

- (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

- Made by the Governor in Council on 20 November 2008.
- Published in the Gazette on 21 November 2008.
- Not required to be laid before the Legislative Assembly.
- The administering agency is the Department of Infrastructure and Planning.

State Development and Public Works Organisation Act 1971

DECLARATION OF A SIGNIFICANT PROJECT

I, Colin David Jensen, appointed as the Coordinator-General, do hereby declare the South of the Embley Project, as generally described in the Initial Advice Statement dated 3 November 2008, to be a significant project for which an Environmental Impact Statement is required, pursuant to section 26(1)(a) of the *State Development and Public Works Organisation Act 1971*.

This declaration takes effect from the date of its publication in the gazette, pursuant to section 26(4) of the *State Development and Public Works Organisation Act 1971*.

Significant Project Declaration – Toowoomba Pipeline Project

I, Colin David Jensen, appointed as the Coordinator-General, approve the making of the following significant project declaration by gazette notice, hereunder:

"State Development and Public Works Organisation Act 1971

DECLARATION OF A SIGNIFICANT PROJECT

I, Colin David Jensen, appointed as the Coordinator-General, do hereby declare the Toowoomba Pipeline Project, as defined in the initial advice statement dated 22 October 2008 to be a significant project, for which an environmental impact statement is not required, pursuant to s.26(1)(b) of the *State Development and Public Works Organisation Act 1971*.

This declaration takes effect from the date of its publication in the gazette, pursuant to s.26(4) of the *State Development and Public Works Organisation Act 1971*."

Statutory Bodies Financial Arrangements Act 1982

GENERAL APPROVAL UNDER PART 7

Pursuant to section 60A of the *Statutory Bodies Financial Arrangements Act 1982* (SBFA Act), I hereby grant approval for those local governments listed in the schedule to provide guarantees in respect of borrowings undertaken through Queensland Treasury Corporation by SEQ Distribution Entity (Interim) Pty Ltd.

The power to grant this approval is exercised pursuant to the delegation executed by the Treasurer under section 76 of the SBFA Act on 23 March 2006.

GERARD BRADLEY
UNDER TREASURER

18/11/08

SCHEDULE

Brisbane City Council
Gold Coast City Council
Ipswich City Council
Lockyer Valley Regional Council
Logan City Council
Moreton Bay Regional Council
Redland City Council
Scenic Rim Regional Council
Somerset Regional Council
Sunshine Coast Regional Council

NOTIFICATION OF EXEMPTION

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

Maritime Safety Agency of Queensland
Brisbane, 13 November 2008

I, Captain John Richard Watkinson, General Manager, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994*, exempt all persons operating ships in the events detailed in the Schedule from section 206A of the *Transport Operations (Marine Safety) Act 1994* and sections 127A and 127B of the *Transport Operations (Marine Safety) Regulation 2004*.

SCHEDULE

Events consisting of Jet Ski racing to be conducted by the organisers, Queensland Personal Watercraft Club, between the hours of 7am and 4pm on 17 and 18 January 2009 within the 'Special Event Zone' of Somerset Dam, Kilcoy.

CAPTAIN JOHN RICHARD WATKINSON
General Manager
Maritime Safety Queensland

NOTIFICATION OF EXEMPTION

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

Maritime Safety Agency of Queensland
Brisbane, 13 November 2008

I, Captain John Richard Watkinson, General Manager, Maritime Safety Queensland, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994*, exempt all persons operating ships in the event detailed in the Schedule from section 206A of the *Transport Operations (Marine Safety) Act 1994*.

SCHEDULE

Event consisting of Ski Boat racing to be conducted by the organisers, Ski Racing Queensland Inc, between the hours of 7am and 5pm on 14 December 2008 within the 'Special Event Zone' of Somerset Dam, Kilcoy.

CAPTAIN JOHN WATKINSON
General Manager
Maritime Safety Queensland