



Brisbane River Tidal Lands Improvement Act 1927

Reprinted as in force on 1 July 2010

Reprint No. 1A

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Information about this reprint

This Act is reprinted as at 1 July 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Brisbane River Tidal Lands Improvement Act 1927

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Brisbane River Tidal Lands Improvement Act 1927

[as amended by all amendments that commenced on or before 1 July 2010]

An Act to authorise the Brisbane City Council to construct and maintain a weir over the tidal land in Breakfast Creek, a tributary of the Brisbane River within the City of Brisbane, and to authorise the said council to undertake further improvements in respect of the tidal lands or tributaries of such river within the said city; and for other consequential purposes

Preamble

- 1 The Brisbane City Council, for the purpose of remedying a nuisance existing at the head of the tidal portion of Breakfast Creek within the city, having applied for permission to construct across the said creek a weir over the tidal land thereof (the site of which proposed weir is shown on the plan in the schedule) for the purpose of preventing the passage of salt water from the said creek above the said site.
- 2 The council, having complied with the provisions of the *Harbour Boards Act 1892*, section 66, in depositing the necessary plans of the proposed structure with the marine board, the said board recommended approval of such application, provided that the said council accept any legal responsibilities which may obtain in connection with the construction and maintenance of the said weir.

1 Short title

This Act may be cited as the *Brisbane River Tidal Lands Improvement Act 1927*.

2 Definitions

In this Act—

city means the area of the City of Brisbane as defined by the *City of Brisbane Act 2010*.

council means the Brisbane City Council constituted by the *City of Brisbane Act 2010*.

marine board or *board* means the Marine Board constituted under the *Navigation Act 1876*.

3 Authority to construct and maintain weir—schedule

The council is hereby authorised and empowered to construct, and thereafter to permanently maintain and renew, a weir across Breakfast Creek and over the tidal land of such creek being a tributary of the Brisbane River within the city (the site of which such proposed weir is shown on the plan in the schedule).

4 No action to lie

- (1) No action, indictment, information, or other proceeding shall be commenced, presented, prosecuted, or maintained against the Government or the board, or any person or authority representing such Government or board, or against the council or any contractor with such council or any of its or his or her agents, officers, or workers, for or in respect of the construction, maintenance, or renewal of the said weir, or for or in respect of any alleged obstruction of the navigation of Breakfast Creek, or any alleged deprivation of any riparian rights, or deprivation of access to the said creek, or for or in respect of any damages, loss, or expenses whatsoever occasioned or alleged to be occasioned by reason of such construction, maintenance or renewal, obstruction or deprivation, or in any wise whatsoever, arising therefrom.
- (2) However, nothing in this Act shall be construed to affect the immunities or duties, liabilities or obligations of the council as a local government with respect to the said weir under the *Local Government Act 2009* or the *City of Brisbane Act 2010*,

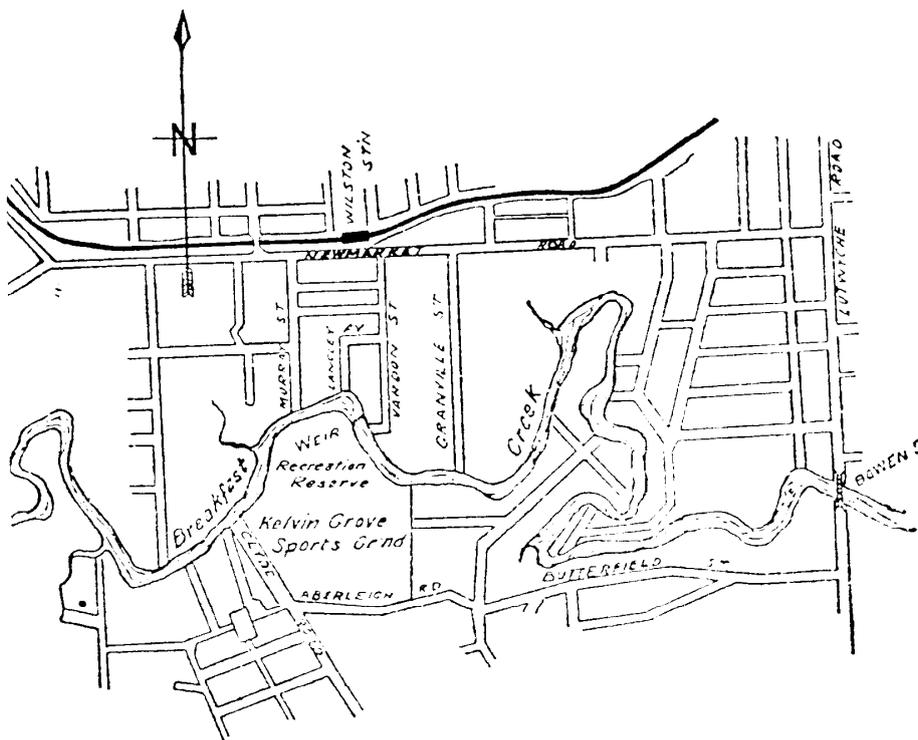
whether during the construction of the same or at any time thereafter.

5 Power to extend provisions of Act

- (1) The provisions of this Act, with such modifications, additions, conditions, and stipulations as may be deemed necessary, may at any time and from time to time be extended by the Governor in Council, by order in council published in the gazette, so as to authorise and empower the said council, with the approval of the Governor in Council, to undertake any further work or works which may be considered necessary by the council for improvements in respect of the tidal lands or tributaries of the Brisbane River within the city.
- (2) Thereupon the provisions of this Act, with such modifications, additions, conditions, and stipulations aforesaid, shall extend and apply to such work or works to the same extent and in the same manner as if such work or works were expressly mentioned in this Act.

Schedule

section 3



LOCALITY PLAN

Scale 20 Chains to an Inch



Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2010. Future amendments of the Brisbane River Tidal Lands Improvement Act 1927 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	7 January 1928	2 May 1996

Reprint No.	Amemdments included	Effective	Notes
1A	2009 Act No. 17 2010 Act No. 23	1 July 2010	

5 Tables in earlier reprints

Name of table	Reprint No.
Changed citations and remade laws	1
Changed names and titles	1
Obsolete and redundant provisions	1
Renumbered provisions	1

6 List of legislation

Brisbane River Tidal Lands Improvement Act 1927 18 Geo 5 No. 20

date of assent 7 January 1928

commenced on date of assent

amending legislation—

Local Government Act 2009 No. 17 ss 1, 2(4), 331 sch 1

date of assent 12 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2010 (2010 SL No. 122)

City of Brisbane Act 2010 No. 23 ss 1–2(1), 352 sch 1

date of assent 17 June 2010

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2010 (see s 2(1))

7 List of annotations

Definitions

- s 2 def “**city**” amd 2010 No. 23 s 352 sch 1
 def “**council**” amd 2010 No. 23 s 352 sch 1

No action to lie

- s 4 amd 2009 No. 17 s 331 sch 1; 2010 No. 23 s 352 sch 1

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