

Author Desley McComiskie
File / Ref number 2009/005896
Directorate / Unit State Land Asset Management
Phone (07)46881147

Department of
**Environment and Resource
Management**

18th October 2010

Campbell Standish Partners
Solicitors
PO Box 10631
Brisbane QLD 4000

Dear Sir/Madam,

**PURCHASE OF STATE LAND – LOT 87 IN AG3429
ACLAND COAL PTY LTD**

I refer to the application for purchase of Lot 87 on AG3429 lodged by your firm on behalf of Acland Coal Pty Ltd of 30th June 2009.

Approval has been sought to seek Governor in Council's approval for the issue of a Deed of Grant over Lot 87 on AG3429, at a purchase price of \$55,000.00 (exclusive of GST) and subject to the following.

Council has agreed to relinquish trusteeship of the reserve on the condition that you are granted a Mining Lease and that suitable negotiations take place between the applicant and the Council regarding the compensation for the existing improvements. Evidence would need to be lodged showing Council requirements are satisfied.

Please find attached the original compensation agreement required for the mining lease in the interim until the purchase is finalised.

This offer will lapse unless the following requirements are lodged with the DERM Toowoomba Office –

1. Completion and return of the attached Notification of Acceptance of Offer by **all** proposed tenure holders or their authorised representative **(required by 18/11/2010)**
2. Forward the amount of \$72545.20 as detailed in the attached account. A copy of the account should be returned to this office with your payment **(required by 18/11/2010)**
3. Forward a fully executed copy of the Compensation agreement for our records.
4. Evidence that Council's requirements have been satisfied including the granting of the mining lease. **(required by 18/1/2011)**

Office :
DERM Toowoomba
203 Tor Street
Toowoomba QLD 4350

Postal :
DERM Toowoomba
PO Box 318
Toowoomba QLD 4350

Telephone : (07)46881147
Fax: 46881478

Your attention is drawn to the requirements of the Foreign Ownership of Land Register Act 1988 that a foreign person, as defined in that Act or a trustee of a foreign person, must lodge a Notification of Ownership form for each interest acquired. No fee is payable and further enquiries can be directed to the Foreign Ownership Registry, phone (07) 3227 7262.

If you are a permanent resident of Australia, and Australian Citizen or wholly owned Australian Company, there is no need for you to take further action in this matter.

The **Notification of Acceptance of Offer** form together with payment of all required monies must be returned to the Department by close of business on 18th November 2010, otherwise this offer will lapse. All other matters are to be forwarded by close of business 18th January 2011.

If you believe you will be unable to comply with **all** the conditions of this offer by the due date, you may apply in writing for an extension of time. Applications for extensions of time must be made **before** the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the extension of time requested.

If you do not apply for an extension of time and the offer lapses, a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that will include re-assessment of the land value and all conditions and requirements applicable to the dealing. This re-assessment may also result in the application being refused.

If you wish to discuss this matter please contact Desley McComiskie on (07)46881147.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to slam-toowoomba@derm.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2009/005896 in any future correspondence.

Yours sincerely

D McComiskie
A/Senior Land Officer

Document Scanned
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2009/005895
eLVAS/ID:.....
SIGNED COMPENSATION
AGREEMENT

**Compensation Agreement
Mining Lease Application No.
50232**

**DEPARTMENT OF ENVIRONMENT AND
RESOURCES MANAGEMENT**

**NEW ACLAND COAL PTY LTD
(ACN 081 022 380)**

RTI/DL RELEASE - DNRM

**CAMPBELL STANDISH PARTNERS
Solicitors
Level 3, CPA Building
307 Queen Street, Brisbane
Telephone: 3221 0922**

Release

DATED

PARTIES

1. **DEPARTMENT OF ENVIRONMENT AND RESOURCES MANAGEMENT**

(hereinafter referred to as "**DERM**")

2. **NEW ACLAND COAL PTY. LTD. (ACN 081 022 380)** a company duly incorporated according to law and having its registered office at 3/22 Magnolia Drive, Brookwater in the State of Queensland

(hereinafter referred to as "**New Acland**").

RECITALS

- A DERM is the holder of Reserve 16087 for park described as Lot 87 Crown Plan AG3429 in the County of Aubigny, Parish of Watts, Title Reference 49011746. The Reserve is registered in the name of Rosalie Shire Council which has been amalgamated into the Toowoomba Regional Council.

- B DERM is the holder of Reserve 14096 for sanitary depot described as Lot 62 Crown Plan AG2962 in the County of Aubigny, Parish of Watts, Title Reference 49010284. The Reserve is registered in the name of Rosalie Shire Council which has been amalgamated into the Toowoomba Regional Council.

- C The application for mining lease 50232 contains the whole of the Lots described in Recitals "A" and "B" totalling an area of 3.609 hectares.

- D New Acland is the Applicant for Mining Lease 50232.

- E The parties have agreed to enter into this Agreement as required by Section 279 of the *Act*

IT IS AGREED as follows:-

1. **DEFINITIONS**

In this Agreement:

- (a) 'the Act' means the *Mineral Resources Act 1989 (Qld)* or its amendment, modification, re-enactment or replacement;

- (b) 'Agreement' means this document (including any schedules or annexures) and other agreements amending or varying this document;

Release

- (c) **'Land'** means the land over or in respect of which the Mining Lease is granted, or the grant of any additional surface area.
- (d) **'Mining Lease'** means the Mining Lease 50232.
- (e) **'Related Body Corporate'** has the same meaning as in Section 50 of the *Corporations Act 2001* (C'th)
- (f) **'Term'** has the meaning attributed to it in clause 2

2. TERM

The term of this Agreement commences on the date of execution of this Agreement and shall continue and remain in force, unless otherwise terminated by mutual agreement, until the date on which New Acland ceases to be the registered holder of the Mining Lease.

3. COMPENSATION

DERM and New Acland agree (subject to the provisions of Clause 4 hereof) that for

- (a) deprivation of possession of the surface of the Land of DERM;
- (b) diminution of the value of the Land of DERM or any improvements thereon;
- (c) diminution of the use made or which may be made of the Land of DERM or any improvements thereon;
- (d) severance of any part of the Land of the DERM;
- (e) any surface rights of access;
- (f) all losses or expenses that arise;

as a consequence of the grant of additional surface area under the Mining Lease, compensation in the amount of One Dollar (\$1.00) shall be paid by New Acland to DERM.

4. SPECIAL PROVISIONS

New Acland agrees that the surface of the Land and the DERM's assets therein will not be disturbed until such time as the offer in Attachment "A" has been accepted by Acland Pastoral Co. Pty Ltd a related body corporate of New Acland and the purchase settled

Release

5. GENERAL PROVISIONS

- 5.1 This Agreement may be altered in writing signed by each party.
- 5.2 The parties agree that this Agreement:
- (a) represents the entire agreement between them in respect of its subject matter; and
 - (b) in relation to the subject matter, supersedes any prior understanding or agreement between the parties and any prior condition, warranty, indemnity or representation imposed, given or made by a party.
- 5.3 This Agreement is to be governed by the laws applicable in Queensland.
- 5.4 If any dispute should rise between the parties, then the dispute will be referred for determination by an expert appointed by the President of the Queensland Law Society Incorporated.
- 5.5 Each party irrevocably submits to the non-exclusive jurisdiction of the courts of Queensland
- 5.6 Each party must do or cause to be done all things necessary or desirable to give effect to, and must refrain from doing anything that would hinder performance of, this Agreement.
- 5.7 This Agreement may be executed in any number of counterparts, each of which is deemed to be an original.
- 5.8 The parties must pay their own costs of and incidental to this Agreement, but all stamp duty on this Agreement must be paid by New Acland.

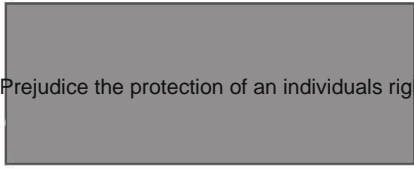
6. INTERPRETATION

In this Agreement, unless the contrary intention appears:

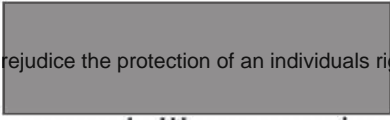
- (a) words denoting:
 - (i) the singular include the plural and vice versa;
 - (ii) one gender include all other genders;
- (b) a reference to a party includes its successors and permitted assigns
- (c) part or all of any provision of this Agreement and the remaining provisions of this Agreement continue to force

Release

sch4p3(3) Prejudice the protection of an individuals right to privacy



sch4p3(3) Prejudice the protection of an individuals right to privacy



.....
Signature of Director

.....
Print full name of Director

.....
Signature of *Director/Secretary

.....
Print full Name of *Director/Secretary

.....
*** Delete one**

RTI/DI RELEASE - DNRM

Notification of acceptance of conditions of offer in terms Section 122 of the *Land Act 1994*

Case Id – 2009/005896

Desley McComiskie
DERM Toowoomba
PO Box 318
Toowoomba QLD 4350

I/We,

(Full Name/s of Applicants)

of,

(residential address or registered office)

being the persons to whom an offer has been made in terms 122 of the Land Act 1994 and in accordance with the Department's letter of offer dated 18th October 2010

HEREBY GIVE YOU NOTICE that:

We accept the conditions of the offer.

We note that this acceptance shall not be effective until we have complied with all the conditions of the offer within the time specified.

Particulars of land

Tenure Type -	Deed of Grant		
Description -	Lot 87 on AG3429	Parish- Watts	County- Aubigny
Area (ha) -	0.8730 ha (Surveyed)		
Purchase Price-	\$55,000.00 (Exclusive of GST)		
Conditions -	As per conditions in offer letter		

Postal :
PO Box 318
Toowoomba
4350 QLD

Telephone : (07)46881147
Fax: 468811478



14-190 INT1

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File A

8 of 19

Release

Tenancy Details

I request that our interests be recorded as:-

Joint Tenants

OR

Tenants in Common.

NAME

INTEREST

POSTAL ADDRESS (of person or Company to whom correspondence is to be addressed)

(if space is insufficient, please continue on the back of this form)

The **Notification of Acceptance of Offer** form together with payment of all required monies must be returned to the Department by close of business on 18th November 2010, otherwise this offer will lapse. If you believe you will be unable to comply with all the conditions of this offer by the due date, you may apply in writing for an extension of time. Applications for extensions of time must be made before the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the extension of time requested.

However an extension of time may not be granted to make payment of all required monies.

If you do not apply for an extension of time the offer lapses, a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that may include re-assessment of the land values involved and all conditions and requirements applicable to the dealing. The re-assessment may also result in the application being refused.

Dated at _____ this _____ day of _____ 2010.

(SIGNATURE/S)

(WITNESS)

(SIGNATURE/S)

(WITNESS)

(ABN Number if applicable for Issue of Tax Invoice)

(ACN Number if no Company Seal required)

NOTE: This document should be signed by all persons to whom the offer has been made. All persons to whom the offer has been made or their registered Power of Attorney for and on their behalf should sign this document. In the event of a company being offered the tenure, this document is to be executed either under the Company Seal, with the signatories designation within the Company stated. Or, without the seal and signed by two (2) directors or, a director and the secretary.

Offer Account



This is not a Tax Invoice

Issued 18 OCT 2010

Department of
Environment and Resource
Management

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to:
Department of Environment and Resource Management, (ABN 46 640 294 485)

Payment Reference: 614504 **Account No:** 902005896
Offer/Account Date: 18/10/2010 **Account Due Date:** 15/11/2010
Enquiry Reference: 2009/005896/2

Applicant: Acland Pastoral Co. Pty Ltd
PO Box 10631
Adelaide Street
Brisbane QLD 4000
Australia
ABN No: 13 009 888 395
ACN/AREN No: 009 888 395

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	55000.00	
Property Value (Taxable, GST Excl)	1	50000.00	50000.00
GST on Taxable Property Value	1	5000.00	5000.00
Conveyance/Stamp Duty (GST Exempt)	1	750.00	750.00
Deed Fee (Div 81)	1	55.20	55.20
Total Payable at Acceptance/Settlement:			\$ 55805.20

Comment:

A Tax Invoice will be provided on completion of this dealing.
18-Oct-2010

CAMPBELL STANDISH PARTNERS

Solicitors

12 November 2010

Ms Desley McComiskie
A/Senior Land Officer
Department of Environment and Resource Management
PO Box 318
Toowoomba Qld 4350


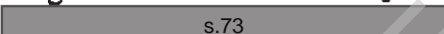
Acland Pastoral Co. Pty Ltd
Purchase of State Land – Lot 87 in AG3429

s.73 Irrelevant information

Our Ref: KPS:090020 and 090018
Your Ref: 2009/005895 and 2009/005896

We refer to the above matter and to your letters dated 18 October 2010.

We enclose the following documents as requested: -

- A copy of the fully executed Compensation Agreement;
-  s.73
- Signed Notification of Acceptance of Offer for Lot 87 on AG3429;
-  s.73
- Offer Account No. 902005896; and
- Our client's cheque in the sum of \$128,350.40.

We refer to item 4 of your letter dated 18 October 2010 relating to Lot 87 in AG 3429. The application for the Mining Lease is being actively pursued.

We advise that in view of further requirements in relation to the EIS, it is not anticipated that the Mining Lease will be granted within the time frame of your letter.

We ask that the time for completion of that requirement be extended to 18 July 2011.

Yours faithfully
CAMPBELL STANDISH PARTNERS

sch4p3(3) Prejudice the protection of an individuals right to privacy

Kevin Standish

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eLVAS ID: 2009/005896

Accept Offer + Receipt

Dept Environment &
Resource Management
15 NOV 2010
TOOWOOMBA

Notification of acceptance of conditions of offer in terms Section 122 of the *Land Act 1994*

Case Id - 2009/005896

Desley McComiskie
DERM Toowoomba
PO Box 318
Toowoomba QLD 4350

I/We,

ACLAND PASTORAL CO. Pty. LD

(Full Name/s of Applicants)

of,

3122 MAGNOLIA DRIVE, BROOKWATER
QUEENSLAND

(residential address or registered office)

being the persons to whom an offer has been made in terms 122 of the Land Act 1994 and in accordance with the Department's letter of offer dated 18th October 2010

HEREBY GIVE YOU NOTICE that:



We accept the conditions of the offer.

We note that this acceptance shall not be effective until we have complied with all the conditions of the offer within the time specified.

Particulars of land

Tenure Type -	Deed of Grant	Parish- Watts	County- Aubigny
Description -	Lot 87 on AG3429		
Area (ha) -	0.8730 ha (Surveyed)		
Purchase Price -	\$55,000.00 (Exclusive of GST)		
Conditions -	As per conditions in offer letter		

Release

Postal :
PO Box 318
Toowoomba
4350 QLD

Telephone : (07)46881147
Fax: 468811478



© The State of Queensland (Department of Environment and Resource Management)

Tenancy Details

I request that our interests be recorded as:-

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OR

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NAME

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POSTAL ADDRESS (of person or Company to whom correspondence is to be addressed)

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- the extension of time requested.

However an extension of time may not be granted to make payment of all required monies.

If you do not apply for an extension of time the offer lapses, a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that may include re-assessment of the land values involved and all conditions and requirements applicable to the dealing. The re-assessment may also result in the application being refused.

Dated at BRISBANE this 12th day of November 2010.

sch4p3(3) Prejudice the protection of an individuals right to privacy sch4p3(3) Prejudice the protection of an individuals right to privacy

 (SIGNATURE/S) DIRECTOR (WITNESS)

sch4p3(3) Prejudice the protection of an individuals right to privacy sch4p3(3) Prejudice the protection of an individuals right to privacy

 (SIGNATURE/S) SECRETARY (WITNESS)

12 009 888 395 009 888 395

(ABN Number if applicable for Issue of Tax Invoice)

(ACN Number if no Company Seal required)

NOTE: This document should be signed by all persons to whom the offer has been made. All persons to whom the offer has been made or their registered Power of Attorney for and on their behalf should sign this document. In the event of a company being offered the tenure, this document is to be executed either under the Company Seal, with the signatories designation within the Company stated. Or, without the seal and signed by two (2) directors or, a director and the secretary.

Offer Account



This is not a Tax Invoice

Issued 18 OCT 2010

Department of
Environment and Resource
Management

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ACN/AREN No: 009 888 395

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Deed Fee (Div 81)	1	55.20	55.20
Total Payable at Acceptance/Settlement:			\$ 55805.20

Comment:

A Tax Invoice will be provided on completion of this dealing.
18-Oct-2010

Release

Submission

Date: 17th September 2010 **Application Type:** Application to purchase

eLVAS Case Id: 2009/005896

Applicant & Fee: McCollum Environmental Management Services on behalf of
Acland Pastoral Co Pty Ltd
Application Fee \$206.60 paid on 30th June 2009 on receipt 3782500

Description of Land: An area of about 8730m² known as Lot 87 on AG3429 (parish of Watts, locality of Acland) known as Park Reserve R1241 with the Toowoomba Regional Council as trustee. The land is required as part of the Stage 3 extension to the Acland Mine.

Proposed Actions: Action 1 – Res Cancel (Revoke)
Action 2 – DG 1.1 USL (Section 122)

Native Title: Assessment on file – Module BA

Cultural Heritage: No recorded sites.

Contamination: This parcel is not listed on the Contaminated Land Register.

Interested Parties Views:

Toowoomba RC 20/5/2010 Conditional approval.

1. Council will relinquish trusteeship of reserves on condition that New Acland Coal Mine is granted a Mining Lease.
2. The cost of relocation of trees, shrubs, plants & gardens buildings or other structures including their removal from the site, transportation and installation to a nominated site.
3. Independent valuations be obtained for the reimbursement of any trees, shrubs and plants that cannot be located.
4. The Sale is to be in accordance with the Revenue Share Policy for Local Government Operational Trust Land.
5. Council be compensated the sum of \$71000.00 for the loss of improvements that cannot be relocated, namely Toilet block, bore, gazebo and barbeque structure. Comment was made about the value of mature trees being dealt with later date.

Comments from Views:

Policy advised the following in relation to the above Council requirements

2. that the trees and mature plants are not to be removed as they remain the property of the state and that the balance of this requirement would be between the applicant and the Council.
3. This condition would be between the applicant and the Council
4. The Revenue share policy cannot be utilized for a community purpose reserve. There is no exception to this policy.

5. This condition would be between the applicant and the Council. The trees and mature shrubs cannot form part of any compensation amount. The state will not pay any compensation for any improvements on the land.

SVS Report: Dated 11/6/2010. Purchase price of \$50000.00

Stamp Duty: Calculated on \$55000.00 the stamp duty applying will be \$750.00.

Survey Requirements: Advice dated 24/8/2009 states that land is in fully surveyed state. No further survey requirements.

Section 123 Priority: The applicant is the adjoining registered owner and selling or leasing to anyone else would be considered inequitable and no other persons are likely to be interested in obtaining the land.

Other Considerations: Acland Pastoral Co Pty Ltd are in negotiations with Department of Mines & Energy to extend the current mining lease 50232 to include the area of Stage 3 including this reserve land. A compensation agreement has been drafted between our department and Acland Pastoral Co Pty Ltd to satisfy Section 279 of the Mineral Resources Act 1989, which will allow the issue of the Mining Lease until such time as our departmental offer is accepted and the purchase of the land is settled.

The departments offer would be subject to satisfying Council's requirement above and the granting of the mining lease.

Submitted:

May approval be granted for the following

1. Revocation of Park Reserve R1241 Parish of Watts known as Lot 87 on AG3429 under Section 33 of the Land Act 1994
2. Offer the applicant the land described as Lot 87 on AG3429 at a purchase price of \$55,000.00 (inclusive of GST) plus associated costs subject to Council's requirements under Section 122 of the Land Act 1994
3. Approval of the compensation as lodged under the powers delegated Public Business of the State.

Desley McComiskie
Land Officer

Enquiries: Mr Chris Theodosis Tel: 07 4688 6620
Our Ref: 3739448
Your Ref: 2009/005895 & 2009/005896

20 May 2010

DERM Toowoomba
PO Box 318
TOOWOOMBA QLD 4350

Attention: Val Wright

Dear Ms Wright,

**APPLICATIONS TO PURCHASE CHURCH STREET, ACLAND (L87/AG3429)
– RESERVE FOR PARK, AND**

s.73

I apologise for the delay in response in this matter and refer to your correspondence to Toowoomba Regional Council, dated 10 December 2010, 10 September 2009, and 24 August 2009, requesting advice of Council's views and requirements regarding the abovementioned two applications you have received for the purchase of the Reserves for which Council acts as Trustee. Council earlier wrote to you on 8 March 2010 in response to your correspondence regarding the Church Street, Acland (L87/AG3429) – Reserve for Park. The instant letter repeats the views stated in Council's earlier letter, and communicates further views and requirements that Council has in relation to the applications to purchase the abovementioned Reserves.

Indemnity relating to Council's trusteeship required

Council will be amenable to releasing trusteeship of the abovementioned Reserves on the condition that Council secures indemnity for any liability claims from anyone, including the purchaser and subsequent purchasers, relating to Council's trusteeship of and use of both Reserves.

To assist Council in achieving this end, we would be appreciative of receiving notice from you (the State of Queensland) of the terms of any indemnity that the State proposes or secures in relation to the State's potential liability in the proposed land transfer transaction.

In relation to each Reserve in particular, Council provides the following views and requirements:

s.73

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eLVAS ID: 2009/005895
2009/005896

Council Advice



Dept Environment &
Resource Management
26 MAY 2010

TOOWOOMBA

Toowoomba Regional Council
PO Box 3021
Toowoomba Village Fair QLD 4350
T 07 4688 6611 F 07 4631 9292
E info@toowoombaRC.qld.gov.au
W www.toowoombaRC.qld.gov.au

SERVICE CENTRES

CLIFTON

95 King Street

Clifton Q 4361

T 07 4697 4222

CROWS NEST

25 Emu Creek Road

Crows Nest Q 4355

T 07 4698 1155

GOOMBUNGEE

89 Moccatta Street

Goombungee Q 4354

T 07 4696 7900

GREENMOUNT

54 Hodgson Street

Greenmount Q 4359

T 07 4697 0200

HIGHFIELDS

O'Brien Road

Highfields Q 4352

T 07 4630 8925

MILLMERRAN

2-16 Campbell Street

Millmerran Q 4357

T 07 4695 1399

OKEY

64 Campbell Street

Oakey Q 4401

T 07 4691 1388

PITTSWORTH

85 Yandilla Street

Pittsworth Q 4356

T 07 4619 8000

TOOWOOMBA

153 Herries Street or

543 Ruthven Street

Toowoomba Q 4350

T 07 4688 6611

ABN 997 8830 5360

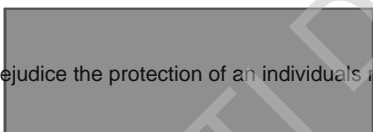
Application to Purchase Church Street, Acland (L87/AG3429) – Reserve for Park

As stated in Council's earlier letter of 8 March 2010, no objection is raised to the sale of this reserve subject to the following conditions:

1. Pending approval of granting of the lease for Stage 3 of the New Acland Coal Mine, Council would not have any objection to the release of the trusteeship by Council and sale of the land;
2. The costs of relocation of trees, shrubs, plants, gardens, buildings or other structures including their removal from the existing site, transportation and installation to a nominated site and acquiring any permits and insurances, be borne by the Applicant;
3. Independent valuations be obtained for the reimbursement of any trees, shrubs and other plants that cannot be relocated;
4. The sale of the land to be in accordance with Revenue Share Policy for Local Government Operational Trust Land PUX/901/211. While this policy does not relate to trust land dedicated for a community purpose as defined in Schedule 1 of the *Land Act 1994*, it should be noted that due to the acquisition of the majority of the Acland township by the applicant (New Acland Coal) the subject land is not utilised for its community purpose and has not served this purpose for some time;
5. Council be compensated the sum of \$71,000 for the loss of improvements that cannot be relocated from the site namely - the toilet block, bore, gazebo and barbecue structure. Please note that this sum does not include the value of mature trees and shrubs that cannot be relocated and will be further evaluated at an appropriate time.

If you require any further information, please contact Council's Strategic Property Development Officer, Mr Chris Theodosis on telephone 4688 6620 or chris.theodosis@toowoombarc.qld.gov.au

Yours sincerely



J A Bradshaw
DIRECTOR DISTRICT SERVICES

h4p3(3) Prejudice the protection of an individuals right to privacy

E-MAILED

9 3 2010



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eLVAS ID: 2009/005896
Council Views - No obj -

Reference: DM 3683287
Request: 139395
DM 3492277
Your Ref: 2009/005896
dko:rag

8 March 2010.

Department of Environment & Resource Management
PO Box 318
TOOWOOMBA QLD 4350.
ATTN: Sandra Witheyman

Dept Environment & Resource Management
11 MAR 2010
TOOWOOMBA

Toowoomba Regional Council
PO Box 3021
Toowoomba Village Fair QLD 4350
T 07 4688 6611 F 07 4631 9292
E info@toowoombaRC.qld.gov.au
W www.toowoombaRC.qld.gov.au

Dear Sandra

Re: Application for purchase of Reserve for Park on L8/AG3429

I refer to your correspondence dated 10 December 2009 seeking comment from Council in relation to the application for purchase of Reserve for Park on L8/AG3429..

I wish to advise that following review by Toowoomba Regional Council staff from Goombungee Service Centre & Senior Administration and Property Officer (Toowoomba).

Council advises that:

1. Pending approval of granting of the lease for Stage 3 of the New Acland Coal Mine, it would not have any objection to the release of the trusteeship by Council and sale of the land.
2. That independant valuations be obtained for the reimbursement of any trees, shrubs and other plants that cannot be relocated, and for any buildings or structure that cannot be relocated;
3. That the cost of relocation of trees, shrubs, plants, gardens, buildings or other structures be borne by the applicant or purchaser of the land; and
4. The relocation shall include the removal, transportation and installation to a Council nominated site, any permits and insurances.

If you should require any further information, please contact the Goombungee Service Centre on (07) 4696 7900.

Yours faithfully

[Redacted signature area]

14-199 D. N. O'SHEA
District Manager
GOOMBUNGEE SERVICE CENTRE

File A

- SERVICE CENTRES**
- CLIFTON**
95 King Street
Clifton Q 4361
T 07 4697 4222
- CROWS NEST**
25 Emu Creek Road
Crows Nest Q 4355
T 07 4698 1155
- GOOMBUNGEE**
89 Mocatta Street
Goombungee Q 4354
T 07 4696 7900
- GREENMOUNT**
54 Hodgson Street
Greenmount Q 4359
T 07 4697 0200
- HIGHFIELDS**
O'Brien Road
Highfields Q 4352
T 07 4630 8925
- MILLMERRAN**
2-16 Campbell Street
Millmerran Q 4357
T 07 4695 1399
- OAKEY**
64 Campbell Street
Oakey Q 4401
T 07 4691 1388
- PITTSWORTH**
85 Yandilla Street
Pittsworth Q 4356
T 07 4619 8000
- TOOWOOMBA**
153 Herries Street or
543 Ruthven Street
Toowoomba Q 4350
T 07 4688 6611