, s.24MD of the Native Title Act 1993 (Commonwealth) and s.144 of the Native Title (Queensland) Act 1993]

2. The native title rights and interests, if any, in the land and waters described in the Schedule are taken by the State for Fire Station purposes and vest in the State on and from 29 October 2010.

SCHEDULE**Central West Region, Emerald Office**

Lot 15 on T112320, area 1458 m², being unallocated State land, Title Reference 47019928, parish of Tieri.

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Environment and Resource Management.
5. File Reference - CBD/027278

*Acts Interpretation Act 1954**Land Act 1994***REPEALING PART OF REOPENING OF TEMPORARILY CLOSED ROAD NOTICE (No 03) 2010****Short title**

1. This notice may be cited as the *Repealing Part of Reopening of Temporarily Closed Road Notice (No 03) 2010*.

Repeal of notice [s.24AA of the Acts Interpretation Act 1954 and s.107 of the Land Act 1994]

2. The Reopening of Temporarily Closed Road Notice (No 25) 2010 published in the Gazette on 24 September 2010 at page 180 (relating to Road Licence No. 30/4208, Central West Region, Mackay Office, parish of Greenmount) is repealed.

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.
4. File Reference - 2010/005962

*Land Act 1994***OBJECTIONS TO PROPOSED ROAD CLOSURE
NOTICE (No 41) 2010****Short title**

1. This notice may be cited as the *Objections to Proposed Road Closure Notice (No 41) 2010*.

Application for road closure [s.100 of the Act]

2. Applications have been made for the permanent closure of the roads mentioned in the Schedule.

Objections

3.(1) An objection (in writing) to a proposed road closure mentioned in the Schedule may be lodged with the Regional Service Director, Department of Environment and Resource Management, at the regional office for the region in which the road is situated.

(2) Latest day for lodgement of objections is **9 December 2010**.

(3) Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the *Right to Information Act 2009*. If you lodge an objection, please include in your objection letter whether you would like to be consulted if this issue becomes the subject of an access request under the *Right to Information Act 2009*.

Plans

4. Inspection of the plans of the proposed road closures may be made at-

- (a) the Department of Environment and Resource Management Offices at Mackay, Rockhampton, Cairns, Townsville, Nambour and Toowoomba; and
- (b) the Local Government Offices of Isaac Regional, Rockhampton Regional, Tablelands Regional, Townsville City, Sunshine Coast Regional and Western Downs Regional;

for a particular plan in that district or that local government area.

SCHEDULE**PERMANENT CLOSURE****Central West Region, Mackay Office**

1 An area of about 0.19 ha being part of the unnamed Road adjoining the southern boundary of Lot 136 on CLM492 (parish of Clermont, locality of Clermont) and shown as Area A on Drawing 10/774/CEN. (2010/005654)

2 An area of about 0.13 ha being part of the unnamed Road adjoining the southern boundary of Lot 137 on CLM492 (parish of Clermont, locality of Clermont) and shown as Area B on Drawing 10/774/CEN. (2010/005839)

Central West Region, Rockhampton Office

3 An area of about 2.3 ha being the unnamed Road abutting the southern boundary of Lot 65 on PL4017 and abutting the northern boundaries of Lots 59 to 64 on PL4017 (parish of Gavial, locality of Port Curtis) and shown as plan of proposed road to be permanently closed on Drawing 10/029/CEN. (2010/000264)

North Region, Cairns Office

4 Areas totalling about 1.5540 ha being part of McGrath Road abutting Lots 1 and 2 on RP708446 (parish of Formartine, locality of Mareeba) and shown as plan of Lots A and B (proposed permanent road closure) on Drawing CNS10/066. (2010/004227)

5 An area of about 1.93 ha being the road abutting Lot 2 on SP201112 (parish of Formartine, locality of Biboohra) and shown as plan of Lot A (prop permanent road closure) on Drawing CNS10/065A. (2010/005323)

North Region, Townsville Office

6 Areas totalling about 43 m2 being part of Nelly Bay Road adjoining Lot 172 on EP961 (parish of Magnetic, locality of Nelly Bay) and shown as plan of Lots A, B and C (proposed perm road closure) on Drawing CNS10/021. (2007/006149)

South East Region, Nambour Office

7 An area of about 5330 m2 being part of Harris Road abutting the northern boundary of Lot 2 on RP76314 (parish of Bribie, locality of Diamond Valley) and shown as road proposed to be permanently closed on Drawing 10/192. (2010/006538)

8 An area of about 1.2 ha being the unnamed road separating Lot 4 on CG3162 from Lot 3 on RP26685 (parish of Maroochy, locality of Flaxton) and shown as road proposed to be permanently closed on Drawing 10/213. (2010/006900)

South West Region, Toowoomba Office

9 An area of about 6.83 ha being part of Bunya Mountains Road adjoining Lot 4 on RP57965 and Lot 135 on RP214965 (parish of Moola, locality of Bunya Mountains) and shown as proposed permanent road closure on Drawing DD2010_244. (2010/006823)

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.

*Land Act 1994***REOPENING OF TEMPORARILY CLOSED ROAD
NOTICE (No 29) 2010****Short title**

1. This notice may be cited as the *Reopening of Temporarily Closed Road Notice (No 29) 2010*.

Reopening temporarily closed road [s.107 of the Act]

2. It is declared that the areas of land comprised in the former Road Licences mentioned in Schedules 1 to 8 are reopened as road.

SCHEDULE 1**Central West Region, Mackay Office**

An area of about 0.144 ha abutting the southern boundary of Lot 8 on RP732157, being the land contained within former Road Licence No. 0/231652 and described as Lot A on AP19467, (parish of Greenmount) (2010/006177).

SCHEDULE 2**Central West Region, Mackay Office**

An area of about 0.7082 ha abutting the southern boundary of Lot 14 on RP748834, being the land contained within former Road Licence No. 30/5584 and described as Lot 1 on RL5584, (parish of Hamilton) (2010/006278).

SCHEDULE 3**Central West Region, Mackay Office**

An area of about 0.4383 ha abutting the eastern boundary of Lot 4 on HR1262, being the land contained within former Road Licence No. 0/217919 and described as Lot A on AP7893, (parish of Tawvale) (2010/005792).

SCHEDULE 4**North Region, Townsville Office**

An area of about 3643 m2 abutting Lot 2 on RP881738, being the land contained within former Road Licence No. 3049, (parish of Mourilyan) (2009/006335).

SCHEDULE 5**North Region, Townsville Office**

An area of about 1.2 ha abutting Lot 4 on RP894637 and Lot 3 on RP894637 and Lot 2 on RP881738, being the land contained within former Road Licence No. 212759, (parish of Mourilyan) (2009/006335).

SCHEDULE 6**North Region, Townsville Office**

An area of about 5.3 ha abutting the boundary of Lot 6 on SP103574, being the land contained within former Road Licence No. 0/211833, (parish of Sellheim) (2008/008604).

SCHEDULE 7**South West Region, Toowoomba Office**

An area of about 5.91 ha being the road separating Lot 359 on CSH484 from Lot 388 on CSH629, being the land contained within former Road Licence No. 219522, (parish of Cooyar) (2010/006822).

SCHEDULE 8**South West Region, Toowoomba Office**

An area of about 0.6475 ha being part of Kennedy Road, being the land contained within former Road Licence No. 42/4470, (parish of Westbrook) (2010/007080).

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.

*Acts Interpretation Act 1954**Place Names Act 1994*

PLACE NAME DECISION (AMENDMENT) NOTICE (No 16) 2010

Short title

1. This notice may be cited as the *Place Name Decision (Amendment) Notice (No 16) 2010*.

Notice of Amendment of Place Name Decision [s.24AA of the *Acts Interpretation Act 1954* and s.11 of the *Place Names Act 1994*]

2. Notice is given that the Place Name Decision Notice (No 25) 2000 published in the Gazette on 16 June 2000 at page 490 (QPN644), the Place Name Decision Notice (No 19) 2001 published in the Gazette on 1 June 2001 at page 354 (QPN622), the Place Name Decision Notice (No 21) 2001 published in the Gazette on 15 June 2001 at page 543 (QPN617) and the Place Name Decision (Amendment) Notice (No 03) 2002 published in the Gazette on 25 January 2002 at page 203 (QPN644) are amended by omitting the details in the overriding Schedules of the notices, and inserting the details in the Schedule below.

SCHEDULE

Name	Feature	Local Government Area	Geog. Co-ords		Plan No.
			Lat. S.	Long. E.	
Alpha	Locality	Barcaldine Regional Council	23°38'18"	146°37'51"	QPN1071
Aramac	Locality	Barcaldine Regional Council	22°59'07"	145°13'48"	QPN1071
Bangall	Locality	Barcaldine Regional Council	22°25'13"	144°00'33"	QPN1071
Barcaldine	Locality	Barcaldine Regional Council	23°34'12"	145°19'46"	QPN1071
Barcaldine Downs	Locality	Barcaldine Regional Council	23°48'07"	144°58'44"	QPN1071
Beaufort	Locality	Barcaldine Regional Council	23°27'24"	146°51'03"	QPN1071
Cornish Creek	Locality	Barcaldine Regional Council	22°26'59"	144°46'41"	QPN1071
Drummondslope	Locality	Barcaldine Regional Council	24°04'43"	146°34'04"	QPN1071
Dunrobin	Locality	Barcaldine Regional Council	22°46'16"	146°05'58"	QPN1071
Evora	Locality	Barcaldine Regional Council	24°02'37"	145°32'29"	QPN1071
Galilee	Locality	Barcaldine Regional Council	22°19'10"	145°49'10"	QPN1071
Garfield	Locality	Barcaldine Regional Council	23°15'30"	145°58'29"	QPN1071
Grant	Locality	Barcaldine Regional Council	23°35'08"	145°39'53"	QPN1071
Hobartville	Locality	Barcaldine Regional Council	23°21'22"	146°22'50"	QPN1071
Home Creek	Locality	Barcaldine Regional Council	23°59'02"	145°14'14"	QPN1071
Ibis	Locality	Barcaldine Regional Council	23°04'54"	145°03'54"	QPN1071
Ingberry	Locality	Barcaldine Regional Council	23°14'47"	145°27'49"	QPN1071
Jericho	Locality	Barcaldine Regional Council	23°34'39"	146°07'27"	QPN1071
Mexico	Locality	Barcaldine Regional Council	23°52'02"	146°11'45"	QPN1071
Moombria	Locality	Barcaldine Regional Council	24°03'45"	144°59'46"	QPN1071
Muttaborra	Locality	Barcaldine Regional Council	22°36'07"	144°31'48"	QPN1071
Narbethong	Locality	Barcaldine Regional Council	23°49'05"	145°39'05"	QPN1071
Patrick	Locality	Barcaldine Regional Council	23°45'16"	145°14'47"	QPN1071
Pelican Creek	Locality	Barcaldine Regional Council	22°51'40"	145°23'16"	QPN1071
Pine Hill	Locality	Barcaldine Regional Council	23°30'22"	147°06'19"	QPN1071
Port Wine	Locality	Barcaldine Regional Council	23°50'47"	147°03'35"	QPN1071
Saltern Creek	Locality	Barcaldine Regional Council	23°21'17"	145°04'47"	QPN1071
Sardine	Locality	Barcaldine Regional Council	22°51'25"	144°47'22"	QPN1071
Sedgeford	Locality	Barcaldine Regional Council	23°58'56"	146°49'14"	QPN1071
Surbiton	Locality	Barcaldine Regional Council	23°08'19"	146°39'16"	QPN1071
Tableberry	Locality	Barcaldine Regional Council	22°23'41"	144°30'38"	QPN1071
Tara Station	Locality	Barcaldine Regional Council	23°31'45"	144°56'34"	QPN1071
Upland	Locality	Barcaldine Regional Council	22°37'17"	145°37'06"	QPN1071
Upper Cornish Creek	Locality	Barcaldine Regional Council	22°12'50"	145°15'55"	QPN1071

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.
4. Datum of Co-ordinates - Geocentric Datum of Australia 94.
5. File Reference- ROC/023504.
6. Formerly administered by Aramac, Barcaldine and Jericho Shires.

*Acts Interpretation Act 1954**Place Names Act 1994*

PLACE NAME DECISION (AMENDMENT) NOTICE (No 17) 2010

Short title

1. This notice may be cited as the *Place Name Decision (Amendment) Notice (No 17) 2010*.

Notice of Amendment of Place Name Decision [s.24AA of the *Acts Interpretation Act 1954* and s.11 of the *Place Names Act 1994*]

2. Notice is given that the Place Name Decision Notice (No 15) 2000 published in the Gazette on 7 April 2000 at page 1255 (QPN626), the Place Name Decision Notice (No 18) 2000 published in the Gazette on 7 April 2000 at page 1256 (QPN625) and the Place Name Decision (Amendment) Notice (No 24) 2001 published in the Gazette on 6 April 2001 at page 1404 (QPN626) are amended by omitting the details in the overriding Schedules of the notices, and inserting the details in the Schedule below.

SCHEDULE

Name	Feature	Local Government Area	Geog. Co-ords		Plan No.
			Lat. S.	Long. E.	
Bayrick	Locality	Blackall Tambo Regional Council	25°24'13"	146°04'24"	QPN1073
Blackall	Locality	Blackall Tambo Regional Council	24°35'29"	145°24'09"	QPN1073

Caldervale	Locality	Blackall Tambo Regional Council	24°55'22"	146°49'27"	QPN1073
Lansdowne	Locality	Blackall Tambo Regional Council	25°07'51"	146°09'53"	QPN1073
Lumeah	Locality	Blackall Tambo Regional Council	25°17'12"	145°40'20"	QPN1073
Macfarlane	Locality	Blackall Tambo Regional Council	24°53'19"	146°00'31"	QPN1073
Minnie Downs	Locality	Blackall Tambo Regional Council	25°05'09"	145°51'08"	QPN1073
Mount Enniskillen	Locality	Blackall Tambo Regional Council	24°40'17"	146°03'22"	QPN1073
Scrubby Creek	Locality	Blackall Tambo Regional Council	25°32'54"	145°43'13"	QPN1073
Tambo	Locality	Blackall Tambo Regional Council	24°54'21"	146°19'43"	QPN1073
Windeyer	Locality	Blackall Tambo Regional Council	24°34'02"	146°24'11"	QPN1073
Yandarolo	Locality	Blackall Tambo Regional Council	25°07'31"	146°29'38"	QPN1073

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.
4. Datum of Co-ordinates - Geocentric Datum of Australia 94.
5. File Reference- ROC/023505.
6. Formerly administered by Blackall and Tambo Shires.

Acts Interpretation Act 1954
Place Names Act 1994

PLACE NAME DECISION (AMENDMENT) NOTICE (No 18) 2010

Short title

1. This notice may be cited as the *Place Name Decision (Amendment) Notice (No 18) 2010*.

Notice of Amendment of Place Name Decision [s.24AA of the Acts Interpretation Act 1954 and s.11 of the Place Names Act 1994]

2. Notice is given that the Place Name Decision Notice (No 20) 1999 published in the Gazette on 4 June 1999 at page 426 (QPN623), the Place Name Decision Notice (No 21) 1999 published in the Gazette on 4 June 1999 at page 426 (QPN624), the Place Name Decision Notice (No 22) 1999 published in the Gazette on 4 June 1999 at page 425 (QPN621) and the Place Name Decision (Amendment) Notice (No 05) 1999 published in the Gazette on 2 July 1999 at page 990 (QPN621) are amended by omitting the details in the overriding Schedules of the notices, and inserting the details in the Schedule below.

SCHEDULE

Name	Feature	Local Government Area	Geog. Co-ords		Plan No.
			Lat. S.	Long. E.	
Camoola	Locality	Longreach Regional Council	22°56'37"	144°22'25"	QPN1078
Chorregon	Locality	Longreach Regional Council	22°43'42"	143°37'12"	QPN1078
Ernestina	Locality	Longreach Regional Council	23°43'50"	143°56'20"	QPN1078
Ilfracombe	Locality	Longreach Regional Council	23°39'40"	144°32'43"	QPN1078
Isisford	Locality	Longreach Regional Council	24°34'18"	144°09'51"	QPN1078
Longreach	Locality	Longreach Regional Council	23°26'52"	144°12'40"	QPN1078
Maneroo	Locality	Longreach Regional Council	23°30'12"	143°42'07"	QPN1078
Morella	Locality	Longreach Regional Council	22°59'53"	143°51'18"	QPN1078
Tocal	Locality	Longreach Regional Council	23°56'42"	143°39'47"	QPN1078
Vergemont	Locality	Longreach Regional Council	23°33'12"	143°11'31"	QPN1078

ENDNOTES

1. Published in the Gazette on 29 October 2010.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Environment and Resource Management.
4. Datum of Co-ordinates - Geocentric Datum of Australia 94.
5. File Reference- ROC/023506.
6. Formerly administered by Ilfracombe, Isisford and Longreach Shires.



Queensland Government Gazette

TRANSPORT AND MAIN ROADS

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FRIDAY 29 OCTOBER 2010

[No. 59

Acquisition of Land Act 1967
Transport Infrastructure Act 1994
Transport Planning and Coordination Act 1994

TAKING OF LAND NOTICE (No. 2085) 2010

Short title

1. This notice may be cited as the *Taking of Land Notice (No. 2085) 2010*.

Land to be taken [s.9(7) of the Acquisition of Land Act 1967]

2. The land described in the Schedule is taken for a road transport purpose for the Airport Link Project, as from 29 October 2010, and vests in the Chief Executive, Department of Transport and Main Roads, as constructing authority for the State of Queensland, for an estate in fee simple.

SCHEDULE

Land Taken

County of Stanley, Parish of Enoggera - a volume of about 29268 cubic metres being part of Lot 7 on RP223902 contained in Title Reference: 18254028.

As shown approximately on Plan R13-2047 held in the office of the Chief Executive, Department of Transport and Main Roads, Brisbane.

Brisbane City
Airport Link Project
510/5488; 7245

ENDNOTES

1. Made by the Governor in Council on 21 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Transport and Main Roads.

Acquisition of Land Act 1967
Transport Infrastructure Act 1994
Transport Planning and Coordination Act 1994

AMENDING TAKING OF LAND NOTICE (No. 2089) 2010

Short title

1. This notice may be cited as the *Amending Taking of Land Notice (No. 2089) 2010*.

Amendment of Land to be taken [s. 11(1A) and s. 11(1B) of the Acquisition of Land Act 1967]

2. Schedule to the Taking of Land Notice (No. 2033) 2010 dated 15 July 2010, and published in the Gazette of 23 July 2010, at page 1159, relating to the taking of land by the Chief Executive, Department of Transport and Main Roads, as constructing authority for the State of Queensland, is amended as described in the Schedule.

SCHEDULE

Amend Schedule to the Taking of Land Notice (No. 2033) 2010 dated 15 July 2010, and published in the Gazette of 23 July 2010, at page 1159, relating to the taking of land by the Chief Executive, Department of Transport and Main Roads, as constructing authority for the State of Queensland as follows -

Omit - "*County of Cook, Parish of Isis* - an area of about 1.367 hectares (including about 0.135 hectares being part of Easement BB on SP130645) being part of Lot 16 on Crown Plan C37429 contained in Title Reference: 10653132.

As shown approximately on Plan R12- 598(B) held in the office of the Chief Executive, Department of Transport and Main Roads, Brisbane.

Bundaberg Region
Bruce Highway (Maryborough - Gin Gin)
510/291; 7232"

Insert - "*County of Cook, Parish of Isis* - an area of 1.368 hectares being Lot 1 on SP239497 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management), being part of the land contained in Title Reference: 10653132.

Bundaberg Region
Bruce Highway (Maryborough - Gin Gin)
510/291; 7232"

ENDNOTES

1. Made by the Minister on 7 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Transport and Main Roads.

Acquisition of Land Act 1967
Transport Infrastructure Act 1994
Transport Planning and Coordination Act 1994

AMENDING TAKING OF LAND NOTICE (No. 2090) 2010

Short title

1. This notice may be cited as the *Amending Taking of Land Notice (No. 2090) 2010*.

Amendment of Land to be taken [s. 11(1A) and s. 11(1B) of the Acquisition of Land Act 1967]

2. Schedule to the Taking of Land Notice (No. 2019) 2010 dated 10 June 2010, and published in the Gazette of 18 June 2010, at page 485, relating to the taking of land by the Chief Executive, Department of Transport and Main Roads, as constructing authority for the State of Queensland, is amended as described in the Schedule.

SCHEDULE

Amend Schedule to the Taking of Land Notice (No. 2019) 2010 dated 10 June 2010, and published in the Gazette of 18 June 2010, at page 485, relating to the taking of land by the Chief Executive, Department of Transport and Main Roads, as constructing authority for the State of Queensland as follows -

Omit - "*County of Yarrol, Parish of Dalgangal* - an area of about 1.2609 hectares being part of Lot 1 on SP167395 contained in Title Reference: 50499887.

As shown approximately on Plan R12-596(B) held in the office of the Chief Executive, Department of Transport and Main Roads, Brisbane.

North Burnett Region
Monto - Mt Perry Road
510/699; 7234"

Insert - “*County of Yarrol, Parish of Dalgangal* - an area of 1.268 hectares being Lot 4 on SP238695 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management), being part of the land contained in Title Reference: 50499887.

North Burnett Region
Monto - Mt Perry Road
510/699; 7234”

ENDNOTES

1. Made by the Minister on 7 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Transport and Main Roads.

*Transport Infrastructure Act 1994***Declaration of Busway Land Notice****Short title**

1. This notice may be cited as the *Declaration of Busway Land Notice*.

Land to be declared [s.302 of the *Transport Infrastructure Act 1994*]

2. The land described in the Schedule is declared to be busway land.

SCHEDULE**Land declared to be busway land**

County of Stanley, Parish of North Brisbane - an area of 870 square metres being Lot 13 on SP237419 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - a volume of 100,690 cubic metres being Lot 14 on SP207212 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - an area of 18 square metres being Lot 3 on SP207214 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - an area of 20 square metres being Lot 4 on SP207214 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - an area of 5 square metres being Lot 5 on SP207214 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - a volume of 752 cubic metres being Lot 6 on SP207213 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - a volume of 278 cubic metres being Lot 7 on SP207213 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - a volume of 50,053 cubic metres being Lot 15 on SP207213 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

County of Stanley, Parish of North Brisbane - a volume of 591 cubic metres being Lot 8 on SP207227 (being a plan to be registered in Queensland Land Registry, Department of Environment and Resource Management).

Brisbane City
Inner Northern Busway
Queen Street Mall to Parkland Boulevard
510/4431; 6780; 6789

ENDNOTES

1. Made by the Minister on 9 September 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Transport and Main Roads.



Queensland Government Gazette

LOCAL GOVERNMENT

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FRIDAY 29 OCTOBER 2010

[No. 60

Sustainable Planning Act 2009

ADOPTION OF A TEMPORARY LOCAL PLANNING INSTRUMENT OVERRIDING MAROOCHY PLAN 2000

Notice is given under the *Sustainable Planning Act 2009*, Section 117 that on 26 October 2010 the Sunshine Coast Council adopted:

Temporary Local Planning Instrument 02/2010 Maroochy Plan 2000.

The temporary local planning instrument will have effect on and from 30 October 2010.

The purpose and general effect of the temporary local planning instrument is to facilitate the establishment of airport associated land uses at the Sunshine Coast Airport by introducing a definition, table of assessment and code for "air services".

"Air services" is defined as premises used for the following:

- the arrival and departure of aircraft;
- the housing, servicing, maintenance and repair of aircraft;
- the assembly and dispersal of passengers and/or goods on or from an aircraft;
- any ancillary activities directly serving the needs of passengers and visitors to the use; and
- associated training and education facilities.

The use will be self-assessable if on land associated with the Sunshine Coast Airport, as defined on the map attached to the instrument, and not otherwise exempt.

The temporary local planning instrument will cease to have effect on 30 October 2011.

A copy of the temporary local planning instrument is available for inspection and purchase at:

130-134 Currie Street
Nambour

1 Omrah Ave
Caloundra

11-13 Ocean Street
Maroochydore

9 Pelican Street
Tewantin

The document can be viewed and downloaded at
www.sunshinecoast.qld.gov.au

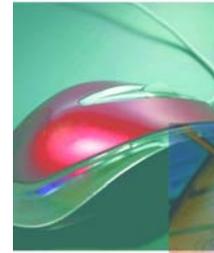
Should you have further enquiries about the temporary local planning instrument, please telephone Council on (07) 5475 7272 or alternatively mail to:

Sunshine Coast Council
Locked Bag 72
Sunshine Coast Mail Centre Qld 4560

or email: **mail@sunshinecoast.qld.gov.au**

A copy of the temporary local planning instrument is also available for inspection at the Department of Infrastructure and Planning, 63 George Street, Brisbane.

John Knaggs
Chief Executive Officer
Sunshine Coast Council



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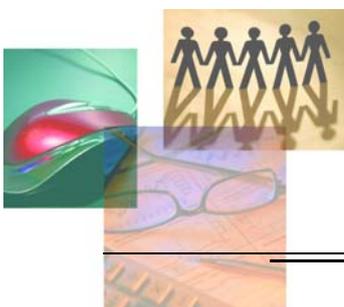
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QUEENSLAND GOVERNMENT VACANCIES GAZETTE

Queensland Government positions will be published in the Vacancies Gazette when requested by Government Agencies. For a complete listing of all Government Vacancies please refer to www.jobs.qld.gov.au

The Queensland Public Service is committed to equal opportunity in employment. Selection will be given on the basis of merit only and fair consideration will be given to all applicants. The Queensland State Government's policy is to seek to retain skilled staff. Registered deployees who apply for an advertised job will be considered before other applicants. The symbol (g) appears next to vacancies where an exemption from this requirement applies. Deployees are to indicate in their application for the advertised job that they are registered with the Office of the Public Service Commissioner. The Queensland Public Service Commissioner is committed to equal opportunity in employment. Selection will be given on the basis of merit only and fair consideration will be given to all applicants.

CONTINUOUS APPLICANT POOLS

A continuous applicant pool allows you to apply for jobs within an occupation where vacancies are regularly available. This means that agencies can 'dip' into the pool for suitable applicants as soon as they have a vacancy. You can submit or refresh your application at any time. If you are refreshing your application, make sure that you indicate this either on your email or, if sending by post, in a covering letter. In search results, continuous applicant pools can be identified by 'Ongoing' in the 'Closes' column of a search result.

Note: If a continuous applicant pool is closing, applicants will be notified two weeks prior to this date. Applications may be used for up to six months after the pool closes.

MULTI-AGENCY POOLS

Some Queensland Government agencies are on the lookout for people to fill similar jobs or occupations at the same time. Some of these jobs have a fixed closing date and others are ongoing (continuous applicant pools). With multi-agency pools, you only have to apply once to access job opportunities across participating agencies. Your application will then be able to be viewed and assessed by all the agencies in that pool - or, if you prefer, you can specify that you want to be considered only for particular agencies. Make sure you check the specific vacancy to find out how each pool works.

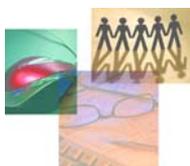
HOW TO APPLY

When you have found the job you would like to apply for.

1. You can phone for a copy of the information kit or you can download the documents from the Smart Jobs and Careers website at www.jobs.qld.gov.au. The information kit will include:
 - the position or job description detailing: background of the department or work area; roles and responsibilities, and selection criteria
 - a job information package, outlining the procedure for preparing and sending in your application, and
 - an application cover sheet.
2. Do your homework - research the agency to understand the background to the job.
3. Prepare your application. This should include your:
 - completed cover sheet (available on jobs online or in the kit mailed to you)
 - covering letter
 - resumé / curriculum vitae
 - names and contact details of (2) referees, and
 - responses to the selection criteria if required.
4. Mail or email your application (Details of where and how are available in either the job description or the job information package).

Check with the job vacancy contact person if you are unsure about how or where to submit your application or how many copies to send. Make sure you send your application by the closing date. If you don't, it may not be accepted. Once your application is received, you will usually be sent a written acknowledgement.

When applying for Continuous Applicant Pools, please check each vacancy for application instructions.



OTHER GOVERNMENT VACANCIES

Reference Number	Vacancy	Locality	Salary \$ Min / Max	Class	Application Closing Date	Contact No
EMPLOYMENT, ECONOMIC DEVELOPMENT AND INNOVATION						
EEDI 35372/10	Science, Agriculture, Food, Tourism and Regional Services Agriculture, Food and Tourism Animal Industries and Sustainability EXECUTIVE DIRECTOR (c)(e)(h)Contract	Brisbane	\$5,691.40 - \$5,929.40	Sect122	01-11-2010	3006 7642

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SDS

Christmas & New Year Dates & closing times for 2010-2011

Final 2010 Gazettes – published Friday 24 December 2010

Deadlines

Vacancy Gazette – 12 midnight Monday 20 December 2010
Appointments – 12 noon Tuesday 21 December 2010

Other Gazettes – 12 noon Wednesday 22 December 2010
Final Proofs Returned – 12 midnight Wednesday 22 December 2010

First 2011 Gazettes – published Friday 7 January 2011

Deadlines

Vacancy Gazette – 12 midnight Tuesday 4 January 2011
Appointments – 12 noon Tuesday 4 January 2011

Other Gazettes – 12 noon Wednesday 5 January 2011
Final Proofs Returned – 12 midnight Wednesday 5 January 2011

If you have queries regarding this matter, please do not hesitate to contact the

Gazette Team on (07) 3866 0221 Fax: (07) 3866 0292

Have a Merry Christmas & a Happy New Year

NOTE 1 : Positions within the Parliamentary Service come within the ambit of the *Parliamentary Service Act 1988* and are not subject to the provisions of the *Public Service Act 2008*.

NOTE 2 : As prescribed under sections 55, 194, 195 and 196 of the *Public Service Act 2008* and Part 1 of the Appeals Directive (No.: 6/08): an appeal can not be made to the Commission Chief Executive against a decision to appoint or second an officer or other person to Senior Officer levels (SO1 and SO2), and; otherwise, an officer entitled to appeal must satisfy the following requirements.

1. the officer must have applied for a vacancy to which one of the following persons was promoted.
 - an officer of a Department
 - a general employee of a Department with tenure
 - an officer of a Public Service Office
 - a general employee of a Public Service Office with tenure; or
 - a tenured public sector employee of a public sector unit which applies promotional appeal rights under Schedule 1 of the *Public Service Regulation 2008*;
2. the officer's application for the vacancy must have been received before the deadline for the receipt of applications;
3. the officer's notice of appeal must be actually received by the Commission Chief Executive before the deadline for its receipt;
4. the officer must continue to be entitled to appeal.

FOOTNOTES

- (a) Appointees may be required to serve in any part of the State. Where a centre is included under "Locality", the headquarters of the appointee will be at such centre unless otherwise determined.
- (b) An appointment has been declared by the Commission Chief Executive, by gazette notice, to be a non-appealable appointment, pursuant to section 195 of the *Public Service Act 2008*.
- (c) Also being advertised in daily press and/or internet/email advertising or technical journals.
- (d) The appointment may be appointed in a temporary capacity. If a tenured employee of the Public Service is selected for appointment, the officer will retain tenured status.
- (e) Appointment may be made on the basis of a contract for a fixed term, pursuant to sections 121 and 122 of the *Public Service Act 2008*.
- (f) Senior Officer levels (SO1 and SO2): salary sacrifice may be made for optional benefits of employer funded superannuation options and professional organisation membership fees.
- (g) In accordance with section 5.13 of the Directive 4/02. Deployment and Redeployment, registered deployees will be considered on relative merit.
- (h) Applications will remain current for a period specified in the material provided to applicants.
- (i) Identified position.

COMMUNICATIONS

All communications should be addressed "SDS Gazettes" and endorsed "SDS"
Postal address Gazette Advertising,
PO Box 5506, Brendale QLD 4500.

The Queensland Government Gazette is available by Mail Order Subscription or from the Queensland Government Service Centre, located at Upper Plaza Terrace, 33 Charlotte Street, Brisbane, each Friday afternoon. Telephone 13 13 04.

**GOVERNMENT AND PUBLIC NOTICES IN THE GAZETTES AS FROM
1 JULY 2010 INCLUDES 3% CPI INCREASE**

	New Price	GST	Total
EXTRAORDINARY GAZETTE - FULL PAGE TEXT			
Formatted electronic files or E-mail (check for compatability) per page	\$ 211.95	\$ 21.20	\$ 233.15
PROFESSIONAL REGISTER AND LISTS GAZETTES			
Formatted electronic files or E-mail (check for compatability) 0-50 pages	\$ 126.10	\$ 12.61	\$ 138.71
Formatted electronic files or E-mail (check for compatability) 51+ pages	\$ 107.40	\$ 10.74	\$ 118.14
ENVIRONMENT AND RESOURCE MANAGEMENT AND MAIN ROADS / TRANSPORT GAZETTES			
Formatted electronic files or E-mail (check for compatability) per page	\$ 133.80	\$ 13.38	\$ 147.18
LOCAL GOVERNMENT GAZETTE			
Formatted electronic files or E-mail (must be compatible) Full page text	\$ 211.95	\$ 21.20	\$ 233.15
Formatted electronic files or E-mail (that require formatting to make compatible) Full page text	\$ 245.72	\$ 24.57	\$ 270.29
Single column, all copy to set	\$ 2.25	\$ 0.23	\$ 2.48
Double column, all to set	\$ 4.56	\$ 0.46	\$ 5.02
Single column, formatted electronic files or E-mail (check for compatability)	\$ 0.82	\$ 0.08	\$ 0.90
Double column, formatted electronic files or E-mail (check for compatability)	\$ 1.66	\$ 0.17	\$ 1.83
VACANCIES GAZETTE - PER LINE			
VACANCY			
First line \$11.68	\$ 11.68	\$ 1.17	\$ 12.85
All lines in between \$6.13 per line	\$ 6.13	\$ 0.61	\$ 6.74
APPOINTMENTS			
2 lines	\$ 41.20	\$ 4.12	\$ 45.32
3 lines	\$ 57.68	\$ 5.77	\$ 63.45
4 lines	\$ 74.16	\$ 7.42	\$ 81.58
5 lines	\$ 86.52	\$ 8.65	\$ 95.17
6 lines	\$ 103.00	\$ 10.30	\$ 113.30
7 lines	\$ 115.36	\$ 11.54	\$ 126.90
8 lines	\$ 127.72	\$ 12.77	\$ 140.49
GENERAL - FULL PAGE TEXT			
Formatted electronic files or E-mail (must be compatible)	\$ 211.95	\$ 21.20	\$ 233.15
Formatted electronic files or E-mail (that require formatting to make compatible)	\$ 245.72	\$ 24.57	\$ 270.29
GENERAL GAZETTES, GAZETTES OTHER EXCEPT VACANCIES - PER MM TEXT			
Single column, all copy to set	\$ 2.25	\$ 0.23	\$ 2.48
Double column, all to set	\$ 4.56	\$ 0.46	\$ 5.02
Single column, formatted electronic files or E-mail (check for compatability)	\$ 0.82	\$ 0.08	\$ 0.90
Double column, formatted electronic files or E-mail (check for compatability)	\$ 1.66	\$ 0.17	\$ 1.83
LIQUOR NOTICES			
All copy to set	\$ 326.81	\$ 32.68	\$ 359.49
Formatted electronic files or E-mail (check for compatability)			\$ 7.98
One Copy of the gazette posted is included in this price		TOTAL:	\$ 367.47
Additional copies of these Gazettes are available on request @ \$7.98 each (includes GST & Postage)			
GAMING MACHINE NOTICES			
All copy to set	\$ 355.23	\$ 35.52	\$ 390.75
Formatted electronic files or E-mail (check for compatability)			\$ 7.98
One Copy of the gazette posted is included in this price		TOTAL:	\$ 398.73
Additional copies of these Gazettes are available on request @ \$7.98 each (includes GST & Postage)			
PROBATE NOTICES			
All copy to set	\$ 124.81	\$ 12.48	\$ 137.29
Formatted electronic files or E-mail (check for compatability)			\$ 7.98
One Copy of the gazette posted is included in this price		TOTAL:	\$ 145.27
Additional copies of these Gazettes are available on request @ \$7.98 each (includes GST & Postage)			

For more information regarding Gazette notices, contact SDS on 3866 0221. Prices are GST inclusive unless otherwise stated.

NOTIFICATION OF THE FILLING OF ADVERTISED VACANCIES

The following appointments to various positions have been made in accordance with the provisions of the *Public Service Act 2008*.

Any officer who wishes to appeal against any of the promotions set out hereunder must do so in writing to -

Commission Chief Executive
 Public Service Commission
 PO Box 15190
 City East Qld 4002
 within 21 calendar days of this Gazette.

Officers can access the relevant Promotion Appeal Guidelines issued by the Public Service Commission at www.psc.qld.gov.au

Reference Number	Vacancy	Date of Appointment	Name of Appointee	Previous Position and Classification (Unless otherwise indicated)
QUEENSLAND BUILDING SERVICES AUTHORITY				
BSA 16/10	Principal Legal Officer, Building Services Authority, Brisbane (PO5)	Date of duty	Mahiepala, Dilhari	Legal Officer, Building Services Authority (PO4)
BSA 24/10	Assessment Officer, Building Services Authority, Brisbane (AO3)	Date of duty	Skerman, Jane	Customer Service Officer, Building Services Authority (AO3)
BSA 25/10	Customer Service Officer, Building Services Authority, Brisbane (AO3)	Date of duty	Garcina, Jonene	Customer Service Officer, Department of Justice & Attorney General (AO3)
BSA 31/10	Area Manager Sunshine Coast, Building Services Authority, Brisbane (AO6)	Date of duty	Riches, Paul	Case Manager, Building Services Authority (AO6)
DEPARTMENT OF COMMUNITIES				
DOC 24533/10	Psychologist (Evolve Behaviour Support Services), Various Disability and Community Care Service Centres, Disability and Community and Services, Housing and Homelessness, Various Region, Regional Service Delivery Operations, Brisbane (PO3)	Date of duty	James, Elizabeth Ellen BPsychology	Psychologist, Nundah Service Centre, Disability and Community Care Services, Brisbane Region, Regional Service Delivery Operations, Brisbane (PO2)
DOC 24675/10B	Business Support Officer, Placement Services, Child Safety Youth and Families, North Queensland Region, Regional Service Delivery Operations, Townsville (AO5)	Date of duty	Leake, Susan Jayne	Information and Administration Officer, Placement Services, Child Safety Youth and Families, North Queensland Region, Regional Service Delivery Operations, Townsville (AO3)
DOC 24392/10	Program Development Officer, Program Coordination, Program Management, Social Housing Programs, Housing and Homelessness Services, Strategy, Policy, Programs and Performance, Brisbane (AO5)	Date of duty	McMillan, Kerry Lee	Senior Housing Officer, Inala Housing Service Centre, Housing and Homelessness Services, Brisbane Region, Regional Service Delivery Operations, Brisbane (AO4)



Reference Number	Vacancy	Date of Appointment	Name of Appointee	Previous Position and Classification (Unless otherwise indicated)
DOC 24687/10	Team Leader, Caboolture Youth Justice Service Centre, Child Safety, Youth and Families, North Coast Region, Regional Service Delivery Operations, Morayfield (PO4)	Date of duty	Kelly, Mark BSocSc (Human Services) BTheology	Team Leader, Caboolture Youth Justice Service, Child Safety, Youth and Families, North Coast Region, Regional Service Delivery Operations, Morayfield (PO4)
DEPARTMENT OF COMMUNITY SAFETY				
DCS 0635/10	Correctional Supervisor, Lotus Glen Correctional Centre, Custodial Operations Directorate, Queensland Corrective Services, Mareeba (CO2)	17-09-2010	Johnston, Shayne	Custodial Correctional Officer, Lotus Glen Correctional Centre, Custodial Operations Directorate, Queensland Corrective Services, Mareeba (CO1)
DCS 0786/10	Manager (Compliance), Lotus Glen Correctional Centre, Custodial Operations Directorate, Queensland Corrective Services, Mareeba (AO7)	18-10-2010	Morgan, Jennifer Lea	Staff Training Coordinator, Brisbane Correctional Centre, Custodial Operations Directorate, Queensland Corrective Services, Wacol (AO5)
DCS 0865/10B	Executive Manager QFRS Revenue, QFRS Revenue Command, Operations Business & Strategy Branch Directorate, Queensland Fire and Rescue Service, Kedron (AO8)	25-10-2010	Horn, Philip	Staff Officer, Deputy Commissioner's Office, Operations Management Branch, Queensland Fire and Rescue Service, Kedron (AO7)
DCS 0990/10B	Information Rights Officer, Information Rights Unit, Ministerial, Information & Legal Services Branch, Strategic Policy Division, State Law Building (AO5)	25-10-2010	Barr, Dimitra	Administration Officer, Information Rights Unit, Ministerial Information and Legal Services Branch, Strategic Policy Division, Brisbane (AO3)
EDUCATION AND TRAINING				
CO 20415/10B	Senior Policy Officer, HR Information Services, Workforce Management and Support, Human Resources, Brisbane (AO6)	18-10-2010	Owen, Katherine	Consultant Equity, HR Information Services, Workforce Management and Support, Human Resources, Brisbane (AO5)
CO 20243/10B	Corporate Governance Officer, School Operations, Education Queensland Division, Brisbane (AO5)	27-09-2010	Hindley, Tegan	Finance Officer – Debt Management, Financial Services, Corporate Finance Brisbane (AO4)
CO 20350/10B	Senior Finance Officer, School Financial Services, Finance Branch, Corporate Services Division, Brisbane (AO5)	18-10-2010	Heyer, Elaine	Finance Officer, School Financial Support, Finance Branch, Corporate Services Division, Brisbane (AO4)
CO 20351/10B	Senior Finance Officer, Grants Team, Finance Branch, Corporate Services Division, Brisbane (AO5)	18-10-2010	Masters, Anne	Executive Support Officer, Research Policy and Legislation, Brisbane (AO3)
GBN 20260/10B	Business Services Manager, Sunnybank State High School, Metropolitan Region, Brisbane (AO4)	04-10-2010	Richter, Margaret	Business Services Manager, Holland Park State School, Metropolitan Region, Brisbane (AO3)
GBN 20282/10B	Business Services Manager, Corinda State High School, Metropolitan Region, Brisbane (AO6)	04-10-2010	Gallagher, Kelli	Business Services Manager, The Gap State High School, Metropolitan Region, Brisbane (AO5)
CO 7040/10B	Administration Officer, Regulation and Services, Office for Early Childhood Education and Care, Brisbane (AO3)	25-10-2010	Fox, Jennifer Rae	Administrative Officer, Office of Early Childhood Education and Care, Brisbane (AO2)
ET 6902/10B	Field Officer, Metropolitan Region, TAFE Queensland and DET Regional Operations, Mount Gravatt (AO4)	14-10-2010	Baulch, Pauline Majella	Induction Officer, SkillsTech Australia, Acacia Ridge (AO3)

Reference Number	Vacancy	Date of Appointment	Name of Appointee	Previous Position and Classification (Unless otherwise indicated)
ET 7065/10B	Manager- Training, North Coast Region, TAFE Queensland and DET Regional Operations, Maryborough (AO8)	21-10-2010	Suthers, John Nicholas	District Manager, TAFE Queensland and DET Regional Operations, Wide Bay District (AO6)
TBIT 6942/10B	Community Studies Team Coordinator, The Bremer Institute of TAFE, All The Bremer Institute of TAFE Campuses (TO4)	04-10-2010	Anderson, Therese Ellen	Faculty Operations Officer, The Bremer Institute of TAFE, All The Bremer Institute of TAFE Campuses (AO4)

ENVIRONMENT AND RESOURCE MANAGEMENT

ERM 10365/10	Senior Environmental Officer, Redlands, Environmental Services South, South East Region, Regional Services Delivery, Operations and Environmental Regulator, Woolloongabba (AO5)	Date of duty	Prowse, Kelley	Environmental Officer, Redlands, Environmental Services South, South East Region, Regional Services Delivery, Operations and Environmental Regulator, Woolloongabba (PO2)
ERM 10459/10	Senior Environmental Officer, Environmental Services, Central West Region, Regional Service Delivery, Operations and Environmental Regulator, Emerald (PO3)	Date of duty	Mott, Melanie Julie BEnvMment	Environmental Officer, Environmental Services, Central West Region, Regional Service Delivery, Operations and Environmental Regulator, Emerald (PO2)
ERM 10772/10	Principal Environmental Officer, Environmental Impact Assessments, Operations, Environmental and Natural Resource Regulation, Operations and Environmental Regulator, Brisbane (AO7)	Date of duty	Tkal, Gregory Konstantin	Principal Environmental Officer, Environmental Impact Assessments, Operations, Environmental and Natural Resource Regulation, Operations and Environmental Regulator, Brisbane (PO4)
ERM 24439	Administration Officer, GABSI, South West Region, Regional Service Delivery, Operations and Environmental Regulator, Charleville (AO3)	07-10-2010	Smith, Joeli-Rae	Administration Officer, GABSI, South West Region, Regional Service Delivery, Operations and Environmental Regulator, Charleville (AO2)
ERM 24666	Vegetation Management Officer, Vegetation Management, Planning and Assessment, South West Region, Regional Service Delivery, Operations and Environmental Regulator, Dalby (AO5)	15-11-2010	Reedy, Rebecca	Vegetation Management Officer, Vegetation Management, Planning and Assessment, South West Region, Regional Service Delivery, Operations and Environment Regulator, Dalby (PO2)
ERM 24237/10B	Project Officer – Program Support, Information Technology Management, Corporate Services, Brisbane (AO4)	08-11-2010	Sorrenson, Tara	Administration Officer, State Land System Maintenance, State Land Asset Management, Land Management and Use, Land and Indigenous Services, Brisbane (AO3)
ERM 24767/10	Senior Native Title Research Officer, Negotiation Team 2, Claim Resolution, ATSI Land Services, Land and Indigenous Services, Brisbane (AO6)	12-10-2010	Lillis, Tenielle	Native Title Research Officer, Negotiation Team 3, Negotiation Team 2, Claim Resolution, ATSI Land and Services, Land and Indigenous Services, Brisbane (AO4)

DEPARTMENT OF HEALTH

HHL 1006666	Administration Officer, Performance Improvement and Policy Services, Corporate Services Division, Brisbane (AO3)	08-10-2010	Hudson, Janelle	Administrative Officer, Business Policy and Strategy Unit, Brisbane (AO2)
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Reference Number	Vacancy	Date of Appointment	Name of Appointee	Previous Position and Classification (Unless otherwise indicated)
HHL 1006728	Director (Safety and Wellbeing), People and Culture Strategic Services (PACSS), Corporate Services Division, Brisbane (SO1)	29-10-2010	Chapman, Luke	Program Manager, Safety and Wellbeing Unit, People and Culture Strategic Services, Brisbane (AO8)
INFRASTRUCTURE AND PLANNING				
DIP 0758/10B	Senior IT Officer, Information and Communications Technology, Organisational Capability, Strategy and Governance, Brisbane (AO5)	Date of duty	Brown, Sarah Danielle	Information and Communication Technology, Information Services, Governance Division, Brisbane (AO4)
JUSTICE AND ATTORNEY-GENERAL				
J 10856/10	Coronial Investigations Officer, Office of the State Coroner, Magistrates Courts, Justice Services, Brisbane (AO3)	19-10-2010	Bensted, Patrice Anne	Administrative Officer, Office of the State Coroner, Magistrates Courts, Justice Services, Brisbane (AO2)
J 11060/10	Court Services Officer, Central Queensland Region, Magistrates Courts, Justice Services, Emerald (AO3)	15-10-2010	Dakin, Jackie Angelene	Administrative Officer, Central Queensland Region, Magistrates Courts, Justice Services, Emerald (AO2)
QUEENSLAND POLICE SERVICE				
PO 0396/10c	Principal Information Technology Officer, Policelink, Information and Communications Technology, Brisbane (AO7)	Date of duty	Rogers, David John	Senior Information Technology Officer, Information Systems Branch, Information and Communications Technology, Brisbane (AO6)
TRANSPORT AND MAIN ROADS				
TMR 4685/10	Senior Engineer (Bridge Design), Engineering and Technology, Investment and Program Development, Brisbane (PO4)	Date of duty	Wong, Wing BCivEng	Engineer (Bridge), Engineering and Technology, Investment and Program Development, Brisbane (PO3)

NOTIFICATION OF THE FILLING OF APPOINTMENTS PART II

Appointments have been approved to the undermentioned vacancies.
 Appeals do not lie against these appointments

Reference Number	Vacancy	Date of Appointment	Name of Appointee
QUEENSLAND BUILDING SERVICES AUTHORITY			
BSA 16/10	Principal Legal Officer, Building Services Authority, Brisbane (PO5)	Date of duty	Formby, Simon
BSA 18/10	Building Inspector, Building Services Authority, Toowoomba (AO5)	Date of duty	Martin, Carl
BSA 27/10	Senior Payments and Receipting Officer, Building Services Authority, Brisbane (AO4)	Date of duty	Vescovi, Shandell
BSA 32/10	Customer Service Officer, Building Services Authority, Brisbane (AO3)	Date of duty	Case, Alexander
BSA 32/10	Customer Service Officer, Building Services Authority, Brisbane (AO3)	Date of duty	McCreadie, Stephen
BSA 32/10	Customer Service Officer, Building Services Authority, Brisbane (AO3)	Date of duty	Weidemann, Trent
EDUCATION AND TRAINING			
CO 20280/10B	Finance Officer, School Based Salaries Team, Budget and Financial Reporting Unit, Finance Branch, Brisbane (AO5)	18-10-2010	Grant, Aidan
+ CO 20321/10	Business Analyst, School Based Salaries team, Finance Branch, Brisbane (AO6)	18-10-2010	Kulkarni, Surendra
CO 20387/10	Content Standards Officer, eLearning, Information and Technologies Branch, Brisbane (AO5)	11-10-2010	Ali, Sumiyah
CO 20372/10	Manager, Classrooms for the Future, Strategic Asset Leadership, Strategy and Planning Branch, Infrastructure Services Division, Brisbane (AO8)	18-10-2010	Staines, Mark
CO 20204/10	Senior Education Officer (Japanese), Queensland LOTE Centre, Teaching and Learning Branch, Education Queensland Division, Brisbane (AO6)	20-10-2010	Nakanishi, Naoko
# CO 20166/10	Administration Officer, International Student Program, DET International, Skills Queensland Division, Brisbane (AO3)	08-08-2010	Ardrey, Rebecca
CO 20344/10B	Education Advisor, Home Education Unit, Tertiary and Non-State Education, Brisbane (PO3)	22-09-2010	Stewart, Judith BEd
CO 20344/10B	Education Advisor, Home Education Unit, Tertiary and Non-State Education, Brisbane (PO3)	22-09-2010	Youles, Susan BEd
CO 20344/10B	Education Advisor, Home Education Unit, Tertiary and Non-State Education, Brisbane (PO3)	22-09-2010	Scott, Kathryn B Learning Mgt Prim
CO 20344/10B	Education Advisor, Home Education Unit, Tertiary and Non-State Education, Brisbane (PO3)	22-09-2010	Kerr, Robyn DipTeach



Reference Number	Vacancy	Date of Appointment	Name of Appointee
CO 20281/10C	Principal Finance Officer, Budget and Financial Reporting, Finance Branch, Brisbane (AO7)	12-10-2010	Diffin, David
~ CO 20361/10	Senior Project Officer, Workforce Futures Unit, Human Resources Branch, Brisbane (AO6)	11-10-2010	Christensen, Julie
CO 20389/10B	Senior Investigator, Ethical Standards Unit, Human Resources Branch, Corporate Services Division, Brisbane (AO6)	25-10-2010	Davidson, Shane
CO 20338/10B	Human Resource Services Officer, Workforce Recruitment and Employment, Human Resources Branch, Corporate Services Division, Brisbane (AO3)	06-10-2010	De La Cruz, Sonia
> CO 20338/10B	Human Resource Services Officer, Workforce Recruitment and Employment, Human Resources Branch, Corporate Services Division, Brisbane (AO3)	25-10-2010	Yong, Su Ling
* MER 20341/10	Teacher (Behaviour Management) – National Partnerships Initiative, Bundamba Secondary College, Metropolitan Region, Ipswich (TCH)	04-10-2010	Malezer, Michael
~ SER 21327/10	Technical Officer, South East Queensland Region, Gold Coast (TO2)	21-09-2010	West, Jason DiplInfTech
~ SER 21327/10	Technical Officer, South East Queensland Region, Gold Coast (TO2)	11-10-2010	Taylor, Shawn DiplInfTech

- + Temporary position until 18-02-2011 unless otherwise determined.
Temporary position until 07-08-2012 unless otherwise determined.
~ Temporary position until 30-06-2011 unless otherwise determined.
> Temporary position until 03-01-2012 unless otherwise determined.
* Temporary position until December 2013 unless otherwise determined.

ENVIRONMENT AND RESOURCE MANAGEMENT

ERM 22383/09	Regional Manager – GABSI & Major Projects, GABSI, South West Region, Regional Service Delivery, Operations and Environmental Regulator, Toowoomba (SO1)	18-10-2010	Quinlan, David Chadwick
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DEPARTMENT OF HEALTH

HHL 1008279	Senior Business Assistant, People and Culture Strategic Services, Corporate Services Division, Brisbane (AO4)	17-10-2010	Boehm, Jenny-Lee
HHL 100952	Administration Officer, Finance Solution, Finance Branch, Corporate Services Division, Brisbane (AO4)	11-10-2010	Cook, Christine
HHL 1006666	Administration Officer, Performance Improvement and Policy Services, Corporate Services Division, Brisbane (AO3)	08-10-2010	Reeves, Kelly
HHL 1009263	Senior Policy Officer, Allied Health Workforce Advice and Coordination Unit, Clinical Workforce Planning and Coordination Branch, Policy, Strategy and Resourcing Division, Brisbane (AO6)	14-10-2010	McEvoy, Brian

JUSTICE AND ATTORNEY-GENERAL

J 10908/10	Lawyer, Office of the State Coroner, Magistrates Courts, Justice Services, Cairns (PO4)	Date of duty	Mirotsos, Anthony George
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Reference Number	Vacancy	Date of Appointment	Name of Appointee
QUEENSLAND POLICE SERVICE			
PO 49/10	Police Liaison Officer, Mount Isa District, Northern Region, Normanton (O03)	Date of duty	Accetta, Pacifico
* PO 0697/10	Research Officer, Far Northern Region, Cairns (AO5)	Date of duty	Readman, Teresa Margaret
** PO 0764/10	Test Analyst, Information Systems Branch, Information and Communications Technology, Brisbane (AO4)	Date of duty	Perera, Dinesh Sajith
* Temporary appointment until 26-08-2011.			
** Temporary appointment until 31-03-2011.			
DEPARTMENT OF PUBLIC WORKS			
* DPW 10598/10	Program Director, Policy Development, ICT Policy and Coordination Office, ICT Division, Brisbane (SO1)	Date of duty	Mendelle, Edith
* Temporary full-time for 6 months with possible extension.			
QUEENSLAND STATE ARCHIVES			
** DPW 10638/10	Director, Government Recordkeeping, Runcorn (Sect122)	Date of duty	Morgan, Glenda
** 3 year fixed term contract.			
TRANSLINK TRANSIT AUTHORITY			
TTA 4722/10	Temporary Communications Officer (Infrastructure), Communications, Customer Service and Communication, TransLink Transit Authority, Brisbane (AO5)	Date of duty	Worthington-Eyre, Hannah
TTA 5055/10	Communications Manager, Customer Service and Communication, TransLink Transit Authority, Brisbane (SO2)	Date of duty	Grey, Aileen
TRANSPORT AND MAIN ROADS			
TMR 3131/10	Senior Transport Inspector, SEQ South, Operations Group Bundall (AO5)	Date of duty	Lott, Matthew
TMR 4342/10	Principal Advisor (Planning & Scheduling), Program Development & Delivery Branch, Operations Group, Brisbane (AO8)	Date of duty	Gillan, Andrew
TMR 4831/10	Service Delivery Manager, Business Services, Information Management Division, Brisbane (AO7)	Date of duty	Fraser, Howard
TMR 4551/10	Senior Town Planner, Assets and Operations Division, Operations Group, Brisbane (PO4)	Date of duty	Pretorius, Johan MstTownRegPlan

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FRIDAY 29 OCTOBER 2010

[No. 62

Department of Justice and Attorney-General
Brisbane, 27 October 2010

It is notified that, pursuant to Section 21(5) of the *Justices of the Peace and Commissioners for Declarations Act 1991*, each of the persons whose name appears in the schedule hereunder has been appointed and is registered as a Commissioner for Declarations.

Damien Mealey

Registrar of Justices of the Peace
and Commissioners for Declarations

THE SCHEDULE

Margot Eleanore BECKLEY	CAPTAIN CREEK
Laurence Wallace BEGNI	SURFERS PARADISE
Tania Laetitia BIRD	VARSITY LAKES
Sally Joy BRIERLEY	CALLIOPE
Tennille Marie BRYANT	OORALEA
Donna Leigh DAWBER	HERMIT PARK
Erin Therese DOCKER	CLEAR ISLAND WATERS
Emma Joye DOWNEY	MARYBOROUGH
Marissa Annette ELLIS	EATONS HILL
Daniel James ELLIS	DALBY
Josephine Maree HOUSTON	WINDSOR
Konrad KAHR	CARINDALE
Joanne Maree LINNANE	LITTLE MOUNTAIN
Cameron Joseph LUND	FLINDERS VIEW
Matthew Douglas PENNY	ALEXANDRA HILLS
Penelope May RIDING	CHARTERS TOWERS
Jemma ROLFE	ROTHWELL
Wilma Faye SONES	STEIGLITZ
Julie THAI	WOOLLOONGABBA
Mark Francis TYRELL	BOHLE PLAINS

Department of Justice and Attorney-General
Brisbane, 27 October 2010

It is notified that, pursuant to Section 21(5) of the *Justices of the Peace and Commissioners for Declarations Act 1991*, each of the persons whose name appears in the schedule hereunder has been appointed and is registered as a Justice of the Peace (Qualified).

Damien Mealey

Registrar of Justices of the Peace
and Commissioners for Declarations

THE SCHEDULE

Margherita Ann BESS	TINGALPA
Simone Marie BURKE	REDLAND BAY
Matthew William CARLSEN	WOREE
Bernadette Marie CONDON	KEWARRA BEACH
Eric Michael James HILL	BUSHLAND BEACH
Paula Bernadette KELLY	HENDRA
Julianne LYE	RACECOURSE
Patrice Joanne MADDIGAN	CAMP HILL
Claire Evelyn MEIKLEJOHN	COORPAROO
Chantel Maree MURPHY	MORNINGSIDE
Kathryn Patricia PHILLIPS	LITTLE MOUNTAIN
Miriam Lenore POWELL	COLLINSVILLE
David Allan SAVAGE	SOUTH TOWNSVILLE
Anna-Maree WELCH	DOONAN

Department of Justice and Attorney-General
Brisbane, 29 October 2010

Her Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the *Industrial Relations Act 1999*, has approved the appointment of Mr Christopher Roy Chadwick as Acting Industrial Registrar from 29 October 2010 to and including 8 November 2010.

CAMERON DICK MP
Attorney-General and
Minister for Industrial Relations

Department of Justice and Attorney-General
Brisbane, 28 October 2010

Her Excellency the Governor, acting by and with the advice of the Executive Council and under the *Legal Aid Queensland Act 1997*, has approved that the following persons be appointed to the Legal Aid Board on and from 29 November 2010 to and including 28 November 2013-

Name	Position
Rachel HUNTER	member and Chairperson
Daniel Jon TOOMBS	member

CAMERON DICK MP

Department of Community Safety
Brisbane, 29 October 2010

Her Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the *Fire and Rescue Service Act 1990*, has approved that Linley Macleod be appointed as Chairperson of the Emergency Services Advisory Council from 29 October 2010 for a period of three years.

NEIL ROBERTS MP

City of Brisbane Act 2010
Electoral Act 1992

In pursuance of the provisions of the *City of Brisbane Act 2010* and section 123(2) of the *Electoral Act 1992*, notification is hereby given that Julian Graham John SIMMONDS has been elected as Councillor for the Electoral Ward of Walter-Taylor at the by-election held on Saturday, 23 October 2010.

David Kerslake
Electoral Commissioner

**REPEAL OF DIRECTIVES ISSUED UNDER THE
*PUBLIC SERVICE ACT 2008***

I, Margaret Allison, Commission Chief Executive, Public Service Commission, pursuant to section 53 of the *Public Service Act 2008*, authorise the repeal of the following directives, effective 1 November 2010:

- 11/07 Grievance Resolution
- 10/96 Prescribed Remuneration

MARGARET ALLISON
Commission Chief Executive
Public Service Commission

NOTICE TO ADVERTISERS

Under the Corporations Law, the publishing of a company name must be accompanied by that company's Australian Company Number (A.C.N.). Advertisers are required to submit this A.C.N. along with the company's name.

SDS Publications reserves the right not to publish any advertisement where this information is not supplied.

GAZETTE ADVERTISEMENTS

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Email your submission in Microsoft Word or PDF format to:

gazette@sds.qld.gov.au

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- Gazette submission fax no..... (07) 3866 0292
- Gazette subscriptions (07) 3883 8700
- Gazette account queries..... (07) 3883 8700

Visit our website to view our subscriptions and products - www.bookshop.qld.gov.au

GENERAL & LOCAL GOVERNMENT GAZETTES

All submissions to the General and Local Government Gazettes must be received **before 12 noon on Wednesdays**.

For example:

- Departmental Notices
- Gaming Machine Licence Applications
- Liquor Licence Applications
- Wine Industry - Satellite Cellar Door Applications
- Disposal of Unclaimed Goods
- Land Sales / Resumption of Land
- Meeting Notices
- Dissolution of Partnership Notices
- Unclaimed Monies, etc

Email your submission in Microsoft Word or PDF format to:

gazette@sds.qld.gov.au

OR Fax through your submission to: ... **(07) 3866 0292** with a covering letter.

OR Post to SDS Publications, Gazette Advertising, PO Box 5506, Brendale, Qld, 4500

All payments for non-account submissions must be received by Accounts **before 12 noon on Wednesdays**.

— Quotes are available on request —

A proof is then prepared and sent back to you for approval.

The final approval to print must be returned **before** close of business on Wednesday to be included in Friday's Gazette.

The Gazettes are set to print on Thursday morning and are sent to the printers Thursday afternoon.

Distribution is completed first thing Friday morning.

VACANCIES GAZETTE

Vacancies Section:

Departments must enter their weekly submissions **before close of business Monday** to the Jobs Online Website:

www.jobs.qld.gov.au

Any changes, additions or deletions can **ONLY** be completed through this website.

Appointments Section (Part I - Appealable and Part II - Non-Appealable):

Departments must email their weekly submissions **before 12 noon on Tuesday** to:

gazette@sds.qld.gov.au

1 Title: Managing employee complaints

2 Purpose:

To provide procedures for managing and resolving employee complaints.

3 Application:

This directive applies to:

- (i) public service officers, including senior executive and senior officers
- (ii) temporary employees engaged under section 148 of the *Public Service Act 2008*, and
- (iii) general employees engaged under section 147 of the *Public Service Act 2008*.

4 Legislative provision:

Public Service Act 2008 – sections 46, 53 and 218A

5 Effective date: 1 November 2010

6 Definitions:

For the purposes of this directive:

administrative decision means a decision made by the agency in relation to the administration of its affairs and includes the failure to make a decision within a specified timeframe where applicable (for example, a decision to take, or not take action under a directive; a decision to transfer a public service officer).

agency means a department or public service office as defined in sections 7 and 21 of the *Public Service Act 2008*.

appeals officer as defined in section 88A of the *Public Service Act 2008*.

employee as defined in section 9 of the *Public Service Act 2008*.

employee complainant means the employee who has made an employee complaint.

employee complaint means a complaint made by a current public service employee who has an honest belief based on reasonable grounds that:

- an administrative decision is unfair or unreasonable, or
- the conduct or behaviour of an employee, agent or contractor is unfair or unreasonable or constitutes sexual harassment or workplace harassment, and
- the decision, conduct or behaviour has a substantial and direct adverse effect on the employee concerned.



The following decisions cannot be the subject of an employee complaint:

- a decision about the policy, strategy, nature, scope, resourcing or direction of a public service agency
- a decision to discipline
- a decision to retire an employee on the grounds of ill-health under chapter 5, part 7 of the *Public Service Act 2008*, or
- a decision that is the subject of another complaint by the same employee whether under this directive or another industrial instrument.

employee complaints management system means the policy, procedures, personnel and technology used by an agency in receiving, recording, responding to and reporting on employee complaints.

parties to an employee complaint includes the employee complainant (person making the employee complaint) and the respondent (either the agency or employee who is the subject of the employee complaint) to the employee complaint.

personal information as defined in section 12 of the *Information Privacy Act 2009*.

privacy means the management of personal information in accordance with the *Information Privacy Act 2009*.

sexual harassment as defined in the *Anti-Discrimination Act 1991*.

workplace harassment means behaviour towards a person, other than sexual harassment that:

- (i) is repeated, unwelcome and unsolicited
- (ii) the person considers to be offensive, intimidating, humiliating or threatening, and
- (iii) a reasonable person would consider to be offensive, intimidating, humiliating or threatening.

7 Provisions:

7.1 Employee complaints management system

- (a) Agencies must implement and maintain an employee complaints management system, consistent with the directive relating to complaints management systems.
- (b) An agency's employee complaints management system must¹:
 - (i) comply with the requirements for dealing with employee complaints as per section 7.2 of this directive, and
 - (ii) be supported by written policies and procedures that are readily available to employees.
- (c) Responsibility for decisions relating to the management of a particular employee complaint within an agency rest with the agency, subject to any relevant legislative or directive provisions.

¹ This directive does not replace, modify or revoke any legislative requirements that apply to the management of particular types of complaints (e.g. official misconduct).

- (d) Chief executives must provide the commission chief executive with information about the application of this directive in their agency as requested.

7.2 Employee complaints management and resolution

7.2.1 General elements

- (a) Employee complaints are to be managed and resolved:
- (i) through local action (the first stage of a formal employee complaints process)
 - (ii) by internal review of a decision made through local action (the second stage), and/or
 - (iii) by external review of a decision made at internal review (the third stage).
- (b) Managers and supervisors are to:
- (i) proactively identify workplace issues where possible, and
 - (ii) effectively manage workplace issues .
- (c) Employee complaints must be:
- (i) made as soon as reasonably possible after the administrative decision, alleged conduct or alleged behaviour occurring
 - (ii) managed in accordance with the principles of natural justice
 - (iii) managed in a manner that protects privacy², and
 - (iv) managed in accordance with the procedures detailed in section 7.2.2.
- (d) All parties to an employee complaint:
- (i) must represent themselves during the employee complaints management and resolution process, and
 - (ii) may be supported by a person or persons of their choosing.
- (e) All parties to an employee complaint must:
- (i) engage in the employee complaint management and resolution process in good faith, and
 - (ii) be provided with regular and timely information in relation to the progress of the employee complaint by the appropriate decision maker.

7.2.2 Procedures³

(a) Local action

- (i) An employee must notify their complaint, in writing, to a person in their agency in accordance with the agency's employee complaint management policy and procedures, unless the employee's complaint is directly about an agency chief executive (see section 7.2.2(d)).

² Subject to any legal obligations that may necessitate information being disclosed, such as the requirement to provide procedural fairness

³ See Attachment 1: Flow chart for managing employee complaints

- (ii) In notifying their complaint, an employee must provide sufficient information to enable an agency to take appropriate action, and outline the action they believe would resolve the employee complaint.
- (iii) Action to resolve an employee complaint is to be taken in accordance with the agency's employee complaints management policy and procedures. This action may include, but is not limited to one or more of the following:
 - a. conducting preliminary enquiries to determine appropriate options for resolution of the employee complaint
 - b. facilitated discussion, mediation, conciliation or negotiation
 - c. investigation, or
 - d. other reasonable action in the circumstances.
- (iv) If the agency is reasonably satisfied that an employee complaint is frivolous or vexatious, does not meet the definition of an employee complaint, or where an employee unreasonably refuses to participate in local action to resolve the employee complaint:
 - a. a written decision must be provided to the employee, and
 - b. the agency may decide to take no further action in relation to the employee complaint.
- (v) Action to resolve an employee complaint must be completed as soon as possible, but within 21 days of receipt of the employee complaint unless:
 - a. the timeframe has been extended by mutual agreement between the parties (a party to the employee complaint is not to unreasonably withhold their agreement)
 - b. the agency can demonstrate that reasonable attempts have been made to progress the employee complaint, or
 - c. the employee complaint has been notified directly to the commission chief executive under section 7.2.2(d).
- (vi) In relation to an employee complaint about an administrative decision, if the agency fails to make a decision in accordance with section 7.2.2(a)(v):
 - a. the agency is taken to have confirmed the decision which formed the basis of the initial employee complaint, and
 - b. the employee complainant may make a request to the agency chief executive for an internal review.
- (vii) At the completion of local action to resolve an employee complaint, including a decision under section 7.2.2(a)(iv) the agency must provide a written decision to the employee complainant. The decision must:
 - a. detail the action taken to manage the employee complaint and the outcome of this action
 - b. the reasons for the decision
 - c. any action that the agency will take, or proposes to take, as a result of the decision, and
 - d. be capable of review.

(b) Internal review

- (i) If an employee complainant is dissatisfied with the decision made through local action, the employee may make a request to the agency chief executive for an internal review.
- (ii) A written request for an internal review must:
 - a. be received by the chief executive within 14 days of the employee receiving a copy of the decision made through local action
 - b. clearly state the reasons for dissatisfaction with the decision made through local action, and not merely state a belief that the decision made through local action was unfair or unreasonable, and
 - c. clearly state the action the employee believes would resolve the employee complaint.
- (iii) An internal review is to be completed by the chief executive or delegate (subject to section 7.2.2(b)(iv)) and is to determine whether the decision made through local action was fair and reasonable in the circumstances.
- (iv) If the chief executive (or delegate) is satisfied that the reasons for seeking internal review are not sufficient, or that the request for internal review is frivolous or vexatious, or the employee unreasonably refused to participate in local action to resolve the employee complaint:
 - a. a written decision must be provided to the employee, and
 - b. the agency may decide to take no further action in relation to the request for internal review.
- (v) Internal review of the decision made through local action must be completed as soon as possible but within 14 days of receipt of a written request from an employee for internal review unless:
 - a. the timeframe has been extended by mutual agreement between the parties (a party to the employee complaint is not to unreasonably withhold their agreement), or
 - b. where the chief executive can demonstrate that reasonable attempts have been made to progress the employee complaint.
- (vi) If the chief executive (or delegate) fails to make a decision in relation to the employee complaint in accordance with section 7.2.2(b)(v):
 - a. the agency is taken to have confirmed the decision made through local action, and
 - b. the employee complainant may make an application for external review.
- (vii) At the completion of internal review, the chief executive (or delegate) must provide a written decision to the employee who made the written request for internal review. This decision must:
 - a. detail the action taken to review the decision made through local action
 - b. the reasons for the internal review decision
 - c. any action that the chief executive (or delegate) will take, or proposes to take, as a result of the internal review, and

d. be capable of review.

(c) External review

- (i) If the employee who made the initial employee complaint is dissatisfied with the decision made at internal review, the employee may make an application for an external review⁴.

(d) Employee complaints notified to the commission chief executive

- (i) In relation to a complaint by an employee directly about a chief executive, an employee may notify the commission chief executive in writing of their employee complaint and the action they believe would resolve the employee complaint.
- (ii) The commission chief executive will take action to resolve the employee complaint in accordance with the actions listed in section 7.2.2(a)(iii).
- (iii) The commission chief executive may decide to take no further action in relation to an employee complaint if the commission chief executive is reasonably satisfied that an employee complaint is:
- a. frivolous or vexatious
 - b. misconceived or lacks substance, or
 - c. an employee unreasonably refuses to participate in action to resolve the employee complaint:
- (iv) At the completion of action to resolve an employee complaint, including a decision to take no further action under section 7.2.2(d)(iii), the commission chief executive must provide a written decision to the employee complainant. This decision must:
- a. detail the action taken to manage the employee complaint and the outcome of this action
 - b. the reasons for the decision
 - c. any action that the commission chief executive will take, or proposes to take, as a result of the decision, and
 - d. be capable of review.
- (v) If the employee who made the complaint is dissatisfied with the decision made by the commission chief executive, the employee may make an application for an external review⁵.

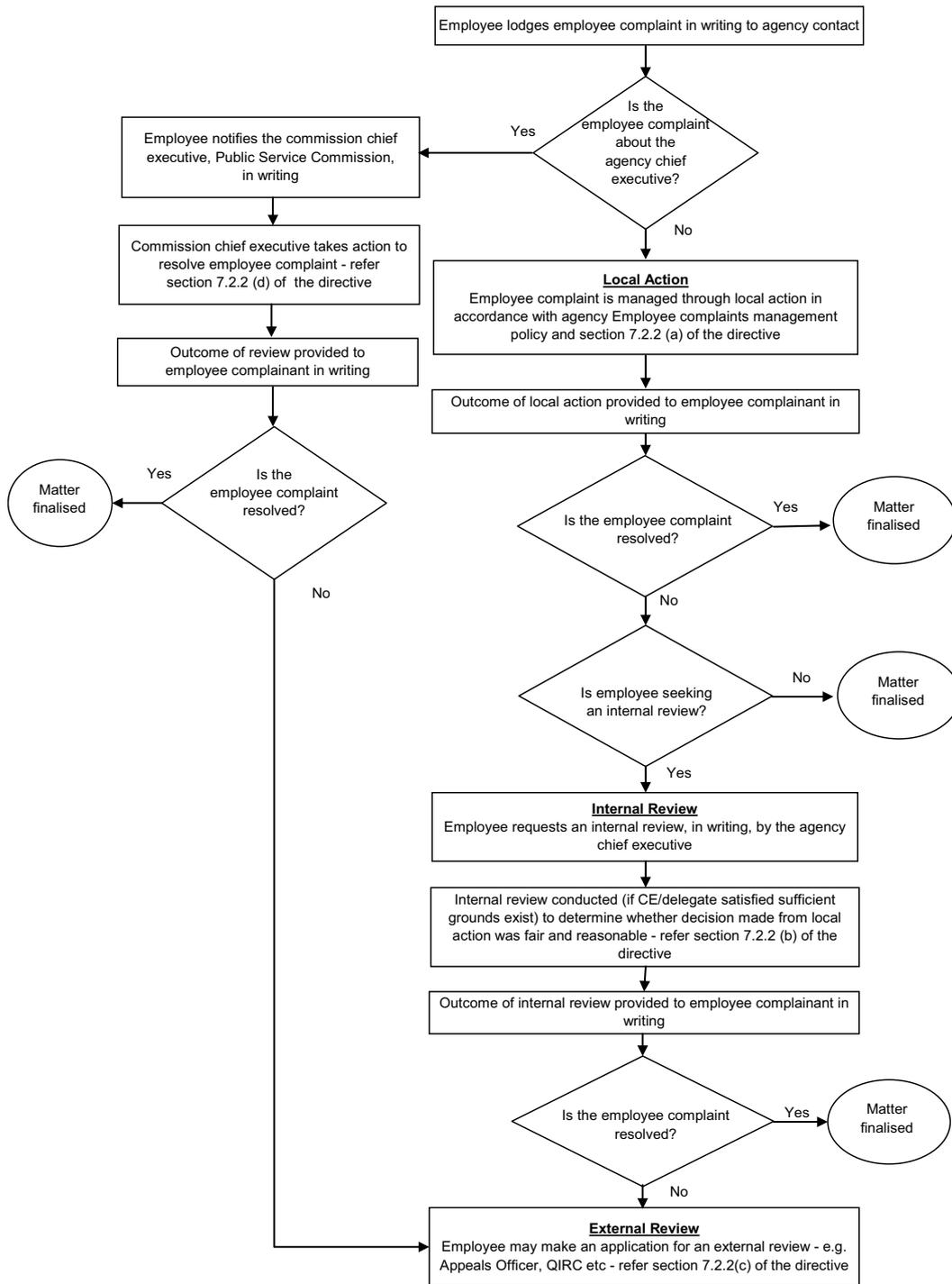
7.3 Transitional arrangements

- (a) Employee grievances lodged in accordance with directive 11/07 are to be finalised in accordance with the provisions of that directive.

⁴ Avenues for the external review of decisions may include, but are not limited to the appeals officer (refer to the Public Service Commission directive relating to appeals), the Queensland Ombudsman, the Queensland Industrial Relations Commission and Anti-Discrimination Commission Queensland.

⁵ Avenues for external review of decisions made by the commission chief executive include, but are not limited to, the Queensland Ombudsman, the Queensland Industrial Relations Commission and Anti-Discrimination Commission Queensland. Note: the appeals officer cannot review the decision of the commission chief executive.

Attachment 1: Flow chart for managing employee complaints



Public Service Commission

DIRECTIVE No. 19/10
Supersedes: 15/09

1 Title: Appeals

2 Purpose:

To outline appeal rights for the review of certain decisions made affecting employment under the *Public Service Act 2008* and other specified acts.

3 Application:

This directive applies to:

- (i) public service officers, including senior executive and senior officers, unless otherwise stated
- (ii) temporary employees engaged under section 148 of the *Public Service Act 2008*, as stated, and
- (iii) general employees engaged under section 147 of the *Public Service Act 2008*, as stated.

In addition, Schedule B of this directive applies to:

- (i) former public service officers, former temporary employees and former general employees.

4 Legislative provision:

Public Service Act 2008 – section 53; chapter 3, part 5; and chapter 7

5 Effective date: 1 November 2010

6 Definitions:

For the purposes of this directive:

agency means a department or public service office as defined in sections 7 and 21 of the *Public Service Act 2008*.

appeals officer as defined in section 88A of the *Public Service Act 2008*.

commission chief executive as defined in section 56 of the *Public Service Act 2008*.

entry-level role as defined in the directive relating to recruitment and selection.

gazette means (i) the *Queensland Government Gazette* or (ii) when notice of an appointment is given in a publication other than the gazette and a reference is made in a directive to the notification in the gazette of a vacancy, an appointment or a revocation, the reference must be taken to be the publication used for the notice of appointment.

non-appealable appointment as defined in section 195(5) of the *Public Service Act 2008*.

7 Provisions¹:

7.1 *General appeal elements*

- (a) An appeal is a review of certain decisions made by an agency, and is made to the appeals officer.
- (b) The appeals officer must decide whether the agency decision was fair and reasonable.
- (c) In hearing and deciding an appeal, the appeals officer must:
 - (i) observe the principles of natural justice, and
 - (ii) act as quickly, and with as little formality and technicality, as is consistent with fair and proper consideration of the issues.
- (d) The appeals officer may give directions in setting aside certain types of appeals (see schedules C and E).
- (e) A decision on appeal is binding on all parties to the appeal.
- (f) Appeal decisions are to be published in a manner determined by the appeals officer.

7.2 *Decisions against which an appeal may be made*

- (a) An appeal may be made to the appeals officer against a decision provided for in section 194 of the *Public Service Act 2008* (see schedules A-F²):
 - (i) a decision to take, or not take, action under a directive (schedule A)
 - (ii) a decision under disciplinary law to discipline (schedule B):
 - a. a person (other than by termination of employment), including the action taken in disciplining the person, or
 - b. a former public service employee by way of a disciplinary declaration made under section 188A of the *Public Service Act 2008*, including if the disciplinary action that would have been taken was termination of employment
 - (iii) a decision to promote a public service officer (a promotion decision) (schedule C)
 - (iv) a decision to transfer a public service officer (a transfer decision) (schedule D)
 - (v) a decision under section 149 that a temporary employee's employment in a department is to continue as a temporary employee (a temporary employment decision) (schedule E), or
 - (vi) a decision about anything else against which another Act allows a person to appeal to the appeals officer (schedule F).

¹ This directive must be read in conjunction with chapter 7 of the *Public Service Act 2008*.

² The *Public Service Act 2008* prevails over Schedules A-F of this directive to the extent of any inconsistency.

7.3 Decisions against which an appeal cannot be made

- (a) An appeal cannot be made to the appeals officer against a decision provided for in section 195 of the *Public Service Act 2008* (see schedule G³).
- (b) Further to section 7.3(a), an appeal cannot be made to the appeals officer against certain appointments (a non-appealable appointment) (see schedule G).

7.4 Persons who are entitled to appeal

- (a) A person may appeal against certain decisions as provided for in section 196 of the *Public Service Act 2008* (see schedules A-F).

7.5 Entitlements for attending an appeal

- (a) The amount of travelling expenses and allowances to be paid to a public service officer or temporary employee in attending an appeal proceeding as part of the person's duties is to be in accordance with the directive relating to domestic travelling and relieving expenses, or as decided by the appeals officer.
- (b) Section 7.5(a) does not apply to:
 - (i) an employee who is the appellant and who is suspended from duty without pay, unless the employee's appeal is allowed, or
 - (ii) an appeal against a disciplinary declaration.

7.6 Employee complaints management

- (a) For appeals in relation to:
 - (i) a decision to take, or not take, action under a directive, or
 - (ii) a decision to transfer a public service officer,an appellant must satisfy the appeals officer that he or she has sufficiently used the agency's employee complaints procedures (refer to the directive relating to managing employee complaints) before the appeal can proceed.
- (b) An appellant has sufficiently used the procedures if:
 - (i) the appeals officer is of the view that it would be unreasonable in the circumstances of the case for the appellant to comply fully with those procedures, or
 - (ii) the agency has failed to make a decision in relation to the complaint within the timeframes specified in the directive relating to managing employee complaints.

7.7 Transitional arrangements

- (a) If immediately before 1 November 2010 a person could have, but has not, appealed against a decision, the person may appeal against the decision. The appeal must be made within the required period, and must be heard and decided by the commission chief executive in accordance with directive 15/09 and the Act as in force.

³ The *Public Service Act 2008* prevails over Schedule G of this directive to the extent of any inconsistency.

- (b) If an appeal has been started, but not decided, before 1 November 2010, the appeal must be heard and decided, or continue to be heard and decided, by the commission chief executive in accordance with directive 15/09 and the Act as in force.
- (c) An appeal cannot be reopened by the commission chief executive in relation to a decision on the appeal made in accordance with sections 7.7(a) or (b).
- (d) If an appeal has been reopened by the commission chief executive before 1 November 2010, the commission chief executive must continue to hear and decide the reopened appeal in accordance with directive 15/09 and the Act as in force.
- (e) If an appeal has been decided before 1 November 2010, and the appeal has not been reopened by the commission chief executive before 1 November 2010, a party to the appeal may apply to the commission chief executive to reopen the appeal within 21 days. Directive 15/09 and the Act as in force applies in relation to the reopening of the appeal and the reopened appeal.

Schedule A - a decision to take, or not take, action under a directive

1 General elements

- (a) An appeal may be made against a decision to take, or not take, action under a directive.
- (b) Appeals may be made by:
 - (i) a public service officer
 - (ii) a temporary employee
 - (iii) a general employee, or
 - (iv) a public sector employee of a public sector unit listed in schedule 1 of the *Public Service Regulation 2008*.
- (c) The person entitled to appeal must be directly affected and aggrieved by the decision to take action, or a failure to act.
- (d) Before lodging an appeal against this type of decision, a person must have sufficiently used the agency's employee complaints management procedures (see section 7.6).

2 Decisions against which an appeal cannot be made

- (a) An appeal cannot be lodged in relation to the following:
 - (i) recruitment and selection, unless it is:
 - a. a decision regarding equivalence of qualifications
 - b. a promotion decision
 - c. a decision that a priority placement employee or registered deployee is unsuitable, or
 - d. a decision not to appoint or second a current public service employee because of an employee's disciplinary history.
 - (ii) a decision to apply, or not apply, the direct appointment provisions of the directive relating to recruitment and selection
 - (iii) identified positions⁴
 - (iv) job evaluation and classification level of employment⁵, unless it is:
 - a. a decision to defer or refuse a request, including a decision not to act on a request, for an evaluation and/or alleged deficiencies in completed job analysis and job evaluation processes of JEMS, or

⁴ Including the decision to designate a position as an identified position, the process by which a person is assessed as meeting the mandatory attribute of an identified position, and the decision that a person meets, or does not meet, the mandatory attribute of an identified position.

⁵ Including the Job Evaluation Management System (JEMS) manual and methodology, the job evaluation points factor result and subsequent classification outcome of an evaluation.

- b. a decision about movement from level 2 to level 3 within the professional and technical streams in accordance with the prescribed criteria for movement, including where such movement is prevented by a decision regarding equivalence of qualifications.
- (v) performance review, executive performance management and development, or management of diminished performance, unless it is:
 - a. a final performance review
 - b. an overall executive performance management rating, or
 - c. a final diminished performance review.
- (vi) a decision to not apply the provisions of the directive relating to transfer within and between classification levels, or
- (vii) a person cannot appeal against, or in an appeal call in question in any way, a decision that decides the policy, strategy, nature, scope, resourcing or direction of the public service or a department.

Schedule B - a decision under disciplinary law

1 General elements

- (a) An appeal may be made against a decision under disciplinary law to discipline:
 - (i) a person (other than by termination of employment) including the action taken in disciplining the person, or
 - (ii) a former public service employee by way of a disciplinary declaration made under section 188A of the *Public Service Act 2008*, including if the disciplinary action that would have been taken was termination of employment.
- (b) Appeals may be made by:
 - (i) a current or former public service officer
 - (ii) a current or former temporary employee
 - (iii) a current or former general employee, or
 - (iv) a current or former employee who may be disciplined under another Act and to whom appeal rights apply under schedule 1 of the *Public Service Regulation 2008*.
- (c) The person entitled to appeal must be directly affected and aggrieved by the decision to discipline.
- (d) A person is eligible to lodge an appeal against a discipline decision without previously using the agency's employee complaints procedures

2 Additional requirements

- (a) An appeal cannot be lodged in relation to a decision to suspend an employee, except if it is in relation to a decision to suspend an employee without pay.
- (b) A notice of appeal against a decision to discipline a person must be received by the appeals officer on the 21st day after the day on which the person received written notice of the decision to discipline.
- (c) A decision to take disciplinary action against a person, other than dismissal or suspension (but not including a declaration of dismissal made against a former employee), does not take effect until:
 - (i) if the person's notice of appeal is received before the deadline – the appeals officer allows or dismisses the appeal, or
 - (ii) in any other case – 21 days after the person received the written notice of the decision.

Schedule C - a promotion decision

1 *General elements*

- (a) An appeal may be made against a decision to promote a public service officer.
- (b) Appeals may be made by:
 - (i) a public service officer
 - (ii) a tenured general employee, or
 - (iii) a tenured public sector employee of a public sector unit listed in schedule 1 of the *Public Service Regulation 2008*.
- (c) A person is eligible to lodge an appeal against a promotion decision without previously using the agency's employee complaints procedures.

2 *Persons entitled to appeal a promotion decision*

- (a) A person entitled to appeal a promotion decision must satisfy the following requirements:
 - (i) the person must have applied for a vacancy to which one of the following persons was promoted:
 - a. a public service officer
 - b. a tenured general employee, or
 - c. a tenured public sector employee of a public sector unit listed in schedule 1 of the *Public Service Regulation 2008*
 - (ii) the person's application for the vacancy must have been received before the deadline for the receipt of applications
 - (iii) the person's notice of appeal must be received by the appeals officer no later than 21 days after the day on which the promotion of the person was notified in the gazette, and
 - (iv) the person must continue to be entitled to appeal.

3 *Decisions against which an appeal cannot be made*

- (a) An appeal cannot be lodged in relation to the following:
 - (i) a non-appealable appointment (see section 7.3 and schedule G)
 - (ii) a promotion decision if the relevant public service officer had been redeployed within one year before the promotion, and the promotion is to a classification level that is not higher than the officer's classification level immediately before the redeployment, or
 - (iii) a promotion decision if the person was not covered by the invitation to apply in accordance with the targeted vacancy advertising provisions of the directive relating to recruitment and selection.

4 *Appeals officer may decline to hear*

- (a) The appeals officer may decline to hear an appeal against a promotion decision in the following circumstances:

- (i) where he or she has determined that the appellant does not have an arguable case for the appeal, or
- (ii) where an appellant has failed to seek post selection feedback in accordance with the provisions of the directive relating to recruitment and selection.

5 Decision on appeal

- (a) In deciding an appeal against a promotion decision, the appeals officer or delegate may set the decision aside and return the issue to the decision maker with a copy of the decision on appeal, and any directions under part 6 of this schedule that he or she considers appropriate.
- (b) The appeals officer or delegate may set the decision aside only if he or she finds that the recruitment and selection process was deficient.

6 Setting aside a promotion decision

- (a) Where the appeals officer determines to set aside a promotion decision, any one or more of the following directions may be given:
 - (i) a direction that, within one month, the chief executive is to revoke the appointment arising from the promotion decision and publish a gazette notice to notify that the appointment of the appointee is revoked
 - (ii) a direction that the chief executive recommence the recruitment and selection process (including advertising the vacancy) or continue with the process from a particular time or event
 - (iii) where the chief executive is to recommence the recruitment and selection process or continue it from a particular time or event, a direction that a new selection committee is to be formed and a direction regarding the composition of the new selection committee, or
 - (iv) any other direction that the appeals officer determines is necessary to rectify any identified deficiency in the recruitment and selection process, other than a direction that the chief executive is to make an appointment to the vacancy.

7 Effect if promotion decision is set aside and appointment is revoked

- (a) If the appeals officer determines to set aside a promotion decision under part 6 of this schedule:
 - (i) the officer whose appointment is revoked:
 - a. resumes the role and classification which he or she held immediately before the appointment, if his or her previous job is vacant or
 - b. in any other case, continues to be employed in the agency in which he or she was appointed with a rate of salary not less than that which he or she was paid immediately before the appointment, and
 - (ii) the appellant is not entitled to be directly appointed to the role as a result of the appeal.

Schedule D - a transfer decision

1 *General elements*

- (a) An appeal may be made against a decision to transfer a public service officer.
- (b) Appeals may be made by:
 - (i) a public service officer who is the subject of the transfer decision, or
 - (ii) a public sector employee of a public sector unit listed in schedule 1 of the *Public Service Regulation 2008* who is the subject of the transfer.
- (c) Before lodging an appeal against this type of decision, a person must have sufficiently used the agency's employee complaints management procedures (see section 7.8).
- (d) Decisions are also subject to sections 133 and 134 of the *Public Service Act 2008*.
- (e) A person entitled to appeal must satisfy additional requirements (see schedule G).

Schedule E - a temporary employment decision

1 General elements

- (a) An appeal may be made against a decision under section 149 of the *Public Service Act 2008* that a temporary employee's employment in a department is to continue as a temporary employee.
- (b) An appeal may also be made regarding the failure of the agency to conduct a review of the status of the temporary employee.
- (c) Appeals may be made by:
 - (i) a temporary employee (excluding a person employed on a casual basis) who is the subject of the decision
 - (ii) a general employee employed on a temporary basis (excluding a person who is employed on a casual basis) who is the subject of the decision, or
 - (iii) a public sector employee of a public sector unit listed in schedule 1 of the *Public Service Regulation 2008* who is the subject of the decision.
- (d) A person is eligible to lodge an appeal against a temporary employment decision without previously using the agency's employee complaints procedures.
- (e) A person cannot appeal against, or in an appeal call in question in any way, a decision that decides the policy, strategy, nature, scope, resourcing or direction of the public service or a department.

2 Decision on appeal

- (a) In deciding an appeal against a temporary employment decision, the appeals officer or delegate may set the decision aside and return the issue to the decision maker with a copy of the decision on appeal and any directions under part 3 of this schedule that he or she considers appropriate.

3 Setting aside a temporary employment decision

- (a) Where the appeals officer determines to set aside a temporary employment decision, any one or more of the following directions may be given:
 - (i) a direction that the chief executive conduct a review of the status of the temporary employee, or
 - (ii) a direction that the chief executive recommence the temporary employment review process or continue the process from a particular time or event, to rectify any identified deficiency in the temporary employment review process.
- (b) If the appeals officer determines to set aside a temporary employment decision, the appellant is not entitled to be directly appointed to the role as a result of the appeal.

Schedule F - a decision under another Act

1 *General elements*

- (a) An appeal may be made about anything else against which another Act allows a person to appeal to the appeals officer:
 - (i) an example may include, but is not limited to, the *Police Service Administration Act 1990*.
- (b) The conditions of the appeal, including who may appeal, decisions against which appeals may not be made, and whether the decision is subject to the agency's employee complaints management procedures, is determined by the relevant Act.

Schedule G - summary of decisions against which appeals cannot be made

1. An appeal cannot be made against any of the following decisions:
 - (a) a decision listed as a decision against which an appeal cannot be made, in any of the schedules of this directive
 - (b) a decision of the Governor in Council
 - (c) a decision of a Minister
 - (d) a decision about superannuation benefits or workers' compensation
 - (e) a decision about probation
 - (f) a decision to terminate the employment of a public service officer employed on probation
 - (g) a decision about the classification level of employment, unless the decision is declared under a directive of the commission chief executive to be a decision against which an appeal may be made
 - (h) a decision to promote, transfer, redeploy or second a person as a chief executive, senior executive or senior officer or to a role remunerated in excess of the maximum salary applicable to a public service administrative officer level eight (AO8) within the relevant agency
 - (i) a non-appealable appointment^f
 - (j) a decision if the parties to the appeal would include the Public Service Commission, a commissioner or a staff member of the Public Service Commission
 - (k) a decision if it is a matter that has been heard by the Queensland Industrial Relations Commission, or
 - (l) a decision to retire a public service employee on the grounds of ill-health under chapter 5, part 7 of the *Public Service Act 2008*.
2. A person cannot appeal against, or in an appeal call in question in any way, a decision that decides the policy, strategy, nature, scope, resourcing or direction of the public service or a department.

^f A non-appealable appointment includes:

- (a) the appointment (including promotion) of any person to:
 - (i) a role which is in an office of a chief executive or a Ministerial office
 - (ii) an entry-level role
 - (iii) a role that complies with the direct appointment provisions of the directive relating to recruitment and selection, or
 - (iv) a role into which another officer has been redeployed or transferred at the same classification level⁶.
- (b) appointment of an officer whose role has had its salary, duties and designation modified by an industrial determination and who then continues to hold that role

⁶ A public service officer who is the subject of a transfer may lodge an appeal in relation to the decision to transfer the officer (see section 7.2).

- (c) the promotion of an officer in compliance with a progressional scheme or other scheme contained in an award, certified agreement, Ministerial directive or determination made under section 149 of the *Industrial Relations Act 1999*
- (d) the promotion of an officer pursuant to a progressional scheme or other scheme subject to an agreement between the relevant industrial organisation of employees and the chief executive (including roles that comply with the specified vacancy advertising provisions of the directive relating to recruitment and selection), or
- (e) a role that the commission chief executive has declared by gazette notice or a directive to be non-appealable on the basis that merit and equity is sufficiently protected by ways other than an appeal.

1 Title: Temporary employment

2 Purpose:

- (a) To ensure the effective and efficient provision of services through the employment of temporary employees, and
- (b) To set criteria for the review of the status of temporary employees.

3 Application:

- (a) This directive applies where a chief executive employs a person as a temporary employee on a full-time or part-time basis under section 147 or section 148 of the *Public Service Act 2008*.
- (b) This directive does not apply where a chief executive employs a person on a casual basis under section 147 or section 148 of the *Public Service Act 2008*.

4 Legislative provision:

Public Service Act 2008 - sections 53, 147, 148, 149 and 194(1)(e)

5 Effective date: 1 November 2010

6 Definitions:

For the purposes of this directive:

agency means a department or public service office as defined in sections 7 and 21 of the *Public Service Act 2008*.

employees requiring placement means employees registered under section 7.2 of the directive relating to employment arrangements following workplace change.

7 Provisions:

7.1 *Appropriate use of temporary employment*

- (a) A chief executive of an agency may employ a person on a temporary basis to meet temporary circumstances.

- (b) Temporary circumstances refer to the temporary or urgent demand for particular skills for a period of time, whether or not the time has been fixed, to ensure the continuity of service delivery.¹
- (c) Where it is apparent that there is an ongoing requirement for the role, a chief executive should consider filling the role permanently rather than by extended temporary employment.

7.2 Conditions of temporary employment

- (a) Requirements of the directive relating to recruitment and selection must be met for advertising temporary vacancies above entry-level.
- (b) Prior to engaging or extending a temporary employee to tenured status at level, employees requiring placement must be considered in filling temporary vacancies, in accordance with the directive relating to workplace change.
- (c) For each separate period of engagement, a temporary employee is to be provided with a notice of engagement.
- (d) Temporary employees must participate in their agencies' employee performance management systems in accordance with the directive relating to employee performance management.
- (e) Temporary employees should also be provided with reasonable access to flexible working arrangements where practicable.

7.3 Review of temporary employment status

- (a) Where a temporary employee completes two years of continuous service in the same role in an agency, the agency must conduct a review of the temporary status of the employee.
- (b) For the purposes of this clause, continuous service in the same role can include:
 - (i) a role which is essentially the same (e.g. a payroll officer may provide a service to different client groups), or
 - (ii) rotation through a range of duties within a generic role description (e.g. rotation through financial and payroll processing duties under a generic entry-level role description).
- (c) The review of temporary status referred to at section 7.3(a) also applies to non-continuous service where a temporary employee has performed a cumulative total of two years service in the same role in an agency, provided that the breaks in employment do not exceed a total of three months in the previous two year period.

¹ Circumstances where temporary employment may be appropriate include but are not limited to –

- (i) Temporary and/or urgent demand for particular skills for a period limited by time, whether or not the time has been fixed;
- (ii) The evolution of a tenured role during which knowledge and skill requirements are expected to undergo a period of transition;
- (iii) Fluctuating service delivery needs or temporary increases in workload;
- (iv) Roles which are funded for a specified period with no reasonable anticipated renewal of funding;
- (v) A one-off project or specified body of work which will be completed within a finite timeframe;
- (vi) Replacement of employees who are absent on leave and who are expected to return to the role on the completion of that leave;
- (vii) Temporary vacancies arising from the temporary reassignment or secondment of employees; and (viii) Temporary filling of a vacant role prior to the approval of a tenured appointment.

- (d) In conducting the review and deciding whether a temporary employee is to be converted to tenured status at level, the chief executive (or delegate) of the agency must:
 - (i) establish whether the temporary circumstances continue to exist and if the role is ongoing
 - (ii) consider the availability of funding for the role
 - (iii) consider agency employees requiring placement
 - (iv) ensure the requirements of the recruitment and selection directive for advertising temporary vacancies above entry-level are met, and
 - (v) consider whether the person satisfactorily meets the agreed performance objectives of the role.
- (e) The review of the temporary status of the employee must be finalised, and the employee notified in writing of the decision, within 28 days of the employee becoming eligible for review.

7.4 Outcome of review of temporary employment status

- (a) Conversion of a temporary employee to tenured status at level may occur only with the employee's consent.
- (b) Where the outcome of the review is a decision not to convert the temporary employee to tenured status at level, written notification to the employee must include the reasons for the decision to continue the person in a temporary role.
- (c) Where the review does not result in the conversion of the temporary employee to tenured status at level and the employee continues in the role on a temporary basis, the employment status of the employee is to be reviewed on the completion of each additional year of continuous service.
- (d) Subsequent reviews must be undertaken in accordance with sections 7.3(d) and (e), and sections 7.4(a), (b) and (c) of this directive.

7.5 Complaints and appeals

- (a) Employee complaints and appeals are to be lodged in accordance with the provisions of relevant directives issued by the commission chief executive.

7.6 Transitional arrangements

- (a) An initial transition period of 12 months will apply from the effective date of this directive.
- (b) During the transition period an agency must review the employment status of all temporary employees who have completed two years of continuous service in the same role in an agency, and were not reviewed under the previous directive.
- (c) Within one month of the expiry of the transition period, the review must be finalised and the temporary employees notified as per the provisions of this directive.
- (d) A temporary employee who was reviewed under the previous directive continues to be eligible for subsequent reviews every 12 months, on the anniversary date of the initial review.

1 Title: Employee performance management

2 Purpose:

To specify the requirements of employee performance management for public service employees and their employing agency.

3 Application:

This directive applies to:

- (i) public service officers (including chief executives, senior executives and senior officers)
- (ii) general employees engaged under section 147 of the *Public Service Act 2008*, and
- (iii) temporary employees engaged under section 148 of the *Public Service Act 2008*.

4 Legislative provision:

Public Service Act 2008 - sections 53, 25-26, 46, 126, 174-179 and chapter 6

5 Effective date: 1 November 2010

6 Definitions:

For the purposes of this directive:

employee performance management – the strategy, systems and processes for the management of employee performance inclusive of: induction, probation, performance development, career planning and talent management, recognition, unsatisfactory performance and discipline.

organisational performance management – those systems and processes defined in the *Queensland Government Performance Management Framework*.

7 Provisions:

7.1 General requirements

- (a) All agencies are required to have an employee performance management strategy, system and processes.
- (b) Chief executives are to ensure their agency implements employee performance management for all public service employees.
- (c) All public service employees are to actively participate in their agencies' employee performance management.
- (d) Employee performance management must complement the agency's implementation of organisational performance management.

7.2 *Employee performance management*

7.2.1 General elements

- (a) Employee performance management is to include:
- (i) an agency wide strategy to:
 - a. advocate, monitor and evaluate the implementation and impact of employee performance management, and
 - b. provide tailored training and skill development for managers and employees in how to use the agency's employee performance management system, and
 - (ii) a system that incorporates and links the processes listed in section 7.2.2.

7.2.2 Employee performance management processes

- (a) An **induction process** for:
- (i) all new employees of the department or public service
 - (ii) employees returning after an extended period of absence, and
 - (iii) employees who have been promoted or have moved to positions with differing or enhanced responsibilities
- to ensure they have the relevant knowledge and understanding of the management, employment, work performance and personal conduct principles in sections 25-26 of the *Public Service Act 2008* that relate to their role.
- (b) A **probation process** in accordance with section 126 of the *Public Service Act 2008* that includes:
- (i) induction
 - (ii) a performance plan for the probation period, and
 - (iii) a formal review at the end of the probation period to determine confirmation of employment, or termination of employment.
- (c) A **performance review and development process** that:
- (i) clarifies expected outcomes and outputs linked to organisational performance objectives and plans
 - (ii) centres on the use and development of the capabilities required to successfully undertake current and future duties of the role
 - (iii) is based on regular performance-focused conversations
 - (iv) provides training and development opportunities tailored to employer and employee needs
 - (v) includes career planning and talent management
 - (vi) incorporates the *Capability and Leadership Framework (CLF)* or is aligned to the CLF through an equivalent framework, and
 - (vii) for appropriate officers, complies with the requirements of the *Chief Executive and Senior Executive Service Performance and Development Frameworks*.
- (d) A **recognition process** that acknowledges employees' contribution to achieving agency objectives and targets.

- (e) A **process for managing unsatisfactory performance and conduct** that focuses on ensuring that employer and employee interventions are in response to any identified reasons for unsatisfactory performance or conduct and lead to:
 - (i) a transition to the performance development process, or
 - (ii) the employee showing cause for continued unsatisfactory performance or conduct.
- (f) A **process for managing disciplinary action** that meets the requirements of chapter 6 of the *Public Service Act 2008* and any relevant directives.

7.3 Complaints and appeals

- (a) Employee complaints and appeals are to be lodged in accordance with the provisions of relevant directives issued by the commission chief executive.

1 Title: Post-separation discipline

2 Purpose:

To establish directions in relation to disciplinary action against former public service employees and public service employee who change employment and to specify the requirements for disclosure of previous disciplinary action.

3 Application:

Application of **Part A**:

- (a) Part A of this directive applies to current and former public service officers, including senior executive and senior officers, unless otherwise stated.
- (b) Part A of this directive applies to temporary employees engaged under section 148 or general employees engaged under section 147 of the *Public Service Act 2008* (**the Act**) provided the disciplinary grounds arose on or after 1 November 2010¹.

Application of **Part B**:

- (a) Part B of this directive applies to any person who is or was a public service employee, including senior executives, senior officers, temporary employees engaged under section 148 and general employees engaged under section 147 of the Act.

4 Legislative Provision:

Public Service Act 2008— sections 53, 98, 179A, Chapters 6 and 7

5 Effective date: 1 November 2010

6 Definitions:

For the purposes of this directive:

changes employment includes employment changes by promotion, transfer, redeployment or secondment.

disciplinary declaration means

- (a) the disciplinary finding against a former public service employee and the disciplinary action that would have been taken against the employee if the employee's employment had not ended ("disciplinary declaration"), made under the *Public Service Act 2008*, the *Police Service Administration Act 1990*, or the *Misconduct Tribunals Act 1997*, or

¹ Refer Clause 7.4 for Commencement Provisions.

- (b) a declaration under another public sector disciplinary law that states the disciplinary action that would have been taken against the person if the person's employment had not ended.

disciplinary finding means a finding that a disciplinary ground exists.

disciplinary ground means a ground for disciplining a public service employee under section 187 of the *Public Service Act 2008*. A disciplinary ground arises when the act or omission constituting the ground is done or made.

disciplinary information means information about the following made or taken against the person under a public sector disciplinary law by the chief executive or another entity:

- (a) a current investigation into whether the person should be disciplined
- (b) a finding that the person should be disciplined
- (c) possible disciplinary action under consideration, or
- (d) disciplinary action, including a disciplinary declaration.

employ means to appoint, second or otherwise engage an person under the *Public Service Act 2008*.

employing chief executive means the chief executive of the department in which the employee holds an appointment or is employed, after the employee changes employment from one department to another.

former public service employee means a public service employee whose employment ends for any reason after a disciplinary ground arises.

other chief executive, for the purposes of section 7.5, means the chief executive who receives a request for disciplinary information about a person who is or was a public service employee.

previous chief executive means the chief executive of the department in which the public service employee holds an appointment or was employed before the employee changes employment from the department to another department, or the employment of the employee as a public service employee ends for any reason.

public sector disciplinary law means:

- (a) the *Public Service Act 2008*
- (b) the *Police Service Administration Act 1990*
- (c) the *Misconduct Tribunals Act 1997*
- (d) a disciplinary provision of an award or industrial agreement, or
- (e) another Act prescribed under a regulation.

serious disciplinary action means disciplinary action under a public sector disciplinary law involving:

- (a) termination of employment
- (b) reduction of classification level or rank
- (c) transfer or redeployment to other employment
- (d) reduction of remuneration level, or
- (e) a disciplinary declaration under a public sector disciplinary law of termination of employment or reduction of classification level or rank.

7 Directive:

PART A

7.1 *Disciplinary action after an employee changes employment*

- (a) This section applies if a disciplinary ground arises in relation to a public service employee and after the disciplinary ground arises², the employee changes employment from one department to another department.
- (b) The previous chief executive may make a disciplinary finding about the disciplinary ground even though the employee holds an appointment with or is employed by another department.
- (c) Alternatively, the previous chief executive may delegate to the employing chief executive the authority to make a disciplinary finding about the employee. In deciding whether it is appropriate to delegate this authority, the previous chief executive should take into account:
 - (i) whether an investigation has already commenced and if so, how far it has progressed
 - (ii) the availability of witnesses and other evidence within the previous department
 - (iii) whether the public service employee has changed employment on a permanent or temporary basis, and
 - (iv) any other considerations the previous chief executive believes are relevant.
- (d) If the previous chief executive makes a disciplinary finding under (b) and the previous chief executive and the employing chief executive agree that disciplinary action against the employee is reasonable in the circumstances, the employing chief executive may take disciplinary action against the employee under section 188 of the Act.
- (e) If the previous chief executive delegates to the employing chief executive under (c) and the employing chief executive makes a disciplinary finding about the employee, the employing chief executive may take disciplinary action against the employee under section 188 of the Act without the agreement of the previous chief executive.
- (f) The previous chief executive may give to the employing chief executive any information about a public service employee or a disciplinary ground relating to the employee to help the employing chief executive perform a function under (d) or (e) in relation to the employee.

² See the definition of “disciplinary ground” in section 6 for when a disciplinary ground arises.

7.2 **Disciplinary action against a former public service employee³**

- (a) A previous chief executive may make a disciplinary finding or take or continue to take disciplinary action against a former public service employee.
- (b) When making a decision on whether to proceed with a disciplinary matter against a former public service employee, the previous chief executive must consider the following issues:
- (i) the seriousness and nature of the allegations and the likelihood that, if substantiated, a serious penalty, such as dismissal or demotion, would be incurred
 - (ii) the estimated cost of proceeding or continuing with the matter compared with the benefits to be gained by completing the investigation
 - (iii) whether the matter is being considered by another authority, such as a professional standards or registration body, the Crime and Misconduct Commission or the Queensland Police Service
 - (iv) whether there are any on-going impacts within the organisation that require resolution
 - (v) whether it is impractical to gain access to the former employee
 - (vi) whether the former employee's previous disciplinary history is relevant or shows a pattern of escalating or repeated behaviour, and
 - (vii) any other consideration the previous chief executive believes is relevant.
- (c) A disciplinary finding or disciplinary action must be made or taken within two years of the end of the former employee's employment. This time limit does not apply to investigations of a suspected criminal offence or an investigation of a matter of suspected official misconduct under the *Crime and Misconduct Act 2001*.
- (d) Notwithstanding the time limit in (c), a previous chief executive must ensure that disciplinary matters are finalised in a timely manner.
- (e) If the consideration of a disciplinary matter is delayed due to a Queensland Police Service (QPS) investigation or a Crime and Misconduct Commission (CMC) investigation, a previous chief executive must ensure that any disciplinary finding or disciplinary action is taken within 6 months of the completion of the QPS or CMC investigation, wherever possible.
- (f) Principles of natural justice must be observed in a disciplinary process for a former public service employee. A previous chief executive must ensure that appropriate show cause notices are provided to a former public service employee and an opportunity for the employee to comment on the proposed action.

³ This section does not apply to:

- a former employee if the employee is an ambulance service officer and the ambulance service chief executive is or intends to take disciplinary action against the employee for a discipline ground under the *Ambulance Service Act 1991*, or
- a former employee if the employee is a fire service officer and the fire service chief executive is or intends to take disciplinary action against the employee for a discipline ground under the *Fire and Rescue Service Act 1990*.

- (g) However, if a former public service employee does not provide a response to a properly served show cause notice within the stated time period, the disciplinary process can continue.
- (h) In disciplining a former public service employee, a previous chief executive may make a disciplinary declaration and may not take any other disciplinary action.
- (i) A previous chief executive may only make a disciplinary declaration if the disciplinary action that would have been taken against the employee if the employee's employment had not ended would have been:
 - (i) termination of employment, or
 - (ii) reduction of classification level.
- (j) A disciplinary declaration does not affect the way in which the employee's employment ended, or any benefits, rights or liability arising because the employment ended.

7.3 *Disciplinary action against a former ambulance service officer or former fire service officer*⁴

- (a) Disciplinary action may be taken against a former ambulance service officer or former fire service officer (former service officer) if a disciplinary ground arises in relation to the former service and after the disciplinary ground arises, the former service officer's employment with the ambulance or fire service ends for any reason, *and* the former service officer is a public service employee in a department.
- (b) The previous chief executive may make a disciplinary finding about the disciplinary ground even though the former service officer is not longer employed by that service.
- (c) Alternatively, the previous chief executive may delegate to the employing chief executive the authority to make a disciplinary finding about the officer. In deciding whether it is appropriate to delegate this authority, the previous chief executive should take into account:
 - (i) whether an investigation has already commenced and if so, how far it has progressed
 - (ii) the availability of witnesses and other evidence within the previous department
 - (iii) whether the public service employee has changed employment on a permanent or temporary basis, and
 - (iv) any other considerations the previous chief executive believes are relevant.
- (d) If the previous chief executive makes a disciplinary finding under (b) and the previous chief executive and the employing chief executive agree that disciplinary action against the employee is reasonable in the circumstances, the employing chief

⁴ This section does not apply to:

- a former employee if the employee is an ambulance service officer and the ambulance service chief executive is or intends to take disciplinary action against the employee for a discipline ground under the *Ambulance Service Act 1991*, or
- a former employee if the employee is an fire service officer and the fire service chief executive is or intends to take disciplinary action against the employee for a discipline ground under the *Fire and Rescue Service Act 1990*.

- executive may take disciplinary action against the officer under section 188 of the Act.
- (e) If the previous chief executive delegates to the employing chief executive under (c) and the employing chief executive makes a disciplinary finding about the employee, the employing chief executive may take disciplinary action against the employee under section 188 of the Act without the agreement of the previous chief executive.
 - (f) The previous chief executive may give to the employing chief executive any information about a public service employee or a disciplinary ground relating to the officer to help the employing chief executive perform a function under (d) or (e) in relation to the employee.

7.4 Commencement

- (a) Section 7.1 only applies to a public service officer who changed employment from a department to another department after 2 November 2009. Section 7.1 only applies to a temporary or general employee where the discipline ground occurs or is alleged to have occurred on or after 1 November 2010 and who changes employment on or after this date.
- (b) For section 7.2, a person is a former public service officer only if the person's employment as a public service officer ended after 2 November 2009. Section 7.2 only applies to a temporary or general employee where the discipline ground occurs or is alleged to have occurred on or after 1 November 2010 and whose employment ends on or after this date.

PART B:

7.5 Requirement to disclose previous history of serious disciplinary action

- (a) If a chief executive proposes to employ a person, the chief executive may require applicants to disclose particulars of any previous serious disciplinary action taken against them.
- (b) The requirement to disclose previous serious disciplinary action must be included in a role description.
- (c) In deciding whether to require a disclosure of serious disciplinary action, chief executives should consider the nature of the particular duties to be performed and whether it is necessary to have regard to any serious disciplinary history as part of a selection process.
- (d) The person must comply with the requirement to disclose before the a employment takes effect.
- (e) The disclosure must be made:
 - (i) in writing, and
 - (ii) within seven days of the request.
- (f) If a person fails to comply with the requirement or gives false or misleading information in response to the requirement, the chief executive is not required to further consider the person for employment.

- (g) If a public service employee fails to disclose a serious disciplinary action or gives false or misleading information, without reasonable excuse, this constitutes a ground for discipline under section 187 of the Act.
- (h) When considering any disclosure of previous serious disciplinary action, a chief executive must take into account:
 - (i) the duties and responsibilities of the position
 - (ii) the seriousness and nature of any disciplinary history
 - (iii) when any disciplinary breaches were committed
 - (iv) the penalty imposed
 - (v) whether the disciplinary history shows a pattern of behaviour, and
 - (vi) any other relevant discipline and, if appropriate, criminal history.

7.6 Information exchange

- (a) This section applies if:
 - (i) the chief executive of a department asks the chief executive of another department (**other chief executive**) for disciplinary information that the other chief executive has about a person who is or was a public service employee; and
 - (ii) The information is reasonably necessary for the chief executive to make a decision about:
 - a. employment or continued employment of the person to the chief executive's department, or
 - b. a disciplinary finding, disciplinary action or disciplinary declaration, the chief executive is considering in relation to the person.
- (b) The other chief executive must give the disciplinary information to the chief executive unless the other chief executive is reasonably satisfied that giving the information may prejudice the investigation of a suspected contravention of the law in a particular case.

7.7 Decisions based on disciplinary information

- (a) Chief executives must ensure that any decisions made under section 7.4 that may be detrimental to a current public service employee's interests, are made in compliance with section 12 of the *Public Service Regulation 2008* (Dealing with employee record if detrimental to employee's interests).
- (b) Applicants must be given a reasonable opportunity to make a written submission about the information used to inform the decision, before an adverse decision about the person is made.
- (c) The applicant must be given a copy of all information used to inform the decision.

7.8 Appeals

- (a) Employee appeals are to be lodged in accordance with the provisions of relevant directives issued by the commission chief executive.

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*State Development and Public Works
Organisation Act 1971*
Acquisition of Land Act 1967

TAKING OF LAND NOTICE

(No. 14) 2010

Short title

1. This notice may be cited as the *Taking of Land Notice (No. 14) 2010*.

Land taken

2. The Land described in Schedule 1 is taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Western Corridor Recycled Water Scheme, and vest as fee simple in the Coordinator-General on and from 28 October 2010.

Easements taken

3. The Easements described in Schedule 2 are taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Western Corridor Recycled Water Scheme, and vest in the Coordinator-General on and from 28 October 2010.
4. The Easements described in Schedule 3 are taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Western Corridor Recycled Water Scheme, and vest in the Coordinator-General on and from 28 October 2010.

Rights and obligations

5. That the rights and obligations conferred and imposed by the Easements in Schedule 2 includes the matters set out in Schedule 4.
6. That the rights and obligations conferred and imposed by the

Easements in Schedule 3 includes the matters set out in Schedule 5.

SCHEDULE 1

Land Taken

Lot 2 on Survey Plan 224057 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Wivenhoe being part of the land contained in Title Reference 15743226.

(SCHEDULE ENDS)

SCHEDULE 2

Easements Taken

Easements R and T in Lot 1 on Registered Plan 149535 on Survey Plan 224057 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Wivenhoe being part of the land contained in Title Reference 15743226.

Easement G in Lot 2 on Registered Plan 221543 on Survey Plan 228400 (being a plan to be registered in the Queensland Land Registry) County of Stanley Parish of Woogaroo being part of the land contained in Title Reference 17250192.

Easement E in Lot 1 on Registered Plan 164592 on Survey Plan 229904 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Esk being part of the land contained in Title Reference 15883066.

Easement B in Lot 183 on Crown Plan CSHS351 on Survey Plan 221257 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Esk being part of the land contained in Title Reference 40055239.

Easement A in Lot 217 on Crown Plan CSH2046 on Survey Plan 229702 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Taromeo being part of the land contained in Title Reference 40055202.

(SCHEDULE ENDS)

SCHEDULE 3

Easement Taken

Easement S in Lot 241 on Crown Plan SL11000 on Survey Plan 224058 (being a

plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Wivenhoe being part of the land contained in Title Reference 18659224.

(SCHEDULE ENDS)

SCHEDULE 4

State Development and Public Works Organisation Act 1971 Rights and Obligations Under Easement

1 INTERPRETATION

1.1 In this Schedule:

“**Burdened Land**” means the land over which the Easement is taken.

“**Coordinator-General**” means The Coordinator-General, the corporation sole constituted under the *State Development and Public Works Organisation Act 1971* and where the context permits, the servants, agents, contractors, subcontractors and licensees of the Coordinator-General and other persons authorised by the Coordinator-General to exercise the Coordinator-General’s rights under the Easement, and, where applicable, means the assignee or transferee of the Coordinator-General.

“**Easement**” means the easement taken by the Coordinator-General including but not limited to the terms and conditions contained in this Schedule.

“**Easement Area**” means that portion of the Burdened Land over which the Easement is obtained.

“**Infrastructure**” means infrastructure of any kind required for and/or incidental to the Project and without limitation includes infrastructure relating to the transportation, movement, transmission or flow of anything, including, for example, goods, material, substances, matter, particles with or without charge, light, energy, information and anything generated or produced.

“**Landowner**” means the person who is a registered owner of the Burdened Land from time to time.

“**Project**” means the Western Corridor Recycled Water Scheme as referred to in the *Water Regulation 2002*.

1.2 If the Landowner or the party having the benefit of the Easement consists of two or more persons at any time:

- (a) a reference in the Easement to that party is to be read as a reference to each of those persons individually, and each combination of them jointly; and
- (b) those persons are bound and benefited by the Easement both individually and in each combination of them jointly.

1.3 A reference in the Easement to a person includes a reference to a body corporate (including a local government) and every other kind of legal person.

1.4 The Easement is intended to burden the land described in Schedule 1 and in accordance with the *State Development and Public Works Organisation Act 1971* and the process set out in section 6(2) of the *Acquisition of Land Act 1967*. The Coordinator-General is a public utility provider under the *Land Title Act 1994* and the *Land Act 1994*. The Easement may be registered as a public utility easement.

2 RIGHTS AND OBLIGATIONS OF COORDINATOR-GENERAL

2.1 The Coordinator-General may:

- (a) install, repair, maintain, remove, replace, clean, clear, add to and alter any Infrastructure on, in or through the Easement Area from time to time;

- (b) inspect or survey the Easement Area, or any Infrastructure on it, from time to time;
 - (c) undertake mowing, slashing and vegetation (including without limitation timber, trees and crops) control or removal in relation to the Easement Area from time to time;
 - (d) break open the soil of the Easement Area (both on the surface and subsurface) for the purpose of doing or getting ready to do any of the other things that the Coordinator-General can do under the Easement;
 - (e) enter, exit and traverse by whatever means, and remain on (for so long as is necessary) the Easement Area for the purpose of doing or getting ready to do any of the things the Coordinator-General can do under the Easement;
 - (f) pull down or break open any fencing on the Easement Area in order to enter or exit it (but only after, except in the case of an emergency, giving reasonable prior notice to the Landowner if any livestock are contained within the fenced area);
 - (g) take anything onto the Easement Area and use and operate what has been taken onto the Easement Area; and
 - (h) do on the Easement Area anything which in the Coordinator-General's opinion is necessary or convenient for, or incidental to, exercising the Coordinator-General's rights under the Easement, including, as examples but without limitation:
 - (1) stockpiling Infrastructure or items required for or relating to the installation, repair, maintenance, removal, replacement, cleaning, clearing, addition or alteration of Infrastructure;
 - (2) stockpiling soil dug up on or from under the Easement Area; and
 - (3) temporarily restricting access to the Easement Area or parts of it, by whatever means the Coordinator-General thinks fit including fencing off the Easement Area or parts of it, and doing other things to provide for the security of Infrastructure or persons or livestock, items referred to in subparagraph (1) or soil referred to in subparagraph (2).
- 2.2 The Coordinator-General shall have the right to authorise, permit or license other parties to use the Easement Area for all or any of the purposes as the Coordinator-General may do so under the Easement, and otherwise to exercise the same rights and powers as the Coordinator-General under the Easement subject to all the conditions and restrictions upon such rights as are set out in the Easement.
- 2.3 In exercising rights and powers under the Easement, the Coordinator-General and/or persons authorised, permitted or licensed from time to time by the Coordinator-General to use the Easement Area for the purposes of the Easement must:
- (a) ensure that any work done on the Easement Area is done properly;

- (b) cause as little inconvenience as is reasonably practicable to the Landowner;
- (c) restore the Easement Area as nearly as is reasonably practicable to its former condition if the Easement Area is damaged or changed by the work done on the Easement Area; and
- (d) comply with all applicable laws regarding occupational, health and safety in the undertaking of any work done on the Easement Area.

2.4 If the Landowner breaches the Easement, the Coordinator-General may do anything that is reasonably necessary to correct the breach (such as removing a structure erected on the Easement Area in breach of the Easement). Any action in rectifying such breach shall be taken without the Coordinator-General incurring any liability to the Landowner.

3 RIGHTS AND OBLIGATIONS OF LANDOWNER

3.1 The Landowner must:

- (a) not erect or permit to be erected any improvement, building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area without the prior written consent of the Coordinator-General;
- (b) maintain and repair, and not change, any existing improvement, building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area (other than the Infrastructure);
- (c) not alter the ground level of the Easement Area or change its topography or do anything to cause inundation of the

Easement Area by water without the prior written consent of the Coordinator-General;

- (d) not plant trees on the Easement Area without the prior written consent of the Coordinator-General;
- (e) not crop, dig or plough the Easement Area or cause the lighting of fires on or adjacent the Easement Area without the prior written consent of the Coordinator-General;
- (f) exercise reasonable care to ensure that any Infrastructure on the Easement Area is not damaged;
- (g) not interfere with, damage or place at risk any Infrastructure on the Easement Area from time to time or interfere with anything that the Coordinator-General is storing or has placed on the Easement Area from time to time (including plant and equipment, stockpiles of soil dug up from or from under the Easement Area or any other stockpiles) without the prior written consent of the Coordinator-General;
- (h) not cause a nuisance that adversely affects the Coordinator-General's rights and powers under the Easement or any Infrastructure on the Easement Area from time to time, but if any nuisance is caused, then promptly abate such nuisance;
- (i) use the Landowner's best endeavours to prevent anyone else doing any of the things that the Landowner is required not to do under the Easement and not allow or authorise anyone else to do any of those things;

- (j) not interfere with or obstruct the Coordinator-General in the exercise or enjoyment of its rights and powers under the Easement; and
- (k) not grant any rights to any person in relation to the Easement Area to the extent the granting of those other rights could or will conflict or interfere with the Infrastructure or the exercise of any of the Coordinator-General's rights and powers under the Easement.

4 OTHER MATTERS

4.1 Ownership of Infrastructure

All Infrastructure and other things brought onto or installed on, in or through the Easement Area from time to time by the Coordinator-General will, as between the Landowner and the Coordinator-General, notwithstanding any affixation to the Easement Area, remain the property of the Coordinator-General (unless otherwise assigned).

4.2 Fences

If the Coordinator-General pulls down or breaks open any fencing under the Easement:

- (a) the Coordinator-General may either repair the fencing it has pulled down or broken open or install a gate in place of that fencing to at least a standard reasonably equivalent to that of the fencing before it was pulled down or broken open;
- (b) the owner of the fencing that was pulled down or broken open will become the owner of the repaired fencing or gate; and
- (c) that owner must maintain the repaired fencing or gate.

4.3 Stamping and registering of Easement

The Coordinator-General must stamp (if required) and register the Easement and pay all duty and registration fees on the Easement.

4.4 Mining or petroleum tenement

The Landowner is to use their best endeavours to give the Coordinator-General a copy of any notification received by the Landowner in respect of any application for a mining or petroleum tenement under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or any similar or replacement legislation, in respect of land which includes all or any part of the Easement Area, within 7 days after the Landowner receives such notification.

4.5 Further assurances

The Landowner will execute every deed, instrument, assurance or other document and do all such things as may be necessary to secure the rights of the Coordinator-General conferred by the Easement as the Coordinator-General may reasonably require, including (without limitation) obtaining the consent of any person necessary and producing the title document for the Easement Area and executing all documents necessary to give effect to any proposed assignment, transfer, encumbrance or other dealing by the Coordinator-General in respect of the Easement Area.

5 NOTICE

5.1 General

Any notice, demand, certification, process or other communication given in relation to the Easement must be in writing in English and may be signed by an authorised officer or agent of the party giving the notice.

5.2 How to give a communication

A communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current address for notices;
- (c) sent to the party's current address for notices by pre-paid ordinary mail or, if the address is outside Australia, by pre-paid airmail; or
- (d) sent by fax to the party's current fax number for notices.

5.3 Particulars for delivery of notices

The address and facsimile number of the Coordinator-General and Landowner is that specified below or that which a party specifies by written notice to the other party from time to time:

The Coordinator-General:

Address: The Coordinator-General
PO Box 15009
Brisbane City East
Qld 4002

Fax: (07) 3224 2978

Attention: Executive Director, Land
Acquisition and
Management, Department of
Infrastructure and Planning

Landowner: The address and facsimile notified to the Coordinator-General and in the absence of such notice, the address shall be the land of which the Burdened Land forms part.

6 COORDINATOR-GENERAL'S CONSENT

- (a) Subject to clause 6(b), the Coordinator-General may conditionally or unconditionally give or withhold any consent to be given under the Easement and is not obliged to give reasons for doing so.

(b) The Coordinator-General will not unreasonably refuse or withhold its consent to the Landowner:

- (i) maintaining any existing road across the Easement Area; and
- (ii) subject to clause 6(c), erecting and maintaining any fence across the Easement Area if:
 - (A) each fence includes a lockable gate in a location agreed with the Coordinator-General; and
 - (B) the Landowner supplies a set of keys to the lockable gate to the Coordinator-General.

(c) It will be reasonable for the Coordinator-General to refuse or withhold its consent if the actions of the Landowner are, in the Coordinator-General's opinion, likely to jeopardise the safety, security or operation of, or interfere with the Infrastructure or restrict the Coordinator-General's access or other rights under the Easement along or across the Easement Area.

7 SEVERABILITY

- (a) Subject to clause 7(b), if a provision of the Easement is illegal or unenforceable in any relevant jurisdiction, it may be severed for the purposes of that jurisdiction without affecting the enforceability of the other provisions of the Easement.
- (b) Clause 7(a) does not apply if severing the provision materially alters the scope and

nature of the Easement or the relative commercial or financial positions of the parties, or would be contrary to public policy.

8 INDEMNITY FOR LANDOWNER

The Coordinator-General indemnifies the Landowner including any successors in title to the Burdened Land, against all actions, suits, proceedings, demands, claims, losses, damages, costs and expenses, excluding any indirect or consequential loss ("Claims") arising from:

- a) any breach by the Coordinator-General of the terms of the Easement; and
- (b) any act or omission of the Coordinator-General in the exercise of its rights under the Easement;

except to the extent that any Claims are:

- (c) caused; or
- (d) contributed to (but only to the extent of that contribution),

by the act or omission of the Landowner or its employees, officers, agents or contractors.

(SCHEDULE ENDS)

SCHEDULE 5

Acquisition of Land Act 1967

State Development and Public Works Organisation Act 1971

Rights and Obligations Under Easement

1 INTERPRETATION

1.1 In this Schedule:

"**Agents**" means the persons through or with who the Easement Holder may exercise any of its rights or powers under this Easement as referred to in clause 2.2.

"**Burdened Land**" means the land over which the Easement is to be taken.

"**Coordinator-General**" means The Coordinator-General, the corporation sole constituted under the *State Development and Public Works Organisation Act 1971*.

"**Dam**" means Wivenhoe Dam.

"**Easement**" means the easement proposed to be taken by the Coordinator-General on the terms and conditions contained in this Schedule.

"**Easement Area**" means that portion of the Burdened Land over which the Easement is to be obtained (and which is identified in Annexure A of Schedule 1).

"**Easement Holder**" means the Coordinator-General or if this Easement is transferred to another entity in accordance with clause 5.6, the entity to which the Easement is transferred and where the context permits, the employees, servants, agents, contractors and subcontractors of the Easement Holder and other persons authorised by the Easement Holder to exercise the Easement Holder's rights under the Easement.

"**Existing Registered Interests**" means the interests identified in Schedule 1 to the Easement.

"**Infrastructure**" means the pipeline and associated equipment for conveyance of water and any roads, accessways or improvements for purposes associated with the pipeline, which the Coordinator-General has constructed or installed or intends to construct or install under or in the Easement Area, but excluding any such infrastructure that the Easement Holder has agreed will be owned by the Landowner or a Lessee.

“**Landowner**” means the person who is a registered owner of the Burdened Land from time to time.

“**Lessees**” means the lessees from time to time under the leases set out in Schedule 1.

1.2 If the Landowner or the party having the benefit of the Easement consists of two or more persons at any time:

- (c) a reference in the Easement to that party is to be read as a reference to each of those persons individually, and each combination of them jointly; and
- (d) those persons are bound and benefited by the Easement both individually and in each combination of them jointly.

1.3 A reference in the Easement to a person includes a reference to a body corporate (including a local government) and every other kind of legal person.

1.4 The Easement is intended to burden the land described in Schedule 1 and in accordance with the process set out in section 6(2) of the *Acquisition of Land Act 1967*.

2 EXISTING RIGHTS IN RESPECT OF LAND

2.1 Dam waters

2.1.1 The Easement Holder acknowledges that –

- (a) the Easement Area is located within land (referred to as “Land” for the purposes of this clause 2.1.1) acquired as a flood margin for the Dam in order to mitigate upstream flood impacts;
- (b) the Landowner presently operates the Dam so that areas of the Land are inundated for an extended period or periods of time as part of the Landowner’s business;

(c) the Landowner may, in its discretion, alter its operations and such operational alterations may also alter the extent and nature of the period or periods of inundation of areas of the Land;

(d) the Easement is subject to the Landowner’s rights in respect of inundation in clauses 2.1.1(a) to (c) above. If the Landowner inundates areas of the Land (which include parts of the Easement Area) on a permanent or temporary basis, this will not be a breach of the Easement and the Easement Holder will have no remedy or claim against the Landowner in respect of such inundation;

(e) a permanent or temporary inundation of areas of the Land may cause problems for access, inspection of the Infrastructure and the exercise of rights granted under this Easement; and

(f) if the Easement Holder institutes a cause of action to prevent the rights of the Landowner referred to in this clause, then, to the extent the Easement is inconsistent with those rights, the Easement will be read down and, where the Easement cannot be read down, the provisions of clause 2.1.3 will apply.

2.1.2 If at any time during the currency of this Easement, the waters of the Dam rise to cover any part of the Easement Area (including where this occurs as a result of the operation of the Dam generally or at its present full supply level or at a future full supply level) –

- (a) the exercise by the Easement Holder of its rights and

- powers under the Easement will be restricted;
- (b) no compensation is payable by the Landowner in respect of such restriction; and
 - (c) the Easement Holder is not required to remove the Infrastructure installed pursuant to the Easement from the parts of the Easement Area which are so covered by water.
- 2.1.3 In accordance with the provisions of clause 8, it is confirmed that if at any time clause 2.1.1(f) applies and it is determined by a court that the rights granted under the Easement are void or ineffective, then the Landowner will grant to the Easement Holder a licence to use the Easement Area, in terms substantially equivalent to the Easement.
- 2.1.4 The Landowner will give the Easement Holder notice where the design of the Dam infrastructure changes, such that it needs to be augmented and such augmentation will necessitate the acquisition of additional land as a flood margin for the Dam.
- 2.2 **Existing Registered Interests**
- The Easement Holder acknowledges that –
- (a) prior to the commencement of the Easement, the Landowner had granted the Existing Registered Interests to certain third parties which relate to areas of the Burdened Land which include the Easement Area;
 - (a) the Existing Registered Interests were registered on the Landowner's title to the Burdened Land prior to the commencement of the Easement;
 - (c) the Easement Holder's rights and powers under the Easement must be exercised subject to the rights and interests granted to such third parties pursuant to the Existing Registered Interests; and
 - (d) without limiting clause 3.7, the Easement Holder must indemnify the Landowner against all actions, suits, claims, demands, losses, obligations, liabilities, damage, costs and expenses ("Claims"), whether incurred or threatened, arising from or in connection with the taking of the Easement which cause (or may the have effect of causing) the Landowner to be in breach of any of its obligations under the Existing Registered Interests, except to the extent that any Claims were caused or contributed to by the acts or omissions of the Landowner or its employees, agents, contractors or the Lessees.
- 3. RIGHTS AND OBLIGATIONS OF EASEMENT HOLDER**
- 3.1 Subject always to the Landowner's rights in respect of inundation in clauses 2.1.1 and 2.1.2, the Easement Holder may:
- (a) install, repair, maintain, remove, replace, clean, clear, add to and alter any Infrastructure on, in or through the Easement Area from time to time;
 - (b) inspect or survey the Easement Area, or any Infrastructure on it, from time to time;
 - (c) undertake mowing, slashing and vegetation (including without limitation timber, trees and crops) control or

- removal in relation to the Easement Area from time to time (provided that the use of any chemical, fertiliser, insecticide or weedicide is first approved by the Landowner);
- (d) break open the soil of the Easement Area (both on the surface and subsurface) for the purpose of doing or getting ready to do any of the other things that the Easement Holder can do under the Easement;
- (e) enter, exit and traverse by whatever means, and remain on (for so long as is necessary) the Easement Area for the purpose of doing or getting ready to do any of the things the Easement Holder can do under the Easement;
- (f) subject to complying with the requirements of clause 5.2, pull down or break open any fencing on or adjacent to the Easement Area in order to enter or exit it (but only after, except in the case of an emergency, giving reasonable prior notice to the Landowner if any livestock are contained within the fenced area);
- (g) take anything onto the Easement Area (and any other adjacent land owned or occupied by the Landowner) when entering it and use and operate what has been taken onto the Easement Area; and
- (h) do on the Easement Area anything which in the Easement Holder's reasonable opinion is necessary or convenient for, or incidental to, exercising the Easement Holder's rights under the Easement, including, as examples but without limitation:
- (1) stockpiling Infrastructure or items required for or relating to the installation, repair, maintenance, removal, replacement, cleaning, clearing, addition or alteration of Infrastructure;
 - (2) stockpiling soil dug up on or from under the Easement Area; and
 - (3) temporarily restricting access to the Easement Area or parts of it, by whatever means the Easement Holder thinks fit including fencing off the Easement Area or parts of it, and doing other things to provide for the security of Infrastructure or persons or livestock, items referred to in subparagraph (1) or soil referred to in subparagraph (2) provided that the Easement Holder has first provided temporary alternative access, at a location and in a form agreed with the Landowner (such agreement not to be unreasonably withheld or delayed), to provide a means of continued access to other parts of the Burdened Land for those of the Landowner's lessees affected by such temporary restriction.
- 3.2 The Easement Holder may exercise any of its rights or powers under this Easement by itself or through or

- with surveyors, engineers, servants, agents, licensees, contractors, subcontractors, employees and others authorised by the Easement Holder. The Easement Holder is responsible for the acts and omissions of such authorised persons.
- 3.3 In exercising rights and powers under the Easement, the Easement Holder must:
- (a) ensure that any work done on the Easement Area is done properly;
 - (b) cause as little inconvenience as is reasonably practicable to the Landowner and the Lessees;
 - (c) restore the Easement Area as nearly as is reasonably practicable to its former condition if the Easement Area is damaged or changed by the work done on the Easement Area; and
 - (d) comply with all applicable laws regarding occupational, health and safety in the undertaking of any work done on the Easement Area.
- 3.4 If the Landowner breaches the Easement, the Easement Holder or persons authorised, permitted or licensed by the Easement Holder to use the Easement Area may do anything that is reasonably necessary to correct the breach (such as removing a structure erected on the Easement Area in breach of the Easement). Any such action shall be taken without the Easement Holder or persons authorised, permitted or licensed by the Easement Holder incurring any liability to the Landowner.
- 3.5 The Easement Holder must –
- (a) take all steps necessary to ensure that the Infrastructure does not create a hazard or danger during the currency of this Easement;
 - (b) take all steps necessary to prevent disturbance, movement or release of material from the Easement Area;
 - (c) take all reasonable measures to keep the Easement Area in a clean condition and free from accumulation of rubbish;
 - (d) take all reasonable measures to revegetate any eroded areas of the Easement Area and generally maintain a vegetative cover on the Easement Area which is reasonably suitable to mitigate soil erosion; and
 - (e) comply with all reasonable directions given by the Landowner in respect of the Easement Holder's activities on the Easement Area, where such directions are given for the purposes of preserving the quality of water in the Dam or permitting operation of the Dam.
- 3.6 If the Infrastructure is no longer required by the Easement Holder, the Easement Holder must either:
- (a) remove the Infrastructure from Easement Area; or
 - (b) take all reasonable steps to ensure that the decommissioned Infrastructure will remain in a stable condition (including during inundation of any part of the Easement Area) so as not to increase the risk of damage to SEQWater's land, assets and/or operations through its non-use.
- 3.6A In removing any Infrastructure under clause 3.6(a), the Easement Holder must comply with the requirements of clause 3.3. Upon completion of such removal, the

Easement Holder must tender an executed surrender of this Easement to the Landowner.

3.7 The Easement Holder indemnifies the Landowner against all actions, suits, claims, demands, losses, obligations, liabilities, damage, costs and expenses ("Claims") arising from or in connection with this Easement, the Infrastructure and/or the Easement Area and incurred in connection with or relating to –

- (a) any breach of this Easement by the Easement Holder or any of its Agents;
- (b) any act or omission of the Easement Holder or any of its Agents during the currency of this Easement;
- (c) any pollution of the waters in the Dam which results from the exercise of the Easement Holder's rights under the Easement; or
- (d) any escape of treated water from the Infrastructure onto the Landowner's Land (including but not limited to the Burdened Land) or into the Dam without the consent of the Landowner,

except to the extent that any Claims were caused or contributed to by the acts or omissions of the Landowner or its employees, agents, contractors or the Lessees.

4 RIGHTS AND OBLIGATIONS OF LANDOWNER

4.1 The Landowner must:

- (a) not erect or permit to be erected any improvement, building, structure, pipeline, services, road fence, driveway or paving on or through the Easement Area without the prior written consent of the Easement Holder (but this will not oblige the Landowner to

remove any such improvement, building, structure, pipeline, services, road fence, driveway or paving existing within the Easement Area as at the date on which the Easement Holder first exercises its rights under the Easement);

- (b) not alter the ground level of the Easement Area or change its topography without the prior written consent of the Easement Holder;
- (c) not plant trees on the Easement Area without the prior written consent of the Easement Holder;
- (d) not crop, dig or plough the Easement Area or light or permit the lighting of fires on the Easement Area without the prior written consent of the Easement Holder;
- (e) exercise reasonable care to ensure that the Landowner does not damage any Infrastructure on the Easement Area;
- (f) not interfere with, damage or place at risk any Infrastructure on the Easement Area from time to time or interfere with anything that the Easement Holder or its Agents are storing or have placed on the Easement Area from time to time (including plant and equipment, stockpiles of soil dug up from or from under the Easement Area or any other stockpiles) without the prior written consent of the Easement Holder;
- (g) not cause a nuisance that adversely affects the Easement Holder's rights and powers under the Easement or any Infrastructure on the Easement Area from time to time;

- (h) promptly abate any such nuisance;
 - (i) not interfere with or obstruct the Easement Holder or any of its Agents in the exercise or enjoyment of its rights and powers under the Easement; and
 - (j) the Landowner must not grant any rights to any person in relation to the Easement Area to the extent the granting of those other rights could or will conflict or interfere with the Infrastructure or the exercise of any of the Easement Holder's rights and powers under the Easement (but this will not oblige the Landowner to withdraw or amend any such rights that were granted to any third parties prior to the date on which the Easement Holder first exercises its rights under the Easement).
- ii. make sure that the Easement Holder or those authorised, permitted or licensed by the Easement Holder are given all the rights and powers intended to be conferred by the Easement.
- (b) The Easement Holder will pay all duty and registration fees on the Easement.

5.4 **Mining or petroleum tenement**

The Landowner must give the Easement Holder a copy of any notification received by the Landowner in respect of any application for a mining or petroleum tenement under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or any similar or replacement legislation, in respect of land which includes all or any part of the Easement Area, within 7 days after the Landowner receives such notification.

5.5 **Permitted Assignment by Easement Holder**

- (a) The Easement Holder may, in its absolute discretion, assign, novate or otherwise transfer its rights and obligations under this Agreement to a government department, statutory body, government instrumentality, local government, local body or government authority without the need to satisfy clause 5.6(b).
- (b) If the Easement Holder intends to assign, novate or otherwise transfer any of its rights or obligations under the Easement it must first:

- 4.2 The Landowner must ensure that its employees, agents and contractors (other than the Lessees) comply with the Landowner's obligations under this Easement.

5 **OTHER MATTERS**

5.1 **Ownership of Infrastructure**

All Infrastructure and other things brought onto or installed on, in or through the Easement Area from time to time by the Easement Holder will, as between the Landowner and the Easement Holder, notwithstanding any affixation to the Easement Area, remain the property of the Easement Holder (unless otherwise agreed in writing).

5.3 **Stamping and registering of Easement**

- (a) The Easement Holder must:
- i. stamp (if required) and register the Easement; and

- i. give due consideration to the entity that the Easement Holder is proposing to assign or transfer its rights to;

- ii. satisfy itself (acting reasonably) that the proposed assignee or transferee is responsible, solvent and capable of undertaking the obligations of the Easement Holder under this Easement; and
- iii. procure from the relevant assignee or transferee a deed in favour of the Landowner in the form substantially set out in Schedule 2.

5.6 Further assurances

Each party will execute every deed, instrument, assurance or other document and do all such things as may be necessary to give full effect to the Easement and the rights and obligations of the parties under it.

6 NOTICE

6.1 General

Any notice, demand, certification, process or other communication given in relation to the Easement must be in writing in English and may be signed by an authorised officer or agent of the party giving the notice.

6.2 How to give a communication

A communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current address for notices;
- (c) sent to the party's current address for notices by pre-paid ordinary mail or, if the address is outside Australia, by pre-paid airmail; or
- (d) sent by fax to the party's current fax number for notices.

6.3 Particulars for delivery of notices

The address and facsimile number of the Coordinator-General and Landowner is that specified below

or that which a party specifies by written notice to the other party from time to time:

The Coordinator-General:

Address: The Coordinator-General
PO Box 15009
Brisbane City East QLD 4002
Fax: (07) 3224 2978
Attention: Director, Land and Planning
Branch, SEQ Infrastructure

Landowner:

Address: South East Queensland Water
Corporation Limited
Level 3, 240 Margaret Street,
Brisbane Q 4001
Attention: Chief Executive Officer

7 EASEMENT HOLDER'S CONSENT

- (a) Unless expressly stated otherwise, any consent required from a party under the Easement may be given or withheld or may be given subject to any conditions as that party (in its absolute discretion) thinks fit.
- (b) The Easement Holder will not unreasonably refuse or withhold its consent to the Landowner:
 - (i) maintaining any existing road across the Easement Area; and
 - (ii) subject to clause 7(c), erecting and maintaining any new fence across the Easement Area if:
 - (A) each fence includes a lockable gate in a location agreed with the Easement Holder; and
 - (B) the Landowner supplies a set of keys to the lockable gate to the Easement Holder.
- (c) It will be reasonable for the Easement Holder to refuse or

withhold its consent to the Landowner erecting and maintaining a new fence across the Easement Area where, in the Easement Holder's opinion, it is likely to jeopardise the safety, security or operation of, or interfere with the Infrastructure or restrict the Easement Holder's access or other rights under the Easement along or across the Easement Area.

8 SEVERABILITY

- (a) Subject to clause 8(b), if a provision of the Easement is illegal or unenforceable in any relevant jurisdiction, it may be severed for the purposes of that jurisdiction without affecting the enforceability of the other provisions of the Easement.
- (b) Clause 8(a) does not apply if severing the provision materially alters the scope and nature of the Easement or the relative commercial or financial positions of the parties, or would be contrary to public policy.

(SCHEDULE ENDS)

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Infrastructure and Planning.

*State Development and Public Works
Organisation Act 1971
Acquisition of Land Act 1967*

**TAKING OF LAND NOTICE
(No. 15) 2010**

Short title

1. This notice may be cited as the *Taking of Land Notice (No. 15) 2010*.

Easements taken

2. The Easements described in Schedule 1 is taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Western Corridor Recycled Water Scheme, and vest in the Coordinator-General on and from 28 October 2010.

Rights and obligations

3. That the rights and obligations conferred and imposed by the Easements in Schedule 1 includes the matters set out in Schedule 2.

SCHEDULE 1

Easements Taken

Easement F in Lot 396 on Crown Plan CH31224 on Survey Plan 221337 (being a plan to be registered in the Queensland Land Registry) County of Churchill Parish of Brassall being part of the land contained in Title Reference 16398199.

Easement A in Lot 3 on Registered Plan 97572 on Survey Plan 229905 (being a plan to be registered in the Queensland Land Registry) County of Cavendish Parish of Esk being part of the land contained in Title Reference 13583019.

(SCHEDULE ENDS)

SCHEDULE 2

*State Development and Public Works
Organisation Act 1971*

**Rights and Obligations Under
Easement**

1 INTERPRETATION

- 1.1 In this Schedule:

“**Burdened Land**” means the land over which the Easement is taken.

“**Coordinator-General**” means The Coordinator-General, the corporation sole constituted under the *State Development and Public Works Organisation Act 1971* and where the context permits, the servants, agents, contractors, subcontractors and licensees of the Coordinator-General and other persons authorised by the Coordinator-General to exercise the Coordinator-General’s rights under the Easement, and, where applicable, means the assignee or transferee of The Coordinator-General.

“**Easement**” means the easement taken by the Coordinator-General including but not limited to the terms and conditions contained in this Schedule.

“**Easement Area**” means that portion of the Burdened Land over which the Easement is obtained.

“**Infrastructure**” means infrastructure of any kind required for and/or incidental to the Project and without limitation includes infrastructure relating to the transportation, movement, transmission or flow of anything, including, for example, goods, material, substances, matter, particles with or without charge, light, energy, information and anything generated or produced.

“**Landowner**” means the person who is a registered owner of the Burdened Land from time to time.

“**Project**” means the Western Corridor Recycled Water Scheme as referred to in the *Water Regulation 2002*.

- 1.2 If the Landowner or the party having the benefit of the Easement consists of two or more persons at any time:
- (a) a reference in the Easement to that party is to be read as a reference to each of those persons individually, and each combination of them jointly; and
 - (b) those persons are bound and benefited by the Easement both individually and in each combination of them jointly.
- 1.3 A reference in the Easement to a person includes a reference to a body corporate (including a local government) and every other kind of legal person.
- 1.4 The Easement is intended to burden the land described in Schedule 1 and in accordance with the *State Development and Public Works Organisation Act 1971* and the process set out in section 6 (2) of the *Acquisition of Land Act 1967*. The Coordinator-General is a public utility provider under the *Land Title Act 1994* and the *Land Act 1994*. The Easement may be registered as a public utility easement.
- 2 RIGHTS AND OBLIGATIONS OF COORDINATOR-GENERAL**
- 2.1 The Coordinator-General may:
- (a) install, repair, maintain, remove, replace, clean, clear, add to and alter any Infrastructure on, in or through the Easement Area from time to time;
 - (b) inspect or survey the Easement Area, or any Infrastructure on it, from time to time;
 - (c) undertake mowing, slashing and vegetation (including without limitation timber, trees and crops) control or removal in relation to the Easement Area from time to time;
 - (d) break open the soil of the Easement Area (both on the surface and subsurface) for the purpose of doing or getting ready to do any of the other things that the Coordinator-General can do under the Easement;
 - (e) enter, exit and traverse by whatever means, and remain on (for so long as is necessary) the Easement Area for the purpose of doing or getting ready to do any of the things the Coordinator-General can do under the Easement;
 - (f) pull down or break open any fencing on the Easement Area in order to enter or exit it (but only after, except in the case of an emergency, giving reasonable prior notice to the Landowner if any livestock are contained within the fenced area);
 - (g) take anything onto the Easement Area and use and operate what has been taken onto the Easement Area; and
 - (h) do on the Easement Area anything which in the Coordinator-General's opinion is necessary or convenient for, or incidental to, exercising The Coordinator-General's rights under the Easement,

including, as examples but without limitation:

- (1) stockpiling Infrastructure or items required for or relating to the installation, repair, maintenance, removal, replacement, cleaning, clearing, addition or alteration of Infrastructure;
- (2) stockpiling soil dug up on or from under the Easement Area; and
- (3) temporarily restricting access to the Easement Area or parts of it, by whatever means the Coordinator-General thinks fit including fencing off the Easement Area or parts of it, and doing other things to provide for the security of Infrastructure or persons or livestock, items referred to in subparagraph (1) or soil referred to in subparagraph (2).

2.2 The Coordinator-General shall have the right to authorise, permit or license other parties to use the Easement Area for all or any of the purposes as The Coordinator-General may do so under the Easement, and otherwise to exercise the same rights and powers as The Coordinator-General under the Easement

subject to all the conditions and restrictions upon such rights as are set out in the Easement.

2.3 In exercising rights and powers under the Easement, the Coordinator-General and/or persons authorised, permitted or licensed from time to time by The Coordinator-General to use the Easement Area for the purposes of the Easement must:

- (a) ensure that any work done on the Easement Area is done properly;
- (b) cause as little inconvenience as is reasonably practicable to the Landowner;
- (c) restore the Easement Area as nearly as is reasonably practicable to its former condition if the Easement Area is damaged or changed by the work done on the Easement Area; and
- (d) comply with all applicable laws regarding occupational, health and safety in the undertaking of any work done on the Easement Area.

2.4 If the Landowner breaches the Easement, the Coordinator-General may do anything that is reasonably necessary to correct the breach (such as removing a structure erected on the Easement Area in breach of the Easement). Any action in rectifying such breach shall be taken without the Coordinator-General incurring any liability to the Landowner.

3 RIGHTS AND OBLIGATIONS OF LANDOWNER

3.1 The Landowner must:

- (a) not erect or permit to be erected any improvement,

- building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area without the prior written consent of the Coordinator-General;
- (b) maintain and repair, and not change, any existing improvement, building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area (other than the Infrastructure);
- (c) not alter the ground level of the Easement Area or change its topography or do anything to cause inundation of the Easement Area by water without the prior written consent of the Coordinator-General;
- (d) not plant trees on the Easement Area without the prior written consent of The Coordinator-General;
- (e) not crop, dig or plough the Easement Area or cause the lighting of fires on or adjacent the Easement Area without the prior written consent of the Coordinator-General;
- (f) exercise reasonable care to ensure that any Infrastructure on the Easement Area is not damaged;
- (g) not interfere with, damage or place at risk any Infrastructure on the Easement Area from time to time or interfere with anything that the Coordinator-General is storing or has placed on the Easement Area from time to time (including plant and equipment, stockpiles of soil dug up from or from under the Easement Area or any other stockpiles) without the prior written consent of the Coordinator-General;
- (h) not cause a nuisance that adversely affects the Coordinator-General's rights and powers under the Easement or any Infrastructure on the Easement Area from time to time, but if any nuisance is caused, then promptly abate such nuisance;
- (i) use the Landowner's best endeavours to prevent anyone else doing any of the things that the Landowner is required not to do under the Easement and not allow or authorise anyone else to do any of those things;
- (j) not interfere with or obstruct the Coordinator-General in the exercise or enjoyment of its rights and powers under the Easement; and
- (k) not grant any rights to any person in relation to the Easement Area to the extent the granting of those other rights could or will conflict or interfere with the Infrastructure or the exercise of any of the Coordinator-General's rights and powers under the Easement.

4 OTHER MATTERS

4.1 Ownership of Infrastructure

All Infrastructure and other things brought onto or installed on, in or through the Easement Area from time to time by the Coordinator-General will, as between the Landowner and the Coordinator-General, notwithstanding any affixation to the Easement Area, remain the property of the Coordinator-General (unless otherwise assigned).

4.2 Fences

If the Coordinator-General pulls down or breaks open any fencing under the Easement:

- (a) the Coordinator-General may either repair the fencing it has pulled down or broken open or install a gate in place of that fencing to at least a standard reasonably equivalent to that of the fencing before it was pulled down or broken open;
- (b) the owner of the fencing that was pulled down or broken open will become the owner of the repaired fencing or gate; and
- (c) that owner must maintain the repaired fencing or gate.

4.3 Stamping and registering of Easement

The Coordinator-General must stamp (if required) and register the Easement and pay all duty and registration fees on the Easement.

4.4 Mining or petroleum tenement

The Landowner is to use their best endeavours to give the Coordinator-General a copy of

any notification received by the Landowner in respect of any application for a mining or petroleum tenement under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or any similar or replacement legislation, in respect of land which includes all or any part of the Easement Area, within 7 days after the Landowner receives such notification.

4.5 Further assurances

The Landowner will execute every deed, instrument, assurance or other document and do all such things as may be necessary to secure the rights of the Coordinator-General conferred by the Easement as the Coordinator-General may reasonably require, including (without limitation) obtaining the consent of any person necessary and producing the title document for the Easement Area and executing all documents necessary to give effect to any proposed assignment, transfer, encumbrance or other dealing by the Coordinator-General in respect of the Easement Area.

5 NOTICE

5.1 General

Any notice, demand, certification, process or other communication given in relation to the Easement must be in writing in English and may be signed by an authorised officer or agent of the party giving the notice.

5.2 How to give a communication

A communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current address for notices;
- (c) sent to the party's current address for notices by pre-paid ordinary mail or, if the address is outside Australia, by pre-paid airmail; or
- (d) sent by fax to the party's current fax number for notices.

5.3 Particulars for delivery of notices

The address and facsimile number of the Coordinator-General and Landowner is that specified below or that which a party specifies by written notice to the other party from time to time:

The Coordinator-General:

Address: The Coordinator-General
PO Box 15009
Brisbane City East Qld
4002

Fax: (07) 3224 2978

Attention: Executive Director, Land Acquisition, Department of Infrastructure and Planning

Landowner: The address and facsimile notified to the Coordinator-General and in the absence of such notice, the address shall be the land of which the Burdened Land forms part.

6 COORDINATOR-GENERAL'S CONSENT

- (a) Subject to clause 6 (b), the Coordinator-General may conditionally or unconditionally give or withhold any consent to be given under the Easement and is not obliged to give reasons for doing so.
- (b) The Coordinator-General will not unreasonably

refuse or withhold its consent to the Landowner:

- (i) maintaining any existing road across the Easement Area; and

- (ii) subject to clause 6 (c), erecting and maintaining any fence across the Easement Area if:

- (A) each fence includes a lockable gate in a location agreed with the Coordinator-General; and

- (B) the Landowner supplies a set of keys to the lockable gate to the Coordinator-General.

- (c) It will be reasonable for the Coordinator-General to refuse or withhold its consent if the actions of the Landowner are, in the Coordinator-General's opinion, likely to jeopardise the safety, security or operation of, or interfere with the Infrastructure or restrict the Coordinator-General's access or other rights under the Easement along or across the Easement Area.

7 SEVERABILITY

- (a) Subject to clause 7 (b), if a provision of the Easement is illegal or unenforceable in any relevant jurisdiction, it may be severed for the purposes of that jurisdiction without affecting the enforceability of the other provisions of the Easement.
- (b) Clause 7 (a) does not apply if severing the provision materially alters the scope and nature of the Easement or the relative commercial or financial positions of the parties, or would be contrary to public policy.

8 INDEMNITY FOR LANDOWNER

The Coordinator-General indemnifies the Landowner including any successors in title to the Burdened Land, against all actions, suits, proceedings, demands, claims, losses, damages, costs and expenses, excluding any indirect or consequential loss ("Claims") arising from:

- (a) any breach by the Coordinator-General of the terms of the Easement; and
- (b) any act or omission of the Coordinator-General in the exercise of its rights under the Easement; except to the extent that any Claims are:
- (c) caused; or
- (d) contributed to (but only to the extent of that contribution), by the act or omission of the Landowner or its employees, officers, agents or contractors.

(SCHEDULE ENDS)

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Infrastructure and Planning.

*State Development and Public Works
Organisation Act 1971
Acquisition of Land Act 1967*

**TAKING OF LAND NOTICE
(No. 16) 2010**

Short title

1. This notice may be cited as the *Taking of Land Notice (No. 16) 2010*.

Easement taken

2. The Easement described in Schedule 1 is taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Western Corridor Recycled Water Scheme, and vest in the Coordinator-General on and from 28 October 2010.

Rights and obligations

3. That the rights and obligations conferred and imposed by the Easement in Schedule 1 includes the matters set out in Schedule 2.

SCHEDULE 1

Easement Taken

Easement AA in Lot 166 on Registered Plan 207879 on Survey Plan 229389 (being a plan to be registered in the Queensland Land Registry) County of Stanley Parish of Tingalpa being part of the land contained in Title Reference 17018241.

(SCHEDULE ENDS)

SCHEDULE 2

*State Development and Public Works
Organisation Act 1971*

**Rights and Obligations Under
Easement**

1 INTERPRETATION

1.1 In this Schedule:

“**Burdened Land**” means the land over which the Easement is taken.

“**Coordinator-General**” means The Coordinator-General, the corporation sole constituted under

the *State Development and Public Works Organisation Act 1971* and where the context permits, the servants, agents, contractors, subcontractors and licensees of the Coordinator-General and other persons authorised by the Coordinator-General to exercise the Coordinator-General’s rights under the Easement, and, where applicable, means the assignee or transferee of The Coordinator-General.

“**Easement**” means the easement taken by the Coordinator-General including but not limited to the terms and conditions contained in this Schedule.

“**Easement Area**” means that portion of the Burdened Land over which the Easement is obtained.

“**Infrastructure**” means infrastructure of any kind required for and/or incidental to the Project and without limitation includes infrastructure relating to the transportation, movement, transmission or flow of anything, including, for example, goods, material, substances, matter, particles with or without charge, light, energy, information and anything generated or produced.

“**Landowner**” means the person who is a registered owner of the Burdened Land from time to time.

“**Project**” means the Western Corridor Recycled Water Scheme as referred to in the *Water Regulation 2002*.

- 1.2 If the Landowner or the party having the benefit of the Easement consists of two or more persons at any time:

- (a) a reference in the Easement to that party is to be read as a reference to each of those persons individually, and each combination of them jointly; and

- (b) those persons are bound and benefited by the Easement both individually and in each combination of them jointly.
- 1.3 A reference in the Easement to a person includes a reference to a body corporate (including a local government) and every other kind of legal person.
- 1.4 The Easement is intended to burden the land described in Schedule 1 and in accordance with the *State Development and Public Works Organisation Act 1971* and the process set out in section 6 (2) of the *Acquisition of Land Act 1967*. The Coordinator-General is a public utility provider under the *Land Title Act 1994* and the *Land Act 1994*. The Easement may be registered as a public utility easement.
- 2 RIGHTS AND OBLIGATIONS OF COORDINATOR-GENERAL**
- 2.1 **The Coordinator-General may:**
- (a) install, repair, maintain, remove, replace, clean, clear, add to and alter any Infrastructure on, in or through the Easement Area from time to time;
- (b) inspect or survey the Easement Area, or any Infrastructure on it, from time to time;
- (c) undertake mowing, slashing and vegetation (including without limitation timber, trees and crops) control or removal in relation to the Easement Area from time to time;
- (d) break open the soil of the Easement Area (both on the surface and subsurface) for the purpose of doing or getting ready to do any of the other things that the Coordinator-General can do under the Easement;
- (e) enter, exit and traverse by whatever means, and remain on (for so long as is necessary) the Easement Area for the purpose of doing or getting ready to do any of the things the Coordinator-General can do under the Easement;
- (f) pull down or break open any fencing on the Easement Area in order to enter or exit it (but only after, except in the case of an emergency, giving reasonable prior notice to the Landowner if any livestock are contained within the fenced area);
- (g) take anything onto the Easement Area and use and operate what has been taken onto the Easement Area; and
- (h) do on the Easement Area anything which in the Coordinator-General's opinion is necessary or convenient for, or incidental to, exercising the Coordinator-General's rights under the Easement, including, as examples but without limitation:
- (1) stockpiling Infrastructure or items required for or relating to the installation, repair, maintenance, removal, replacement, cleaning, clearing, addition or alteration of Infrastructure;
 - (2) stockpiling soil dug up on or from under the Easement Area; and
 - (3) temporarily restricting access to the Easement Area or parts of it, by whatever means the Coordinator-General

- thinks fit including fencing off the Easement Area or parts of it, and doing other things to provide for the security of Infrastructure or persons or livestock, items referred to in subparagraph (1) or soil referred to in subparagraph (2).
- 2.2 The Coordinator-General shall have the right to authorise, permit or license other parties to use the Easement Area for all or any of the purposes as the Coordinator-General may do so under the Easement, and otherwise to exercise the same rights and powers as the Coordinator-General under the Easement subject to all the conditions and restrictions upon such rights as are set out in the Easement.
- 2.3 In exercising rights and powers under the Easement, the Coordinator-General and/or persons authorised, permitted or licensed from time to time by the Coordinator-General to use the Easement Area for the purposes of the Easement must:
- (a) ensure that any work done on the Easement Area is done properly;
 - (b) cause as little inconvenience as is reasonably practicable to the Landowner;
 - (c) restore the Easement Area as nearly as is reasonably practicable to its former condition if the Easement Area is damaged or changed by the work done on the Easement Area; and
 - (d) comply with all applicable laws regarding occupational, health and safety in the undertaking of any work done on the Easement Area.
- 2.4 If the Landowner breaches the Easement, the Coordinator-General may do anything that is reasonably necessary to correct the breach (such as removing a structure erected on the Easement Area in breach of the Easement). Any action in rectifying such breach shall be taken without the Coordinator-General incurring any liability to the Landowner.
- 3 RIGHTS AND OBLIGATIONS OF LANDOWNER**
- 3.1 **The Landowner must:**
- (a) not erect or permit to be erected any improvement, building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area without the prior written consent of The Coordinator-General;
 - (b) maintain and repair, and not change, any existing improvement, building, structure, pipeline, services, road, fence, driveway or paving on or through the Easement Area (other than the Infrastructure);
 - (c) not alter the ground level of the Easement Area or change its topography or do anything to cause inundation of the Easement Area by water without the prior written consent of the Coordinator-General;
 - (d) not plant trees on the Easement Area without the prior written consent of the Coordinator-General;
 - (e) not crop, dig or plough the Easement Area or cause the lighting of fires on or adjacent the Easement Area without the prior written consent of the Coordinator-General;

- (f) exercise reasonable care to ensure that any Infrastructure on the Easement Area is not damaged;
- (g) not interfere with, damage or place at risk any Infrastructure on the Easement Area from time to time or interfere with anything that the Coordinator-General is storing or has placed on the Easement Area from time to time (including plant and equipment, stockpiles of soil dug up from or from under the Easement Area or any other stockpiles) without the prior written consent of the Coordinator-General;
- (h) not cause a nuisance that adversely affects the Coordinator-General's rights and powers under the Easement or any Infrastructure on the Easement Area from time to time, but if any nuisance is caused, then promptly abate such nuisance;
- (i) use the Landowner's best endeavours to prevent anyone else doing any of the things that the Landowner is required not to do under the Easement and not allow or authorise anyone else to do any of those things;
- (j) not interfere with or obstruct the Coordinator-General in the exercise or enjoyment of its rights and powers under the Easement; and
- (k) not grant any rights to any person in relation to the Easement Area to the extent the granting of those other rights could or will conflict or interfere with the Infrastructure or the exercise

of any of the Coordinator-General's rights and powers under the Easement.

4 OTHER MATTERS

4.1 Ownership of Infrastructure

All Infrastructure and other things brought onto or installed on, in or through the Easement Area from time to time by the Coordinator-General will, as between the Landowner and the Coordinator-General, notwithstanding any affixation to the Easement Area, remain the property of the Coordinator-General (unless otherwise assigned).

4.2 Fences

If the Coordinator-General pulls down or breaks open any fencing under the Easement:

- (a) the Coordinator-General may either repair the fencing it has pulled down or broken open or install a gate in place of that fencing to at least a standard reasonably equivalent to that of the fencing before it was pulled down or broken open;
- (b) the owner of the fencing that was pulled down or broken open will become the owner of the repaired fencing or gate; and
- (c) that owner must maintain the repaired fencing or gate.

4.3 Stamping and registering of Easement

The Coordinator-General must stamp (if required) and register the Easement and pay all duty and registration fees on the Easement.

4.4 Mining or petroleum tenement

The Landowner is to use their best endeavours to give the Coordinator-General a copy of any notification received by the Landowner in respect of any application for a mining or

petroleum tenement under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or any similar or replacement legislation, in respect of land which includes all or any part of the Easement Area, within 7 days after the Landowner receives such notification.

4.5 Further assurances

The Landowner will execute every deed, instrument, assurance or other document and do all such things as may be necessary to secure the rights of the Coordinator-General conferred by the Easement as the Coordinator-General may reasonably require, including (without limitation) obtaining the consent of any person necessary and producing the title document for the Easement Area and executing all documents necessary to give effect to any proposed assignment, transfer, encumbrance or other dealing by the Coordinator-General in respect of the Easement Area.

5 NOTICE

5.1 General

Any notice, demand, certification, process or other communication given in relation to the Easement must be in writing in English and may be signed by an authorised officer or agent of the party giving the notice.

5.2 How to give a communication

A communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current address for notices;
- (c) sent to the party's current address for notices by pre-paid ordinary mail or, if the

address is outside Australia, by pre-paid airmail; or

- (d) sent by fax to the party's current fax number for notices.

5.3 Particulars for delivery of notices

The address and facsimile number of the Coordinator-General and Landowner is that specified below or that which a party specifies by written notice to the other party from time to time:

The Coordinator-General:

Address: The Coordinator-General
PO Box 15009
Brisbane City East Qld
4002

Fax: (07) 3224 2978

Attention: Executive Director, Land
Acquisition, Department
of Infrastructure and
Planning

Landowner: The address and facsimile notified to the Coordinator-General and in the absence of such notice, the address shall be the land of which the Burdened Land forms part.

6 COORDINATOR-GENERAL'S CONSENT

- (a) Subject to clause 6(b), the Coordinator-General may conditionally or unconditionally give or withhold any consent to be given under the Easement and is not obliged to give reasons for doing so.

- (b) The Coordinator-General will not unreasonably refuse or withhold its consent to the Landowner:

- (i) maintaining any existing road across the Easement Area; and

- (ii) subject to clause 6(c), erecting and maintaining any fence

across the Easement Area if:

- (A) each fence includes a lockable gate in a location agreed with the Coordinator-General; and
 - (B) the Landowner supplies a set of keys to the lockable gate to the Coordinator-General.
- (c) It will be reasonable for the Coordinator-General to refuse or withhold its consent if the actions of the Landowner are, in the Coordinator-General's opinion, likely to jeopardise the safety, security or operation of, or interfere with the Infrastructure or restrict the Coordinator-General's access or other rights under the Easement along or across the Easement Area.

7 SEVERABILITY

- (a) Subject to clause 7(b), if a provision of the Easement is illegal or unenforceable in any relevant jurisdiction, it may be severed for the purposes of that jurisdiction without affecting the enforceability of the other provisions of the Easement.
- (b) Clause 7(a) does not apply if severing the provision materially alters the scope and nature of the Easement or the relative commercial or financial positions of the parties, or would be contrary to public policy.

8 INDEMNITY FOR LANDOWNER

The Coordinator-General indemnifies the Landowner including any successors in title to the Burdened Land, against all actions, suits, proceedings, demands, claims, losses, damages, costs and expenses, excluding any indirect or consequential loss ("Claims") arising from:

- (a) any breach by the Coordinator-General of the terms of the Easement; and
- (b) any act or omission of the Coordinator-General in the exercise of its rights under the Easement;

except to the extent that any Claims are:

- (c) caused; or
- (d) contributed to (but only to the extent of that contribution), by the act or omission of the Landowner or its employees, officers, agents or contractors.

(SCHEDULE ENDS)

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Infrastructure and Planning.

*State Development and Public Works
Organisation Act 1971
Acquisition of Land Act 1967*

**TAKING OF LAND NOTICE
(No. 17) 2010**

Short title

1. This notice may be cited as the *Taking of Land Notice (No. 17) 2010*.

Easement taken

2. The Easement described in Schedule 1 is taken by the Coordinator-General pursuant to the *State Development and Public Works Organisation Act 1971* for the purpose of works to be undertaken for the Stanwell to Gladstone Infrastructure Corridor, and vest in the Coordinator-General on and from 28 October 2010.

Rights and obligations

3. That the rights and obligations conferred and imposed by the Easement in Schedule 1 includes the matters set out in Schedule 2.

**SCHEDULE 1
Easement Taken**

Easement B in Lot 180 on Crown Plan P40100 on Survey Plan 226003 (being a plan to be registered in the Queensland Land Registry) County of Livingstone Parish of Gracemere being part of the land contained in Title Reference 30012092.

(SCHEDULE ENDS)

SCHEDULE 2

*Acquisition of Land Act 1967
State Development and Public Works
Organisation Act 1971*

**Rights and Obligations Under Easement
for Infrastructure Corridor
Stanwell- Gladstone Infrastructure
Corridor State Development Area**

1 INTERPRETATION

- 1.1 In this Schedule:

“**Burdened Land**” means the whole of the land owned by the Landowner that is burdened by the Easement.

“**Consequential Loss**” means any Loss, however caused, which is a consequence of another Loss (regardless of whether or not the possibility of the Loss was contemplated or communicated when the Easement was granted).

“**Constructor**” means the person or persons licensed from time to time by the Coordinator-General to construct Infrastructure on the Easement Area.

“**Construction Licence**” means a licence from the Coordinator-General to a Constructor which permits the construction of Infrastructure on the Easement Area.

“**Coordinator-General**” means the Coordinator-General, the corporation sole constituted under the *State Development and Public Works Organisation Act 1971* and where the context permits, the servants, agents, contractors, subcontractors and licensees of the Coordinator-General and other persons authorised by the Coordinator-General to exercise the Coordinator-General’s rights under the Easement.

“**Easement**” means the easement taken by the Coordinator-General including the terms and conditions contained in this Schedule.

“**Easement Area**” means that portion of the Burdened Land taken by the Coordinator-General for the Easement.

“**Infrastructure**” means anything relating to the transportation, movement, transmission or flow of anything, including for example, goods, materials, substances, matter, particles with or without charge, light, energy, information and anything generated or produced as well as anything reasonably associated with or ancillary to such things which may

be below or above ground but does not include road or rail infrastructure.

“**Landowner**” means the registered owner or registered lessee of the Burdened Land, or such other person who has an estate or interest in the Burdened Land, from time to time.

“**Loss**” means any damage, claim, action, loss, expense, proceeding or liability.

“**Operator**” means a person or persons licensed from time to time by the Coordinator-General to operate Infrastructure on the Easement Area.

“**Operation Licence**” means a licence from the Coordinator-General to an Operator which permits the operation of Infrastructure on the Easement Area.

“**SGIC Land Use Protocol**” means the land use protocol developed by the Coordinator-General for the Stanwell–Gladstone Infrastructure Corridor State Development Area, as may be amended by the Co-ordinator General from time to time.

1.2 If the Landowner or the Coordinator-General consists of two or more persons at any time:

(a) a reference in the Easement to that party is to be read as a reference to each of those persons individually, and each combination of them jointly; and

(b) those persons are bound and benefited by the Easement both individually and in each combination of them jointly.

1.3 A reference in the Easement to a person includes a reference to a body corporate (including a local government) and every other kind of legal person.

1.4 The Easement burdens the Burdened Land in accordance with section 6(2) of the *Acquisition of Land Act 1967*.

2 RIGHTS AND OBLIGATIONS OF COORDINATOR-GENERAL

2.1 The Coordinator-General and all persons authorised, permitted or licensed from time to time by the Coordinator-General including but not limited to Constructors, Operators and the surveyors, servants, agents, consultants, contractors and sub-contractors of the Coordinator-General, Constructors and Operators may from time to time:

(a) construct, install, repair, maintain, remove, replace, clean, clear, add to and alter any Infrastructure on, in, under, through or over the Easement Area;

(b) inspect or survey the Easement Area, or any Infrastructure on it;

(c) undertake mowing, slashing and vegetation (including without limitation timber, trees and crops) control or removal in relation to the Easement Area;

(d) break open the soil of the Easement Area (both on the surface and subsurface) for the purpose of doing or getting ready to do any of the other things that the Coordinator-General can do under the Easement;

(e) enter, exit and traverse by whatever means, and remain on (for so long as is necessary) the Easement Area for the purpose of doing or getting ready to do any of the things the Coordinator-General can do under the Easement;

(f) pull down or break open any fencing on the Easement Area (including the installation of gates in such fencing at the cost of the Coordinator-General) in order to enter or exit it (but only after, except in the case of an emergency, giving reasonable prior notice to the Landowner if

- any livestock are contained within the fenced area);
- (g) scour water from any pipeline that forms part of any Infrastructure and discharge that water on to the Easement Area;
 - (h) remove and dispose of spoil created as a consequence of exercising its rights under this Easement;
 - (i) take anything onto the Easement Area and use and operate what has been taken onto the Easement Area; and
 - (j) do on the Easement Area anything which in the Coordinator-General's opinion is necessary or convenient for, or incidental to exercising the Coordinator-General's rights under the Easement, including, as examples but without limitation:
 - (1) stockpiling anything required for or relating to the construction, installation, repair, maintenance, removal, replacement, cleaning, clearing, addition or alteration of Infrastructure;
 - (2) stockpiling soil dug up on or from under the Easement Area;
 - (3) temporarily restricting access to the Easement Area or parts of it, by whatever means the Coordinator-General thinks fit including fencing off the Easement Area or parts of it, and doing other things to provide for the construction, installation, alteration, maintenance, repair or security of Infrastructure, items referred to in subparagraph (1) or soil referred to in subparagraph (2); and
 - (4) anything reasonably determined by the Coordinator-General to be required for the purpose of establishing, operating and maintaining Infrastructure in the Easement Area.
- 2.2 (a) The Landowner acknowledges and agrees that the Coordinator-General does not need to exercise its rights and powers under the Easement personally and the Coordinator-General's rights and powers under the Easement are not intended to be exclusive to the Coordinator-General. The Coordinator-General may authorise other people to exercise those rights and powers, including Constructors and Operators.
- (b) The Coordinator-General shall have the right to authorise, permit or licence other parties to use the Easement Area for all or any of the purposes as the Coordinator-General may do so under the Easement, including granting Construction Licences and/or Operation Licences and otherwise to exercise the same rights and powers as the Coordinator-General under the Easement subject to all the conditions and restrictions upon such rights as are set out in the Easement.
- (c) The Coordinator-General must not:
 - (1) grant a Construction Licence to a Constructor unless and until the Constructor agrees to be bound by the terms of the Easement including:
 - (i) compliance with the SGIC Land Use Protocol;
 - (ii) restoration of the Easement Area

- pursuant to clause 2.3(d); and
- (iii) payment of compensation pursuant to clause 2.5.
- (2) grant an Operation Licence to an Operator unless and until:
- (i) the Coordinator-General has previously issued a Construction Licence for the relevant Infrastructure; and
- (ii) the Coordinator General is satisfied the Constructor (or its successors) has complied with clause 2.3(d) or paid compensation pursuant to clause 2.5.
- 2.3 In exercising rights and powers under the Easement, the Coordinator-General and/or persons authorised, permitted or licensed from time to time by the Coordinator-General to use the Easement Area, including Constructors and Operators must:
- (a) comply with the SGIC Land Use Protocol, or caused the SGIC Land Use Protocol to be complied with;
- (b) ensure that any work done on the Easement Area is done properly in accordance with standard industry practice from time to time;
- (c) cause as little inconvenience as is reasonably practicable to the Landowner;
- (d) restore the Easement Area as nearly as is reasonably practicable to its former condition if the Easement Area is damaged or changed by the work done on the Easement Area;
- (e) comply with all applicable laws regarding occupational health and safety in the undertaking of any work done on the Easement Area;
- (f) carry out all activities on the Easement Area in accordance with all relevant Commonwealth, State and local government laws; and
- (g) from the commencement of construction on the Easement Area, take all reasonable steps and precautions, in connection with any work performed on the Easement Area and at all times while such work is being performed, adopt methods of practice to prevent and treat any outbreak of weed infestation on the Easement Area (including parthenium weed) arising from the work performed on the Easement Area. For the avoidance of doubt the Coordinator-General and all such persons authorised, permitted or licensed by the Coordinator-General to perform work in the Easement Area shall be under no obligation to eradicate any weed infestation on the Easement Area which existed prior to the commencement of work in the Easement Area or subsequently results other than due to work performed on the Easement Area.
- 2.4 If the Landowner breaches any term of the Easement, the Coordinator-General or persons authorised, permitted or licensed by the Coordinator-General to use the Easement Area may do anything that is reasonably necessary to correct the breach (such as removing a structure erected on the Easement Area in breach of the Easement). Any such

action shall be taken without the Coordinator-General or persons authorised, permitted or licensed by the Coordinator-General incurring any liability to the Landowner.

2.5 Where the Coordinator-General, or persons authorised, permitted or licensed by the Coordinator-General to use the Easement Area, cause loss or damage to the property of the Landowner on the Easement Area, the Coordinator-General or persons authorised, permitted or licensed by the Coordinator-General to use the Easement Area must either:

- (1) repair, or replace the property of the Landowner as nearly as reasonably practicable to the condition existing at the time of the loss or damage or pay the Landowner reasonable compensation to repair or replace the property of the Landowner as nearly as reasonably practicable to the condition existing at the time of the loss or damage; or
- (2) if it is not reasonable or desirable to repair or replace the property, compensate the Landowner for the loss or damage caused.

2.6 Notwithstanding anything in this Easement or the SGIC Land Use Protocol, the Coordinator-General's liability:

- (1) is limited in accordance with the *State Development and Public Works Organisation Act 1971*; and
- (2) excludes Consequential Loss howsoever caused.

3 RIGHTS AND OBLIGATIONS OF LANDOWNER

3.1 The Landowner must:

- (a) allow the Coordinator-General unobstructed access to, and

egress from, the Easement Area at all times.

- (b) not excavate, drill or erect or permit to be erected any improvement, building, structure, pipeline, services, private road or access track, fence, driveway, paving, billboard, or cable in, under, on, through or above the Easement Area without the prior written consent of the Coordinator-General;
- (c) maintain and repair, and not change any such improvement, building, structure, pipeline, services, private road or access track, fence, driveway, paving, billboard or cable in, under, on, above or through the Easement Area (other than removing any structure erected on the Easement Area in breach of the Easement);
- (d) avoid activities which might adversely affect the subsoil stability and surface drainage of the Easement Area without the prior written consent of the Coordinator-General;
- (e) not alter the ground level, or alter or disturb the present grades of the Easement Area or change its topography or allow inundation of the Easement Area by water without the prior written consent of the Coordinator-General;
- (f) not plant orchards, vines, trees, and shrubs on the Easement Area without the prior written consent of the Coordinator-General;
- (g) not crop, dig, plough or carry out deep ripping or blade ploughing of the Easement Area so as to interfere with the Easement Area or any rights pertaining to the Easement Area

- without the prior written consent of the Coordinator-General;
- (h) exercise reasonable care to ensure that any Infrastructure on the Easement Area is not damaged;
 - (i) not interfere with, damage or place at risk any Infrastructure on the Easement Area from time to time or interfere with anything that the Coordinator-General or a person authorised, permitted or licensed by the Coordinator-General is storing or has placed on the Easement Area from time to time (including plant and equipment, stockpiles of soil dug up from or from under the Easement Area or any other stockpiles) without the prior written consent of the Coordinator-General;
 - (j) not take onto the Easement Area any vehicles or equipment weighing in excess of the maximum legal loading for such vehicles or equipment on Queensland roads;
 - (k) not cause a nuisance that adversely affects the Coordinator-General's rights and powers under the Easement or any Infrastructure on the Easement Area from time to time;
 - (l) promptly abate any such nuisance;
 - (m) use its best endeavours to prevent anyone from doing anything that the Landowner must not do under the Easement. The Landowner must not allow or authorise anyone to do anything which the Landowner is not permitted to do under the Easement;
 - (n) promptly notify the Coordinator-General if it becomes aware of anyone doing anything which the Landowner
- is not permitted to do under the Easement;
 - (o) not interfere with or obstruct the Coordinator-General, or any person authorised, permitted or licensed from time to time by the Coordinator-General, in the exercise or enjoyment of its rights and powers under the Easement;
 - (p) not grant any rights to any person in relation to the Easement Area to the extent the granting of those other rights could or will conflict or interfere with the Infrastructure or the exercise of any of the Coordinator-General's rights and powers under the Easement; and
 - (q) provide the Coordinator-General with current contact details for the Landowner and must immediately update the Coordinator-General if these details change.
- 3.2 The Landowner is responsible for the acts and omissions of anyone claiming through the Landowner (such as tenants, licensees and mortgagees). An act or omission of any of those persons is treated for the purposes of the Easement as if it was an act or omission of the Landowner personally.
- 4 OWNERSHIP OF INFRASTRUCTURE**
- All Infrastructure and other things brought into or installed on the Easement Area from time to time by the Coordinator-General will, as between the Landowner and the Coordinator-General, notwithstanding any affixation to the Easement Area, remain the property of the Coordinator-General. The Coordinator-General may remove the whole or part of the Infrastructure at any time and will make good any

damage to the Burdened Land so caused.

5 STAMPING AND REGISTERING OF EASEMENT

The Coordinator-General must:

- (a) stamp (if required) and register the Easement; and
- (b) pay all duty and registration fees (if any) on the Easement.

6 MINING OR PETROLEUM TENEMENT

The Landowner must give the Coordinator-General a copy of any notification received by the Landowner in respect of any application for a mining or petroleum tenement under the *Mineral Resources Act 1989*, the *Petroleum Act 1923*, the *Petroleum and Gas (Production and Safety) Act 2004* or any similar or replacement legislation, in respect of land which includes all or any part of the Easement Area, within 7 days after the Landowner receives such notification.

7 FURTHER ASSURANCES

The Landowner must execute every deed, instrument, assurance or other document and do all such things as may be necessary to secure the rights of the Coordinator-General conferred by the Easement as the Coordinator-General may reasonably require, including (without limitation) obtaining the consent of any person necessary and producing the title document for the Burdened Land and executing all documents necessary to give effect to any proposed assignment, transfer, encumbrance or other dealing by the Coordinator-General in respect of the Easement Area.

8 NOTICE

8.1 General

Any notice, demand, certification, process or other communication given in relation to the Easement must be in writing in English and must be signed by the party giving the notice or by an authorised officer or agent of the party giving the notice.

8.2 How to give a communication

A communication may be given by being:

- (a) personally delivered;
- (b) left at the party's current address for notices;
- (c) sent to the party's current address for notices by pre-paid ordinary mail or, if the address is outside Australia, by pre-paid airmail; or
- (d) sent by fax to the party's current fax number for notices.

8.3 Particulars for delivery of notices

The address and facsimile number of the Coordinator-General and Landowner is that specified below or that which a party specifies by written notice to the other party from time to time:

The Coordinator-General:

Address: The Coordinator-General
PO Box 15009

City East Qld 4002

Fax: (07) 3224 2978

Attention: Executive Director,
Land Acquisition Division,
Department of Infrastructure
and Planning

Landowner:

Address:

Fax:

Attention:

The Landowner must update these contact details as required by clause 3.1(q) of the Easement.

9 COORDINATOR-GENERAL'S CONSENT

- (a) Subject to clause 9(b), the Coordinator-General may conditionally or unconditionally give or withhold any consent to be given under the Easement.
- (b) Subject to clause 9(c), the Coordinator-General will not unreasonably refuse or withhold its consent to the Landowner:
 - (i) maintaining any existing private road or access track within the Easement Area;
 - (ii) where consent of the Coordinator-General is stated to be not to be unreasonably withheld under the SGIC Land Use Protocol;
 - (iii) carrying out normal burning practice; and
 - (iv) erecting and maintaining any fence across the Easement Area if:
 - (A) each fence includes a lockable gate in a location agreed with the Coordinator-General; and
 - (B) at the election of the Coordinator-General, the Landowner installs a lock on the gate and supplies a set of keys to the lockable gate to the Coordinator-General or the Coordinator-General installs the lock and supplies a set of keys to the Landowner.
- (c) It will be reasonable for the Coordinator-General to refuse or withhold its consent if the actions of the Landowner are, in the Coordinator-General's

opinion, likely to jeopardise the safety, security, construction, repair, maintenance, replacement or operation of, or interfere with the Infrastructure or restrict the Coordinator-General's access to, along or across, or egress from, the Easement Area.

10 SEVERABILITY

- (a) Subject to clause 10(b), if a provision of the Easement is illegal or unenforceable in any relevant jurisdiction, it may be severed for the purposes of that jurisdiction without affecting the enforceability of the other provisions of the Easement.
- (b) Clause 10(a) does not apply if severing the provision materially alters the scope and nature of the Easement or the relative commercial or financial positions of the parties, or would be contrary to public policy.

(SCHEDULE ENDS)

ENDNOTES

1. Made by the Governor in Council on 28 October 2010.
2. Published in the Gazette on 29 October 2010.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Infrastructure and Planning.

*Classification of Films Act 1991***APPROVAL OF ORGANISATION**

I, **Bronwyn Jerrard**, Films Classification Officer, having received written application under Section 56(1) of the *Classification of Films Act 1991*, and having regard to matters specified in Section 56(2) of the *Classification of Films Act 1991*, approve **For Us By Us** as an approved organisation under the *Classification of Films Act 1991*.

This approval takes effect on the date of publication in the Gazette.

Bronwyn Jerrard
Films Classification Officer
22/10/2010

ENDNOTES

1. Made by the Films Classification Officer on 22 October 2010.
2. Published in the Gazette on 29 October 2010.
3. The administering agency is the Department of Justice and Attorney-General.

*Coal Mining Safety and Health Act 1999***AMENDMENTS TO COMPETENCIES RECOGNISED BY THE COAL MINING SAFETY AND HEALTH ADVISORY COMMITTEE, 11 OCTOBER 2010**

Pursuant to Part 6 section 76(3) of the *Coal Mining Safety and Health Act 1999*, amendments were made to the Competencies Recognised by the Coal Mining Safety and Health Advisory Committee at the meeting on 12 August 2010. The amended table of Competencies Recognised by the Coal Mining Safety and Health Advisory Committee is posted on the Department of Employment, Economic Development and Innovation, Mining Safety and Health webpage.

Dated this 22 day of October 2010
Stewart Bell
Chair – Mining Safety and Health Advisory Committee

Department of Justice and Attorney-General
Brisbane, 27 October 2010

Holidays Act 1983
PUBLIC HOLIDAYS

It is advised for public information that in pursuance of the provisions of the *Holidays Act 1983* and the *Holidays Amendment Act 2010*, that the following Public Holidays (excluding Show Days) are to be observed in Queensland:-

Holiday	Day	Date of Holiday
New Year's Day 2011	Saturday	1 January 2011
New Year's Day 2011	Monday	3 January 2011
Australia Day	Wednesday	26 January 2011
Good Friday	Friday	22 April 2011
Easter Saturday	Saturday	23 April 2011
Anzac Day	Monday	25 April 2011
Easter Monday	Tuesday	26 April 2011
Labour Day	Monday	2 May 2011
Queen's Birthday	Monday	13 June 2011
Christmas Day	Monday	26 December 2011
Boxing Day	Tuesday	27 December 2011
New Year's Day 2012	Monday	2 January 2012

It is advised for public information that in pursuance of the provisions of the *Holidays Amendment Act 2010*, in addition to the Public Holidays to be observed in Queensland in 2010 previously published in the Queensland Government Gazette on 28 August 2009, that **Saturday, 25 December 2010 will also be a Public Holiday for Christmas Day.**

CAMERON DICK
Attorney-General
and Minister for Industrial Relations

DEPARTMENT OF INFRASTRUCTURE AND PLANNING**NOTICE OF CHIEF EXECUTIVE TESTING APPROVAL NO. T03/2009 AMENDMENT NO. 2***Plumbing and Drainage Act 2002 s.98 (a)*

1. Chief Executive Testing Approval No. T03/2009 Amendment No. 2 was approved on 22 October 2010 for the Baillie Henderson Hospital Laundry Water Recycling Plant manufactured by EcoNova Pty Ltd (now liquidated).
2. Copies of approvals may be viewed on the department web Site at - www.dip.qld.gov.au/plumbing/approved-systems.html
3. Copies of the Chief Executive Approval may be examined during business hours, free of charge, at the –
Department of Infrastructure and Planning
Floor 5
63 George Street
BRISBANE QLD 4000
4. Copies of approvals may be obtained from the Department by telephoning Samantha Roberts on 3404 1480.

Glen Brumby
Executive Director
Building Codes Queensland
Date approved: 22 October 2010

DECLARATION OF A POLICE ESTABLISHMENT

I, Ian Duncan Hunter Stewart, Deputy Commissioner (Regional Operations) in the Queensland Police Service, pursuant to s.10.10 of the *Police Service Administration Act 1990*, and the powers delegated to me, hereby declare the following place to be a police establishment:

**Thursday Island Water Police Office and Boatshed
164 Douglas Street, Thursday Island
as from and including 25 October 2010.**

This declaration is made at Brisbane in the State of Queensland on the 25th October 2010.

IAN STEWART
DEPUTY COMMISSIONER
(REGIONAL OPERATIONS)

*State Development and Public Works Organisation Act 1971***NOTIFICATION OF DEVELOPMENT SCHEME APPROVAL**

On 28 October 2010 under Sections 79 and 80(1) of the *State Development and Public Works Organisation Act 1971* the Governor in Council approved the variation of the development scheme for the Townsville State Development Area.

*Sustainable Planning Act 2009***NOTICE OF THE MAKING OF A TEMPORARY LOCAL PLANNING INSTRUMENT – CITY OF TOWNSVILLE**

I, the Honourable Stirling Hinchliffe MP, Minister for Infrastructure and Planning do hereby notify under section 118(2)(b) of the *Sustainable Planning Act 2009* (the Act) that, under section 129 of the Act, I have made a temporary local planning instrument in relation to development for particular broadband telecommunication facilities. The temporary local planning instrument has effect in the City of Townsville.

The purpose and general effect of the TLPI is to state that development for aerial cabling associated with broadband telecommunication facilities is exempt development for the *Sustainable Planning Act 2009*.

The temporary local planning instrument was adopted on 26 October 2010, and commenced on 29 October 2010. The temporary local planning instrument will have effect up to and including 28 October 2011.

Copies of the temporary local planning instrument are available from:

1. The Townsville City Council's Planning and Development Counter, second floor, administration building, 103-141 Walker Street, Townsville. All enquiries phone 4727 9000 or email enquiries@townsville.qld.gov.au; and
2. The Department of Infrastructure and Planning, shop front, ground floor, 63 George Street Brisbane. All enquiries phone: 3237 1809 or email planning@dip.qld.gov.au

Stirling Hinchliffe
Minister for Infrastructure and Planning

NOTIFICATION OF EXEMPTION

Transport Operations (Marine Safety) Act 1994
Transport Operations (Marine Safety) Regulation 2004

Maritime Safety Agency of Queensland
Brisbane, 21 October 2010

I, Patrick Quirk, General Manager, Maritime Safety Queensland, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994* exempt certain ships from those requirements of Part 2, Division 3, sections 13 (1) & (2) and Division 4, section 23 (1) and (2) of the *Transport Operations (Marine Safety) Regulation 2004* that require those ships to be equipped with a coastal life raft for 100% compliance as prescribed in the National Standard for Commercial Vessels part C, section 7, subsection A, subject to the following conditions;

CONDITIONS

- The ship is a class 2C or class 3C ship less than 15 metres in length and is fitted with internal buoyancy complying with appendix N of section 10 of the Uniform Shipping Laws code.
- The ship is a class 2C or class 3C ship less than 6 metres in length and has a statement in the approved form that the ship has positive flotation.
- The ship was operating in Australia, or is a ship for which a Certificate of Compliance for Design or intent to build was received before 1 October 2010.
- That this exemption be reviewed before 1 October 2015 with consideration of single national jurisdiction requirements current at that time.

PATRICK QUIRK
General Manager
Maritime Safety Queensland

NOTIFICATION OF EXEMPTION

Transport Operations (Marine Safety) Act 1994
Transport Operations (Marine Safety) Regulation 2004

Maritime Safety Queensland
Brisbane, 22 October 2010

I, Patrick Quirk, General Manager, Maritime Safety Queensland, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994* exempt ships mentioned in the schedule from:

- Part 2, Division 3, section 12 and Division 4, section 22 of the *Transport Operations (Marine Safety) Regulation 2004* (TOMSR), relating to the requirement for fire safety equipment for commercial and fishing ships, subject to the following conditions
- Part 5, Division 4, section 111 of TOMSR, relating to the requirement for the master of a registrable commercial or fishing ship to comply with the USL code, section 15, parts 1 and 2 when operating the ship and via NSCV E and NSCV C 4, the requirement that fire protection equipment be serviced according to AS 1851.

SCHEDULE

Ships proceeding on extended voyages and that are unable to engage a fire protection practitioner to provide maintenance to fire protection systems and equipment according to the schedules of AS 1851.

- That an application to operate under the exemption:
 - must include evidence that the ship is to operate on extended voyages such as to preclude the engagement of a fire protection practitioner to perform scheduled maintenance;
 - be accepted and determined by the Regional Harbour Master or Regional Manager.

CONDITIONS

- That the ship's operator have in place, before embarking on an extended voyage, an agreement or contract with a fire protection practitioner concerning activity reports according to schedules described in AS 1851, including:
 - training of master, mate or engineer to carry out required activities, for instance, an onboard briefing about maintenance and recording requirements for the ship's equipment;
 - provision of templates for check lists and activity reports with reference to AS 1851 and ship's equipment manuals; and
 - provision for the fire protection practitioner to check activity reports kept onboard before issuing an annual condition report.
- That annual maintenance activities and condition reports are to be completed by the fire service agency.
- That fire protection equipment maintenance activity reports are kept with those documents required under TOMSR.
- That a record of training received under this exemption is kept with those documents required under TOMSR.
- That the fire protection equipment maintenance plans are part of the ship's safety management plan.
- That the exemption operates only when the ship is on extended voyages that preclude the engagement of a fire protection practitioner for scheduled maintenance.
- That a copy of this notification of exemption is kept with those documents required under TOMSR.

PATRICK QUIRK
General Manager
Maritime Safety Queensland

NOTIFICATION OF FORM APPROVED UNDER THE *STATE PENALTIES ENFORCEMENT ACT 1999*

The following form has been approved by the Assistant Director-General, Strategic Policy, Legal and Executive Services (as delegate for the Chief Executive of the Department of Justice and Attorney-General) for use under the *State Penalties Enforcement Act 1999*:

Form 4048 (Version 2) Enforcement Order (VAQ)

AVAILABILITY OF FORM

Copies of the form are available from the State Penalties Enforcement Registry (telephone (07) 3109 1613).

NOTIFICATION OF FORMS APPROVED UNDER THE *SUPREME COURT OF QUEENSLAND ACT 1991*

The following forms have been approved by the Rules Committee under section 118A of the *Supreme Court of Queensland Act 1991*:

Form 10A (Version 1) Request for service abroad of judicial documents and certificate

Form 10B (Version 1) Summary of document to be served

AVAILABILITY OF FORMS

Copies of the forms are available either from the Department of Justice and Attorney-General (telephone 07 3247 5483) or at <http://www.courts.qld.gov.au>

NOTIFICATION OF APPROVED FORM**1 Reference**

This notice may be referred to as the *Transport (Approval of Driver Licensing Forms) Notice (No. 2) 2010*.

2 Approval

The following form is approved—

- Form F3714, Oct 2010 — Infringement Notice Photographic Detection Device Offence

3 Authorising law

The law under which the form is approved for use is—

- *Transport Operations (Road Use Management) Act 1995*

4 Availability of form

- The form is available from the Traffic Camera Office, Queensland Police Service, GPO Box 1440, Brisbane, QLD 4001.

NOTICE TO ADVERTISERS

Under the Corporations Law, the publishing of a company name must be accompanied by that company's Australian Company Number (A.C.N.). Advertisers are required to submit this A.C.N. along with the company's name.

SDS Publications reserves the right not to publish any advertisement where this information is not supplied.

Queensland Government Gazette Prices as at 1 July 2010

Environment and Resource Management Gazette	\$ 3.24	0.32	\$ 3.56
Transport and Main Roads Gazette	\$ 3.24	0.32	\$ 3.56
Local Government Gazette	\$ 3.24	0.32	\$ 3.56
Vacancies Gazette	\$ 3.24	0.32	\$ 3.56
Government (General) Gazette	\$ 3.24	0.32	\$ 3.56

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GAZETTE ADVERTISEMENTS**Submissions:**

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gazette@sds.qld.gov.au

Contact Numbers:

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Gazette submission fax no..... (07) 3866 0292
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GENERAL & LOCAL GOVERNMENT GAZETTES

All submissions to the General and Local Government Gazettes must be received **before 12 noon on Wednesdays**.

For example:

- Departmental Notices
- Gaming Machine Licence Applications
- Liquor Licence Applications
- Wine Industry - Satellite Cellar Door Applications
- Disposal of Unclaimed Goods
- Land Sales / Resumption of Land
- Meeting Notices
- Dissolution of Partnership Notices
- Unclaimed Monies, etc

Email your submission in Microsoft Word or PDF format to:

gazette@sds.qld.gov.au

OR Fax through your submission to: ... **(07) 3866 0292** with a covering letter.

OR Post to SDS Publications, Gazette Advertising, PO Box 5506, Brendale, Qld, 4500

All payments for non-account submissions must be received by Accounts **before 12 noon on Wednesdays**.

— Quotes are available on request —

A proof is then prepared and sent back to you for approval.

The final approval to print must be returned **before** close of business on Wednesday to be included in Friday's Gazette.

The Gazettes are set to print on Thursday morning and are sent to the printers Thursday afternoon.

Distribution is completed first thing Friday morning.

VACANCIES GAZETTE**Vacancies Section:**

Departments must enter their weekly submissions **before close of business Monday** to the Jobs Online Website:

www.jobs.qld.gov.au

Any changes, additions or deletions can **ONLY** be completed through this website.

Appointments Section (Part I - Appealable and Part II - Non-Appealable):

Departments must email their weekly submissions **before 12 noon on Tuesday** to:

gazette@sds.qld.gov.au



Queensland

NOTIFICATION OF SUBORDINATE LEGISLATION

Statutory Instruments Act 1992

Notice is given of the making of the subordinate legislation mentioned in Table 1

TABLE 1 SUBORDINATE LEGISLATION BY NUMBER

No. Subordinate Legislation
Empowering Act

- 296 Proclamation commencing certain provisions**
Geothermal Energy Act 2010
- 297 Petroleum and Gas (Production and Safety) Amendment Regulation (No. 4) 2010**
Petroleum and Gas (Production and Safety) Act 2004
- 298 Greenhouse Gas Storage Amendment Regulation (No. 1) 2010**
Greenhouse Gas Storage Act 2009
- 299 Proclamation commencing remaining provisions**
Disaster Management and Other Legislation Amendment Act 2010
- 300 State Development and Public Works Organisation (State Development Areas) Amendment Regulation (No. 1) 2010**
State Development and Public Works Organisation Act 1971
- 301 Proclamation commencing certain provisions**
Justice and Other Legislation Amendment Act 2010
- 302 Drug Court Amendment Regulation (No. 1) 2010**
Drug Court Act 2000
- 303 Proclamation commencing remaining provisions**
Integrity Reform (Miscellaneous Amendments) Act 2010
- 304 Proclamation commencing remaining provisions**
Ministerial and Other Office Holder Staff Act 2010
- 305 Proclamation commencing remaining provisions**
Public Interest Disclosure Act 2010

TABLE 2

SUBORDINATE LEGISLATION BY EMPOWERING ACT

This table shows affected subordinate legislation

Empowering Act Subordinate Legislation	No.
Disaster Management and Other Legislation Amendment Act 2010	
Proclamation commencing remaining provisions.	299
Drug Court Act 2000	
Drug Court Regulation 2006	
• amd by Drug Court Amendment Regulation (No. 1) 2010.	302
Geothermal Energy Act 2010	
Proclamation commencing certain provisions	296
Greenhouse Gas Storage Act 2009	
Greenhouse Gas Storage Regulation 2010	
• amd by Greenhouse Gas Storage Amendment Regulation (No. 1) 2010	298
Integrity Reform (Miscellaneous Amendments) Act 2010	
Proclamation commencing remaining provisions.	303
Justice and Other Legislation Amendment Act 2010	
Proclamation commencing certain provisions	301
Ministerial and Other Office Holder Staff Act 2010	
Proclamation commencing remaining provisions.	304
Petroleum and Gas (Production and Safety) Act 2004	
Petroleum and Gas (Production and Safety) Regulation 2004	
• amd by Petroleum and Gas (Production and Safety) Amendment Regulation (No. 4) 2010	297
Public Interest Disclosure Act 2010	
Proclamation commencing remaining provisions.	305
State Development and Public Works Organisation Act 1971	
State Development and Public Works Organisation (State Development Areas) Regulation 2009	
• amd by State Development and Public Works Organisation (State Development Areas) Amendment Regulation (No. 1) 2010	300

Copies of the subordinate legislation can be purchased by arrangement from—

Queensland Government Services Centre, 33 Charlotte Street, Brisbane Qld 4000

To arrange for subordinate legislation to be sent to the centre for your collection please telephone 131304

A mail service or a subscription service for subordinate legislation is also available from—

SDS Publications Telephone: (07) 3883 8700

PO Box 5506 Brendale, Qld 4500 Facsimile: (07) 3883 8720

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*Gaming Machine Act 1991***NOTICE OF APPLICATION FOR A GAMING MACHINE LICENCE****Applicant:** Chippies Mackay Pty Ltd.**Premises:** Lighthouse Tavern.**Premises Address:** Mackay Marina Village, 1 Mulherin Drive, Mackay, Qld, 4740.**Proposed Gaming Hours:**
10:00a.m. to 12:30a.m. - Monday to Sunday.**Number of Gaming Machines Requested:** 40**Community Comment:**

Community comment may be filed by a member of the public over the age of 18 who has a proper interest in the locality concerned and is likely to be affected by the grant of this application.

A MEMBER OF THE PUBLIC EITHER INDIVIDUALLY, OR COLLECTIVELY BY A GROUP OF MEMBERS OF THE PUBLIC, MAY MAKE A SUBMISSION TO THE EXECUTIVE DIRECTOR about the reasonable requirements of the public in the locality and in particular to the matters set out in the *Guidelines—Community Impact Statement and Guidelines—Applicants for Gaming Machine (Site) Licences and Increases*.

All comments received will be provided to the Queensland Gaming Commission; however the Commission will give particular weight to the following:

- comments on how the person expects the grant of the application would contribute to, or detract from, a sense of community in the relevant local community area;
- comments on the anticipated effect the grant of the application would have on the social fabric of the local community;
- comments on the effect the grant of the application may have on persons frequenting a place of worship, child care centres, schools and community social services;
- comments on the effect the grant of the application might have on the amenity or character of the locality to which it relates;
- the number of adverse or supportive comments lodged, provided they are specific to gaming and this application in particular.

For further information please refer to the *Guidelines—Making Community Comment*.

Copies of all Guidelines are available on the Office of Liquor and Gaming Regulation web site at www.olgr.qld.gov.au

Closing Date for Submissions: 25th November 2010**Lodging Submissions:**

Written submissions should be lodged with:

Office of Liquor and Gaming Regulation
Locked Bag 180
CITY EAST QLD 4002

All enquiries should be directed to 3872 0872 or 3872 0843.

COPIES OF SUBMISSIONS WILL BE FORWARDED TO THE APPLICANT.

1657

*Liquor Act 1992***NOTICE OF APPLICATION FOR A LIQUOR LICENCE****Applicant's Name:** Rajwant Kaur.**Premises:** Garden of Eden Café/Restaurant
1551-1559 Waterford-Tamborine Road, Logan Village.**Principal Activity:** Commercial Other (Subsidiary On-Premises) Licence - The provision of meals prepared and served to be eaten on the licensed premises.**Proposed Trading Hours:**
10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact Miss Kelly Jameison, Commercial Licensing Specialists on (07) 5526 0112 or email Kelly@clslicensing.com.au

Closing Date for Objections or Submissions: 24th November 2010**Lodging Objections or Submissions:**

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
Locked Bag 180
CITY EAST QLD 4002
Telephone: (07) 3224 7131

Copies of any objections or submissions will be forwarded to the applicant and a conference may be held.

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1652*Liquor Act 1992***NOTICE OF APPLICATION FOR A LIQUOR LICENCE****Applicant's Name:** Zuza Pty Ltd.**Premises:** Grill'd West End, 88 Boundary Street, West End.**Principal Activity:** Commercial Other (Subsidiary On-premises) Licence - the provision of meals prepared and served to be eaten on the licensed premises.**Trading Hours:** 10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTOR'S DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact **Jennifer Rolland** from **Liquor Licensing Consultants** on (07) 5491 5022 or email llc@powerup.com.au

Closing Date for Objections or Submissions: 25th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
Locked Bag 180
CITY EAST QLD 4002
Telephone: (07) 3224 7131

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1655

*Liquor Act 1992***NOTICE OF APPLICATION FOR A LIQUOR LICENCE**

Applicant's Name: Karon Lee Carr.

Premises: Pappar Delles Italian Restaurant,
48B Woongarra Street, Bundaberg.

Principal Activity: Commercial Other (Subsidiary On-Premises) -
provision of meals prepared and served to be
eaten on the premises.

Trading Hours: 10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTOR'S DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact Ms Edwina Rowan, Charltons Lawyers on (07) 4152 2311 or email law@charltonslawyers.com.au

Closing Date for Objections or Submissions: 29th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
PO Box 3703
HERVEY BAY QLD 4655
Telephone: (07) 4197 9803

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1654

*Liquor Act 1992***NOTICE OF APPLICATION FOR A LIQUOR LICENCE**

Applicant's Name: Sushi Moto Pty Ltd.

Premises: Sushi Moto, Shop 106, The Wave Building,
89 Surf Parade, Broadbeach.

Principal Activity: Commercial Other (Subsidiary On-Premises)
Licence - The provision of meals prepared and
served to be eaten on the licensed premises.

Proposed Trading Hours:

10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTORS DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact Miss Kelly Jameison, Commercial Licensing Specialists on (07) 5526 0112 or email Kelly@clslicensing.com.au

Closing Date for Objections or Submissions: 24th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
PO Box 3520
Australia Fair
SOUTHPORT QLD 4215
Telephone: (07) 5581 3390

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1651

Liquor Act 1992

NOTICE OF APPLICATION FOR A LIQUOR LICENCE

Applicant's Name: Tonysand Pty Ltd.

Premises: The Coffee Club Jimboomba, 133 Brisbane Street, Jimboomba.

Principal Activity: Commercial Other (Subsidiary On-premises) Licence - the provision of meals prepared and served to be eaten on the licensed premises.

Trading Hours: 10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTOR'S DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact **Jennifer Rolland** from **Liquor Licensing Consultants** on (07) 5491 5022 or email llc@powerup.com.au

Closing Date for Objections or Submissions: 24th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
Locked Bag 180
CITY EAST QLD 4002
Telephone: (07) 3224 7131

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1653

Liquor Act 1992

NOTICE OF APPLICATION FOR A LIQUOR LICENCE

Applicant's Name: K Music Café Pty Ltd.

Premises: K-Music Café, Shop 39, Sunny Park Shopping Centre, 342 McCullough Street, Sunnybank.

Principal Activity: Commercial Other (Subsidiary On-Premises Licence) - The provision of karaoke.

Trading Hours: 10:00a.m. to 12midnight - Monday to Sunday.

OBJECTIONS TO THE GRANTING OF THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTOR'S DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact **David Grundy** at **Liquor & Gaming Specialists** on (07) 3252 4066 or email david@lgs.net.au

Closing Date for Objections or Submissions: 24th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
Locked Bag 180
CITY EAST QLD 4002
Telephone: (07) 3224 7131

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1656

Liquor Act 1992

NOTICE OF APPLICATION FOR EXTENDED TRADING HOURS

Applicant's Name: Radguy Pty Ltd.

Premises: Paddy's Shenanigans, 352 Shute Harbour Road, Airlie Beach.

Principal Activity: Commercial Other (Subsidiary On-Premises) Licence - The provision of entertainment.

Current Trading Hours:

5:00p.m. to 3:00a.m. - Monday to Sunday

Proposed Trading Hours:

10:00a.m. to 3:00a.m. - Monday to Sunday

OBJECTIONS TO THIS APPLICATION MAY BE FILED BY A MEMBER OF THE PUBLIC OVER THE AGE OF 18 WHO HAS A PROPER INTEREST IN THE LOCALITY CONCERNED AND IS LIKELY TO BE AFFECTED BY THE GRANT OF THE APPLICATION.

COPIES OF ANY OBJECTIONS OR SUBMISSIONS (INCLUDING OBJECTOR'S DETAILS) WILL BE FORWARDED TO THE APPLICANT AND A CONFERENCE MAY BE HELD.

Grounds for Objection:

1. Undue offence, annoyance, disturbance or inconvenience to persons who reside or work or do business in the locality concerned, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school is likely to happen; or
2. The amenity, quiet or good order of the locality concerned would be lessened in some way.

Format of Objections:

Objections must be lodged in writing individually or in petition form and must state the grounds for objection. **An objection in the form of a petition must be in a format stipulated in the Act and the principal contact person should discuss the proposed petition with the Licensing Officer listed below. A petition template is able to be downloaded from the Office of Liquor and Gaming Regulation website at www.olgr.qld.gov.au**

A MEMBER OF THE PUBLIC MAY MAKE A WRITTEN SUBMISSION TO THE CHIEF EXECUTIVE REGARDING whether the granting of this application will impact on the community, particularly relating to matters which the Chief Executive must have regard under Section 116(6) of the *Liquor Act 1992*.

For further information on what is being proposed by the applicant, please contact Miss Kelly Jameison, Commercial Licensing Specialists on (07) 5526 0112 or email Kelly@clslicensing.com.au

Closing Date for Objections or Submissions: 24th November 2010

Lodging Objections or Submissions:

Objections and/or Submissions should be lodged with:

Licensing Officer
Office of Liquor and Gaming Regulation
PO Box 1032
MACKAY QLD 4740
Telephone: (07) 4967 1005

All objectors will be notified in writing when a decision has been made on the application.

Executive Director, Office of Liquor and Gaming Regulation 1650

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